A
CENTURY OF TRIBAL POLITICS

in North East India
1874-1974

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Fakhruddin Ali Ahmed

PRESIDENT OF INDIA

For Catholicity, Conformity & Consistency

Preface

The material for A CENTURY OF TRIBAL POLITICS IN NORTH EAST INDIA, 1874-1974, was collected from the Assam Record Office, Shillong, the National Archives and the Indian Council of World Affairs, New Delhi, the offices of the D.Cs and the District Councils of the Autonomous Districts of the Garo Hills, the Jaintia Hills, the Mikir Hills, the Mizo Hills, the Khasi Hills and the North Cachar Hills and also from the offices of the Chief Electoral Officers, Kohima, Mizoram and Shillong. The material relating to the formation of States was collected partly from the personal files of Late Bimala Prasad Chaliha, Chief Minister of Assam, Sri Stanley D.D. Nichols-Roy, the General Secretary of the APHLC and Prof. R. S. Lyngdoh. Prof. Lyngdoh helped me in many ways in securing the material.

Many persons helped me in the preparation of this work. Prof. R.S. Lyngdoh, Speaker, Meghalaya Legislative Assembly and Dr. Barrister Pakhem Reader in Political Science, Hill University, Shillong, read the chapters relating to the formation of Meghalaya. Rev. Liangkhaia F.W. Malsawma and Pu. Lalhunga read the chapters relating to Mizoram. Sri S. C. Daolgupu, formerly Secretary, Mikir Hills District Council, read the chapters relating to the Mikir Hills. Dr. M. Aram and Dr. Niru Hazarika read the entire work. All these persons suggested certain amendments in the draft. May I express my gratefulness to all of them for reading the manuscript and suggesting amendments.

Shri K.A.A. Raja, Lt. Governor of Arunachal Pra-

desh and Sri P. C. Sarma were kind enough to permit me to consult records in their respective offices. My grateful thanks are due to them.

I am also grateful to Padma Sri Shyamlal Gupta for undertaking the publication of this work.

I am aware of the deficiencies in this work. I did not deal with tribal politics in Manipur and Tripura. I shall collect the material on these two topics and incorporate them in the next edition.

It is my earnest hope that this work will have good reception because there is no work in this enchanting subject. I shall be grateful if the readers of this work can suggest improvements so that the second edition may be better than the first.

I dedicate this work to one who is known throughout his life for his catholicity of outlook, conformity to the trunk of tradition and consistency in political behaviour—Dr. Fakhruddin Ali Ahmed, the President of India.

Gauhati University
12 May, 1975

V. VENKATA RAO

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Abbreviations

APCC—Assam Provincial Congress Committee

APHLC—All Party Hill Leaders Conference

C.A.—Constituent Assembly

C.E M.—Chief Executive Member

Chaliha—Bimala Prasad Chaliha

C.L.P.—Congress Legislative Party

C.M.—Chief Minister

D.C.—Deputy Commissioner

D.V.C.—*Damodar Valley Corporation*

E.I.T.U.—Eastern India Tribal Union

E.M.—Executive Member

G.N.C.—Garo National Council

I.C.S.—Indian Civil Service

I.N.C.—Indian National Congress

JSC on ICR—Joint Select Committee on Indian Constitutional Reforms

K.J. Hills—Khasi and Jaintia Hills

M.D.C.—Member District Council

M.L.A.—Member Legislative Assembly

M.N.F.—Mizo National Front

M.U.—Mizo Union

NEFA—North Eastern Frontier Agency

N.N.C.—Naga National Council

N.N.O.—Naga National Organization

P.M.—Prime Minister

P.W.D.—*Public Works Department*

Sangma—Capt. Williamson S. Sangma

S.R.C.—States Reorganization Commission

T.A.D.—Tribal Areas Department

T.V.A.—Tennessee Valley Authority

U.D.F.—United Democratic Front

U.M.F.O.—United Mizo Freedom Organization

U.F.N.—United Front of Nagaland

U.S A.—United States of America

Y.M.A —Young Mizo Association

PART I

POLITICAL DEVELOPMENT

CHAPTER I

A Profile of North-East India

Location. North-East India has three distinct regions: Assam Valley, Purvanchal and Meghalaya-Mikir region.

The Assam Valley or the Brahmaputra Valley (25° 44′-27° 55′N and 89° 41′-96° 02′E) is a well demarcated physical unit within the girdle formed by the Eastern Himalayas, Patkai and Naga Hills and the Garo-Khasi-Jaintia and Mikir Hills. It is about 720 Km in length and 80 Km in breadth. It covers an area of about 56,274Km. The valley includes the administrative districts of Lakhimpur, Sibsagar, Nowgong, Darrang, Dibrugarh, Kamrup and Goalpara of the State of Assam. It is bounded by Arunachal Pradesh and Bhutan in the North, Bangladesh in the west, Meghalaya in the south, Nagaland in the south-east and the Tirap division in Arunachal Pradesh in the East.

The Purvanchal region (21° 57′-28° 23′N and 91° 13′-97° 25′E) covering an area of about 94,800 Km consists of Nagaland, Manipur, Tripura, Mizo Hills and Cachar district along with a fifth of Haflong Tahsil of Assam State and a part of NEFA. Its maximum length is about 755 Km. It is surrounded by Bangladesh in the South-West, Burma in the South-East and China in the North-East.

The Meghalaya-Mikir region (25° 05′-26° 41N and

89° 47'- 93° 36' E) comprises the Garo Hills, the Khasi and Jaintia Hills and the outlying Mikir Hills. The region from Dhansiri in the East to Singimari river on the west is about 400 Km with an average width of about 40 Km, covering about 35,291 Km. It includes the State of Meghalaya, Mikir Hills and a portion of North Cachar Hills. It is bordered on the north by Goalpara district and Kamrup district, on the west by the south-western part of Goalpara district and a part of Rangpur district (Bangladesh) on the south by the district of Sylhet and Mymensing and on the east by Sibsagar district.

Thus, North-East India is located in a corner of the Indian Union. She has natural frontiers on three sides. Her northern frontier from Sankosh river on the west to the entrance of the mighty Brahmaputra into Assam is guarded by the Assam Himalayas. The Macmohan Line separates North-East India from Tibet. She is bounded by Bhutan in the west, Tibet and China in the north and east, Burma in the south-east and Bangladesh in the south.

The physiographic features of the North-East India may be divided into three major groups, Hills and Mountains, Plateaus and Plains. The Physiographic divisions of North-East India are North-Eastern Frontier Mountain Ranges, South-Eastern hill ranges, Assam Plateau, Assam Valley and Cachar Plains.

The North-Eastern Frontier Ranges extend from Tista river in Sikkim and Namcha Barwa peak in the Mishmi Hills. Here, the Brahmaputra makes a hairpin bend and cuts across the mountains before flowing into the Plains of Assam. The total length of this region is 720 Km. This region is divisible into several sections, Bhutan Himalaya extending from Sikkim to Dhansiri river, Aka Hills from Dhansiri to Dikorai river, the Dafla Hills from Bharali river in the west to Ranganadi in the east, the Mikir Hills in the North of Lakhimpur district, the Abor Hills between Bibong and Di-

hang rivers. The Namcha Barwa is the highest peak in this region (7,756 metres or 25,445 ft). The next highest peaks are Kulakangri and Chomo Lhari with altitudes of 24,784 ft or 7,544 metres and 23,997 ft or 7,344.2 metres respectively. There are also several glaciers and an important lake Yegrongtso in this region.

The southern Hill ranges include, the Patkai, the Naga, the Barail hills, the highlands of Manipur and the Lushai Hills. With the exception of Manipur Basin, the entire region is very much undulating. The general elevation of the ranges is 3,000 feet or 914.5 metres above the sea level. There are few notable peaks, Sarameti and Japvo in the Naga Hills and Noi-isong. The ranges of this region are separated from one another by narrow steep sided valleys.

The Meghalaya Plateau includes the Garo Hills, the Khasi and Jaintia Hills and the Mikir Hills. The length of the Plateau from the river Dhansiri in the East and Singaimari river in the west is approximately 250 miles or 420.2 Km and the width is 25 miles or 40.2 Km on the average. The Meghalaya Plateau with the exception of the south-eastern part is surrounded by the Plains of Brahmaputra, Surma and the Kopily rivers.

The Brahmaputra Valley hemmed in between the North-East Frontier hills, Patkai and the Naga Hills and the Meghalaya Plateau, occupies a most significant part of the physiography of Assam. The valley is very extensive: 450 miles in length and 60 miles in width on the average. The river Brahmaputra passes through the middle of the valley.

The Cachar Plains is 125 miles in length and 60 miles in width.

Climate. Though the temperature is moderate in the Assam Valley, the weather becomes sultry as against the dry heat of the Ganga Plain. Further, there are fogs, thunderstorms, dust raising winds and excessive heat. Fogs occur for

seventy days and thunderstorm for more than 100 days in a year.

The Purvanchal region enjoys a typical monsoonal climate with variants ranging from tropical to temperate conditions. The rapid changes in topography result in climatic changes within short distances. As such any generalization regarding the climate of the whole region is not possible.

The climate of Meghalaya region differs from that of Brahmaputra valley mainly due to its highest relief which in general makes the climate very solubrious while that of Brahmaputra plains is comparatively much warmer in summer and cool in winter. It is worthwhile to note that the climate of Khasi and Jaintia Hills is conducive to sustained intellectual work. But in the Garo Hills it is oppressive as a result of high temperature except in winter. The climate of the Mikir Hills is uncomfortable except in winter and becomes oppressive during monsoon leading to malarial conditions which have caused unprecedented havoc.

Rainfall. In the Assam Valley the rainfall varies from season to season. In the witner season it is about 11.4 cm, in the summer season 51.87 cm; in the monsoon season the total amount of rainfall is very high. About 70 days in the months of June, July, August and September are rainy days. But in October-November the rainfall is only 15.2 cm. It must also be said that the eastern part of the valley experiences heavy rainfall and the western part less rainfall.

The amount of total rainfall in the Purvanchal region varies from a minimum of 100 cm to a maximum of over 300 cm. The north-western part of the Mizo Hills along with the adjoining areas of Cachar and Manipur receives the highest rainfall. Manipur receives less than 150 cm. The Tripura, the rest of the Mizo Hills and Cachar, North Cachar and western half of Manipur hills receive 150 cm to 200 cm. The hill slopes facing the south-western monsoon always

receive larger amounts than the enclosed valleys. The case is, however, different with the valleys of Lohit, Burhi-Dihing and Surma. They receive much heavier rainfall.

The average rainfall in the western Meghalaya is 2,689 mm, in the south-east 4,000 mm and in the north it is between 2,500-3,000. In the Central and Eastern Meghalaya there is high rainfall with an average of 7,196 mm which distinguishes it climatically from other parts of Meghalaya. However, there is great variation in the rainfall within the region of Meghalaya from south to north. The rainfall in Cherrapunji is as high as 12,033 mm while Shillong being located at a distance of 50 Km receives only 2,296 mm. Mawsynram which is about 16 miles west of Cherrapunji records the highest rainfall in the world, 13,923 mm. Jowai receives much less 3,077 mm.

Minerals: North-East India is potentially rich in raw materials. The economic exploitation of these raw materials has been hindered by such factors as poor transport communications, lack of capital, non-availability of cheap power and lack of local talent. It was only after 1947, some effort has been made in this direction.

Oil was first discovered in Assam more than 70 years ago. The Digboi Oil Refinery was started in 1901. Since then Assam was the only oil producing Province in the whole country. In 1950's extensive oil fields were discovered in Naharkatia, Moran, Lakhowa, Rudrasagar, Teok and Galeky. Besides oil there are a large number of oil wells which are associated with natural gas. Some of the wells produce gas only. A fertiliser factory has been set up at Namrup to utilise a part of this gas.

Besides oil and gas, there are extensive coal fields extending from Ledo in the Garo Hills but a large number of coal mines are not worked for want of transport facilities. Another natural resource is limestone which is to be found in the

Mikir Hills, North Cachar Hills, Khasi Hills, Jaintia Hills and the Garo Hills. The limestone is used for the manufacture of Cement.

Sallimanite is also available in the Khasi Hills and Iron ore, China Clay, Silicon, Feldspar, Quartz and fire clay are also available in the North-East India.

Mineral resources of economic value are also available in Nagaland, Manipur, Tripura, and North Cachar. In Nagaland a certain amount of tufa lime has been discovered in the Sijju Valley while lignite is found in the hills near Nichugarh. Some coal was also dicovered near Aakey village and in the Hills through which the river Disari flows but the deposits are very inferior.

In Manipur iron ore, copper ore, rock salt and limestone are available. Limestone is also available in the hills of North Cachar. In Tripura clay is found in Agartala. Deposits of lignite limestone and Ochre are available but not commercially valuable. Petroleum may be found in Tripura.

Meghalaya is very rich in mineral resources but so far only coal, limestone, and sillimanite have to some extent been commercially exploited.

Forests. The total area of forests of all kinds is 43,75,169 acres, in the Brahmaputra valley. Of all the districts Goalpara has not only the highest acreage of reserved forests, containing the most valuable timber but also the second highest total acreage. Though Kamrup district stands first in the total acreage of forests, its position is less significant in respect of reserved forests. The Sibsagar district though stands fourth in the total acreage, its position in respect of the valuable reserve forests comes next to Goalpara. Lakhimpur district occupies the third position both in respect of total acreage and reserved forests, having the most valuable commercially exploitable timber and vineer species.

Although the vegetation of the Meghalaya Plateau is extremely varied and interesting from the Botanical point of view, yet the area under forests is considerably insignificant in comparison to the surrounding regions. It is striking to note that in spite of heavy downpour in the southern face of the Central Meghalaya, where one would usually expect dense evergreen rain forests, the entire area is bleak and dreary with hillocks. Unlike the Central, Western, and Eastern Meghalaya, the Mikir Hills region has a high density of forest areas with vegetation more similar to the Central Brahmaputra Valley. In Meghalaya the richest forest reserve is in the Mikir Hills. There are valuable forests there.

The Purvanchal may still be considered as a treasure land of natural vegetation though its forests have suffered a good deal due to century old jhuming practice. The variations in altitude, latitude, climate and soil have given rise to a diversity of forest types ranging from tropical evergreen to temperate evergreen. Bamboo jungle is extensive everywhere. In the unclassed forests the tribals are allowed to collect forest produce for sale but only after due permission from the civil authorities. It is in these forests that jhuming is widespread.

Rivers. The Brahmaputra in the Assam Valley has more than 35 major tributaries. Among the right bank tributaries, the Subansiri, Bhareli, Dhansiri, Barnadi, Pagladia, Manas, and the Sankosh are the most important. Of the left bank tributaries, the Lohit, Dihang, Noa-Dhing, Burhi-Dhing, Disang, Dikhow, Jhanji, Dhansiri, Kapil, Digaru, Kulsi, Singra, Jiniram, Dudhanai and the Krishnai are the most important. Many of these tributaries are large rivers with sizable catchment areas. A good number of them are navigable. Floods are an annual menace to agriculture and settlement in the valley. The Brahmaputra with its tributaries carries tremendous volume of water and considerable

silt discharge during the rains. As a result rivers get choked with detritus.

In Purvanchal, the rivers cut across the hill ranges at suitable points. The Barak, the Diyung, the Dikhu, the Tixu, the Nantalelk and many others are examples in point. The Kaladam and the Manipur rivers constitute the most important drainage systems of Manipur and Mizo hills, respectively.

Economy. Agriculture is of basic importance in this region. Agriculture is the chief occupation of the people. Nearly 90 per cent of the people depend upon agriculture. In Manipur in addition to agriculture, handloom industry is well developed and provides part-time employment for about 2 lakhs of persons. Manipur therefore stands sixth in India in regard to the number of looms. The territory has also acquired reputation in some other handicrafts like embroidery, metal works, cane and bamboo works.

Meghalaya Plateau has primitive economy even today. Most of the working population, about 84 per cent are involved in agricultural activities as their primary occupation. In Western Meghalaya 94 per cent are engaged in agriculture.

In the Assam Valley agriculture is a way of life. The crops in this valley are three, summer crops, winter crops and plantation crops. The summer crop is of greater importance and rice is grown in this season. As regards the plantation crops, agriculture is the most important. Fifty per cent of the tea produced in this country is produced in this valley. Next to tea jute is another cash crop produced in this region. Besides jute, cotton, Muga Eri and Pat are also grown in this valley. Of the fruits, oranges, pineapples and wood apples are also grown and they are exported to Calcutta.

In the Tirap-Lohit Region, agriculture is the main occupation of the people and jhuming is the usual practice.

Ploughing and manuring land find no place there. Hoe is the backbone of all farming. However, there are few tribes like the Khamptis who have taken to ploughing. In the Tirap area there is not much variety but in the Lohit area there is.

In Nagaland also there is shifting cultivation. The Angami Nagas have adopted terrace cultivation. There are no industries worth mentioning except a sugar mill in Dimapur.

This is the case in all other hill areas.

Wildlife. Assam forests contain important species of mammals, birds and reptiles and fishes. The most important among the mammals, are the elephants, rhinoceros, bisons, and deer. The one-horned rhino of the valley is an important foreign exchange earner being a rare species and almost extinct elsewhere. The elephants are also important particularly as a means of transport in difficult terrain and as draught animals in the lumbering industry. There are two game sancturies, the Kaziranga which has been developed as a National Park and which enjoys international stature as a tourist centre and the other at Manas.

In western Meghalaya there are elephants and tigers. At one time there were also leopards, buffaloes, bears, wild pigs and deer, Mithuns or bisons. These are now extinct.

Population. North-East India comprises the district of Darjeeling in West Bengal, Assam, Arunachal Pradesh, Meghalaya, Nagaland, Manipur, Mizoram and Tripura. The total area of North-East India is 2,59,054 Km and the total population in this region is 1,95,22,116. The area and the population of the several political units in North-East India are as follows.

Name of the Unit	*Area in Sq.Km.*	*Population (1971)*
Arunachal Pradesh	83,578	4,44,744
Assam	78,556	1,46,30,412
Meghalaya	22,476	9,83,336
Mizoram	21,067	3,21,686
Nagaland	16,527	5,15,561
Manipur	22,356	10,69,555
Tripura	10,477	15,56,882

Density of Population. The density of population varies from place to place. It is as follows.

India	182 per Sq.Km.
Assam	150
Arunachal	6
Nagaland	31
Manipur	48
Meghalaya	44
Tripura	149
Mizoram	16

Urbanization: Urbanization has made very slow progress in North-East India. A vast majority of the people continue to live in rural areas. Although the urban population has grown it did not make any perceptible change in the rural population. The percentage of urban population is as follows.

India	19.87 per cent
Assam	8.39
Arunachal	3.12
Nagaland	9.91
Manipur	13.25
Meghalaya	13.02
Tripura	7.82
Mizoram	11.36

Sex Ratio. In all political units in North-East India, males outnumber females. In 1971, however, there are more females than in 1961. The sex ratio is as follows.

	Total	*Rural*	*Urban*
Assam	901	916	754
Nagaland	872	931	468
Manipur	984	984	984
Meghalaya	954	965	883
Tripura	940	941	930
Arunachal	Not available		
Mizoram	946	947	936
India	932		

Literacy. Although the literate population has registered a growth of 40 per cent in 1961-71, the percentage of litesates to total population has not shown any appreciable increase. It is as follows (percentage).

	Total	*Males*	*Females*
India	29.34	39.51	18.44
Assam	28.81	37.74	18.91
Nagaland	27.33	34.42	19.21
Manipur	32.50	46.16	19.22
Meghalaya	28.43	32.94	23.00
Tripura	30.87	40.56	20.55
Arunachal	Not available		
Mizoram	53.79	60.49	46.71

Now let us note the percentage of literacy in the rural areas in the different units.

	Total	*Males*	*Females*
India			
Assam	26.06	35.02	16.28
Nagaland	23.45	29.70	16.74
Manipur	29.67	43.06	16.05
Meghalaya	23.01	27.27	18.59
Tripura	27.95	37.84	17.43
Arunachal	Not available		
Mizoram	51.39	58.29	44.16

Let us now note the rate of literacy in the Urban areas.

	Total	*Males*	*Females*
India			
Assam	58.84	64.87	50.84
Nagaland	62.63	67.06	53.18
Manipur	53.31	66.45	39.95
Meghalaya	64.68	69.23	59.51
Tripura	65.23	72.35	57.56
Arunachal	Not available		
Mizoram	72.53	77.55	67.18

From the above it is clear that Mizoram occupies the distinctive position in regard to literacy. It is highest in every respect. Tripura comes next. Arunachal Pradesh occupies the last position.

Religion. There is immense religious diversity in this area. There are, according to 1961 census, 6,641 Hindus, 2,329 Muslims, 644 Christians, 8 Sikhs, 31 Buddhists, 8 Jains and 339 others out of every 10,000 population. Each religious group is concentrated in a particular area. The Hindus and Muslims are concentrated in the Brahmaputra

Valley and Cachar district and the Christians in the Hill Areas. In Arunachal Pradesh, Mikir Hills, and the North Cachar Hills, the Christians are not in great numbers except among the Padams. Twenty-three per cent of the Padams are Christians. Buddhism is predominant in some places in Arunachal Pradesh. The Monpas are good Buddhists. Though they come under the Tibetan influence and adopted the Lamaist faith, they are not Tibetans. They are distinct from Tibetans in many respects. Next to the Monpas, the Khamptis 93 per cent of them are Buddhists. Next to the Khamptis, the Sherdukupens 90 per cent and Singpos 70 per cent are Buddhists. Even though they are Buddhists they do not belong to the same school but to different schools.

Communications. North-East India has no direct access to sea. She is connected with the Bay of Bengal at a distance of 476 miles by that International River, the mighty Brahmaputra. During the Indo-Pakistani conflict. 1965, this connection was cut off. After the emergence of Bangladesh it was restored.

Communications to North-East India are not well developed though all the forms of communications are in use. This is due to the isolated location of North-East India, linked with the rest of the country by only a narrow corridor between the Himalayas on the one side and Bangladesh on the other. The development of inland water transport was similarly checked by the inclusion of the lower part of Brahmaputra in Bangladesh. Within this region itself the development of roads and railways had been hindered by the existence of numerous ranges of hills, rivers and streams which change their course frequently.

Before 1947, the rail connection between Gauhati and Calcutta was through East Bengal (now Bangladesh). After Partition, this connection was cut off. As a consequence, there was no rail link between India and North-East India, immediately after Partition. This obvious disadvantage was

got over by the construction of the famous rail link from Fakiragram to Siliguri through the foothills of the Himalayas. The rail connection has been improved to a great extent by the construction of three bridges, two over Ganga, one at Mokhema and another at Farakka and the third over Brahmaputra near Gauhati. At present there is rail link between North-East India and the rest of the country. But this connection is very fragile. Very often floods cut off this connection for several days in a year.

In North-East India, here are 2,300 kilometres of railways serving mainly the seven plain districts of Assam, the Mikir Hills and North Cachar Hills and Cachar district. The Garo Hills, the Khasi Hills, the Jaintia Hills, the Mizo Hills and Arunachal Pradesh have no rail connection at all. The railway line 300 Km linking Rangapara with Morkongsalek at the foot of the Siang District in Arunachal Pradesh was constructed recently in order to provide transport facilities to Arunachal Pradesh. Thus, North-East has a very low railway density at the rate of 1 Km for every 50 sq. km. This was due to the geographical condition and lack of development of industries.

As regards road transport, there is road transport between North-East India and the rest of the country. But the existence of numerous hills and streams thwarted the construction of roads in the hill region. Yet after the Chinese invasion of 1962, a determined effort was made and a network of roads were constructed by the Border Road Department.

In the Brahmaputra Valley, there are two trunk roads, on the two banks of the river from west to east. The south bank road connects many large towns and commercial centres like Goalpara, Gauhati, Nowgong, Jorhat, Sibsagar and Dibrugarh. The internal road system in Cachar Plains is fairly well developed. But the hill districts have poor transport facilities. The Garo Hills is linked with only one all-

weather road from Goalpara. Shillong in the Khasi Hills is connected with Gauhati by a National Highway. The same National Highway proceeds further towards Dawki via Cherrapunji. There is another road from Shillong to Silchar, from Shillong to Haflong and another road from Dimapur to Imphal via Kohima. In recent times the road system in Arunachal Pradesh has also improved. As a consequence of road development, motor transport is fully developed in this region particularly in the Brahmaputra Valley.

As regards waterways, Brahmaputra, Subansiri, Bharali, Pagladia, Manas, Burhi-Dihing, Disang, Dikhow and Dhansiri are also navigable for varying distances in their lower reaches. The partition of India and the Indo-Pakistan conflict of 1965 have dealt a death-blow to the steamer navigation in the Brahmaputra. Before 1947, the bulk of export and import trade of the North-East India to and from Calcutta was by this route. But today the importance of the Brahma putra as a river route for external trade is not significant. Yet it plays an important part in the intra-state trade.

Compared to other forms of transport, air transport is well developed. All the political units of North-East India are connected by air. The air service between Gauhati and Calcutta is well developed.

North-East India is strategically important. She has natural frontiers on three sides and a political boundary on the fourth. She has common frontiers with four political communities, China in the North, Bhutan in the West, Bangladesh in the East and Burma in the South. No other part of India occupies such a strategic position as the North East.

North-East India is full of hills, streams and rivers. The Hills are covered with dense forests because of the heavy rainfall. In some places, the ridges rise one after another The valleys are deep, narrow and steep sided and the streams are deepening and cutting the valleys. As a consequence,

communications between one hill and another is practically impossible. The rugged physiographic condition of the region renders the tribes to live in splendid isolation. The isolated condition of the different tribes induces them to demand political independence because they were not touched profoundly by administration. The Khasis and the Garos did not demand independence because they were in close contact with the people of the plains and understood the benefits, cultural, political, and economic benefits resulting from such contacts.

The composition of the population in this area is diverse. Nowhere in India are there such a large number of tribes as in the North-East India. And nowhere in the world is the composition of the population so diverse as in this region. In this region, there are three distinct groups of people, the Hill tribes, the Plain tribes and the people of the plains. East group is heterogeneous. In the Plains there are Ahoms who ruled Assam autocratically and aristocratically for six long centuries. They are demanding a separate State for themselves. Then there are the Bengalis, who constitute about 18 per cent of the total population. There is frequent conflict between the Bengalis and the Assamese. Besides the Bengalis there are Muslims who constitute about 25 per cent of the total population. Then there are Hill Tribes. The races inhabiting the hill areas in the North-East India are the most picturesque in the whole world. Nowhere in the world is the contrast between the life and outlook of the hill people and the totally different civilization of the plains more manifest than in the North-East.

Of the five States and the two Union Territories, two States, Nagaland and Meghalaya, and two Union Territories, Mizoram and Arunachal Pradesh, are completely tribal areas. In Assam, there are two districts which are completely tribal. In Tripura sixty per cent of the area is covered by Hills

inhabited by Hill tribes. In Manipur 80 per cent of the area is hill area, inhabited by various tribes.

The tribal areas are located along the international boundary. Kameng, Subansiri and Siang districts in Arunachal Pradesh have a common boundary with Tibet and Burma. Tirap and Manipur have a common boundary with Burma. Mizoram has a common boundary with Burma and Bangladesh. The Garo and the Khasi Hills and the Jaintia Hills have a common boundary with Bangladesh. Nagaland has a common boundary with Burma. Mikir and North Cachar Hills alone do not have a common boundary with any foreign country.

The tribal areas are very backward in every respect. Of all the tribal areas, Arunachal Pradesh and Mizoram are in a disadvantageous position. In these places, the fight against hunger, disease, ignorance and isolation is tremendous. These two places were not known to the civilized world till recently. In both the places, the area is mountainous with small patches of plains in between ridges. Both are traditional societies. A traditional society is one whose structure is confined to limited production, based on pre-Newtonian science and technology. In these places there is no specialization; there is no surplus production for sale; technology is stagnant; they are not even Platonic States which produce just enough for consumption. They are not ambitious nor enterprising nor economic.

Again, there is immense diversity so far as the indigenous political institutions are concerned. The political organizations among the tribal communities in this region may be broadly divided into three categories, authoritarian, republican and semi-monarchical. The authoritarian type of institutions exist among the Garos, the Mizos, the Singphos, the Khamptis, the Noctes, the Wanchoos, the Konyaks, the Changs, the Semas, the Kukis, the Chins, the Riangs and the Chakmas. The republican type exists among the

Monpas, the Akas, the Sherdukupens, the Tangdas, the Adis, the Angamis, and the Nagas of Manipur. In between the two models, there are the Khasis and the Ao Nagas. The Khasi Chiefs are not entirely hereditary nor elective. These institutions continue to exist even after 1947. In some places like Mizoram, the Chieftainship has been abolished after the payment of compensation.

Among the tribes, there are again immense diversities. In Assam, Meghalaya, and Mizoram there are 23 tribes, in Manipur 28 tribes, in Tripura 19 tribes, in Arunachal Pradesh 24 tribes, and in Nagaland 14. These are the main tribes. The total tribal population in this region is as follows.

Assam, Meghalaya and Mizoram		20,64,816
	Manipur	2,49,049
	Tripura	3,60,070
	Arunachal	2,97,678
	Nagaland	3,43,697
	Total	38,26,310

These tribes are divided and sub-divided into numerous clans. The Mizos may be grouped as follows: Lusei, Ralte, Khiwlhring, Khiangte, Renshein, Chang, Paihte, and Lakhers, etc. The Akas in Arunachal consist of 11 clans. The Adis are also divided into a number of clans. Each sub-tribe or clan has its own distinctive character.

There are small tribes which do not belong to any of the larger tribes. They have their own languages, tradition and politico-economic set-up. There is very little common among the tribes and sub-tribes except their wildness and profound distrust and antipathy towards outsiders. They spoke no common language, clad no common dress, worshipped no common Gods and cultivated no common habits and built no common political organizations. The Clans and villages are entirely separate or independent of each other. Intra-tribal feuds are as common among them as the inter-tribal warfare. These facts induced Sir Robert Reid,

the Governor of Assam, to think that these tribes are not Indians in any sense of the term, neither in origin nor in habits nor in outlook. It is only an historical fact that they were attached to Assam.

Apart from the racial diversity, there is also linguistic diversity. The total number of mother tongues in India is 1,652. In the North-East India except Darjeeling, the number of languages and dialects used is 420. The languages and dialects spoken in this region are both Aryan and non-Aryan. In no other region so many languages are used. The Aryan languages are Assamese, Bengali and Hindi. The non-Aryan languages are those spoken by the tribals. These languages may be classed as follows. Languages and dialects belonging to Austric family, Austro-Asiatic family, Monkhemer branch, Khasi group, Munda branch, Tibeto-Chinese family, Siamese-Chinese sub-family, Tibeto-Himalayan branch, Tibetan group, Pronominalised Himalayan group, Eastern sub-group, Pronominalised Himalayan group, North Assam branch, Assam-Burmese branch, Bodo-group, the Western Naga sub-group, Central Naga sub-group, Naga-Bodo sub-group, Naga-Kuki sub-group, Kachin group, Kuki-Chin group, Meithei sub-group, Northern Chin sub-group, old Kuki sub-group, Southern Chin sub-group, Burma group and so on. It may be noted that Naga is not one language. There are as many Naga languages as there are Naga villages. This statement may sound too sweeping but it is a fact. There are forty-seven languages belonging to the Naga Group. These forty-seven languages are spoken by 4,78,439 people. Thus, in Arunachal Pradesh there are 168 languages and dialects, in Assam, Meghalaya and Mizoram 192, Manipur 87, Tripura 112, and Nagaland 95.

In the Plains of Assam there are two distinct languages, Assamese and Bengali. In recent times, Bodos made a claim that their language must be recognised. Assamese is spoken by 57.14 per cent of the population, Bengali by 17.36

per cent, Hindi by 4.31 per cent and Bodo by 2.36 per cent of the total population.

Finally, there is the problem of security. Neither the snows nor the unscalable heights of the Himalayas can guard any longer our frontiers in the North-East India. The Himalayas have been regarded as an impenetrable barrier against any threat from the north. We had friendly Tibet that gave us no trouble. The Chinese were divided. They had their own domestic problems and they never bothered us about our frontiers till 1950. In 1950 this situation has radically changed. Tibet has been swallowed by the Chinese. Again, China is no longer divided. It is united and strong, so strong that even the USA which was not on speaking terms has been compelled to enter into negotiations.

Further, China has a fine land army which has humbled the Americans in Korea. The leadership in China is ruthless and would have no scruples in carrying out its intentions. Mao's philosophy may be summed up as follows: "Settle everything by discussion but keep a million bayonets behind. Power grows out of barrel of gun". India had no guns, and no bayonets and therefore her diplomacy was always at a great disadvantage. Apart from this fact, there are many in this country who are the followers of Maoism. India lost her independence because of the treachery and infidelity of her own sons. Jaichand invited Muhammad Gori to fight against Prithviraj. When Ranjit Singh was fighting against the British the Sikh generals kept mum. When Shivaji was fighting against the Muhammadan invaders, the Maratha Chiefs supported the invaders.

Again, the tribes inhabiting this area were not touched by the National movement. Many of the tribals have no conception of loyalty to the nation. The spirit of patriotism will have to be planted, manured and watered in this area by sustained effort.

Another important factor that we may note in this connection is that along the Himalayas, in the North-East we have on our side of the frontier people ethnologically, culturally and linguistically not very different from the Mangoloids. The Mizo's for instance, have their kinsmen on the other side of our frontier in the Chin Hills of Burma. Some of the Mizos desired that all the Mizos living in this region and their kinsmen in the Chin Hills should form a separate state of their own.

Thus, North-East India poses a number of problems, If we cannot solve these problems it is just possible that some of these areas may be lost to India.

The Annexation of North-East India by the British

The invasion of Assam by the Ahoms is a decisive factor in its history. The Ahoms, a Shan Tribe, wandered into the Brahmaputra valley from Burma about the year 1226 and established themselves firmly in Upper Assam. Thereafter, they began the policy of conquest and annexation. By 1700, they conquered the territories once included in the Kingdom of Kamarupa. It was Rudra Singha that completed the conquest of the whole of Brahmaputra Valley. But the decline of the Ahom Rule began with the Moamaria rising in 1769. The three successive rebellions of the Maomarias shook the foundation of the Ahom Kingdom. Gaurinath, in utter despair, sought the military assistance of the British, who had, by this time, established themselves firmly in Bengal, Bihar, and Orissa. Cornwallis sent Capt. Welsh in 1792 with a detachment which suppressed the Maomaria rebellion and humbled Krishna Narayana who arrogated to himself the sovereignty of Darrang. During the time of Chandra Kanta (1810-18) the Burmese for the first time (1816) interfered in the internal affairs of the Ahoms at the instance of Chandra Kanta himself who was at loggerheads with Buragohain. Bura-

gohain did not forgive Chandra Kanta for his unpatriotic act. He deposed Chandra Kanta and placed Purandhar Singh on the throne. Chandra Kanta did not keep quiet. He now sought the help of the Burmese. The Burmese invaded Assam for a second time and restored Chandra Kanta to the throne. In course of time, the Burmese found Chandra Kanta not reliable. Therefore, the Burmese invaded Assam for a third time. Chandra Kanta fled to Goalpara and this time, he sought the help of the British. There was a crisis in the Anglo-Burmese relations at this time owing to the pretensions of the Burmese over Chittagong, Murshidabad and Burdwan. Ultimately the Government of Amherst declared war against the Burmese and brought the entire Brahmaputra Valley under its control. Prome, the capital of lower Burma, was also brought under its control. On 24 February 1826 the Treaty of Yandabo was concluded by which the British acquired the control over the whole of Brahmaputra Valley. Thus, Assam came under the control of the British. David Scott was appointed the Commissioner of Assam. In 1836, Purandhar Singh, an Ahom Prince, was placed in charge of Upper Assam, while lower Assam continued to be under the control of the British. But Purandhar defaulted in the payment of tribute to the British. Further, he was inefficient and incompetent as an administrator. Dissatisfied with Purandhar Singh, the British pensioned him off and annexed his territory.

Cachar was originally ruled by an independent native dynasty before the First Anglo-Burmese War. During the time of Govinda Chandra the Burmese invaded it. Govinda Chandra sought the military help of the British who expelled the Burmese from Cachar in 1826 and restored the kingdom to Govinda Chandra, subject to the condition that the suzerainty of the British was accepted by him. In 1830, Govinda Chandra died leaving no heir to the throne.

This situation encouraged his rival Tularam Senapathi to claim the territory of Govinda Chandra but the British annexed it and pensioned off Tularam Senapathi. In 1853, the whole of Cachar district was added to the British territory.

Matak, the tract south of Sadiya, was given to Bar Senapathi for protecting its people against the Burmese atrocities. The Bar Senapathi died in 1839 nominating Manju Gohain to succeed him. The latter declined to accept the conditions imposed by the British. Therefore, the Matak tract was annexed by the British in 1842 and added it to the Lakhimpur district.

Sadiya was entrusted to the care of a Khampti Chief. In 1835, a dispute arose between the Sadiya Khowa Gohain and Barsenapathi regarding the tract of land. The political Agent at Sadiya directed the disputants to appear before him. But the Sadiya Khowa Gohain forcibly occupied the tract in dispute and refused to appear before the political Agent. The British immediately abolished the post of Sadiya Khowa Gohain and made Sadiya a part of the British territory.

Akas. Eastward of the Bhutias and between them and the Bhoroli (Desseri) river lived the Akas (Arkas) known among themselves as Hrusso. The Akas were of two clans—the Hazari-Khawa and Kapachors. The Akas together with the Migis were the most savage tribes. The Assam Government granted the right of posa to the Hazari Khawas. The posa was collected directly by the tribe concerned from the households allotted to it. The direct collection of posa by the Arkas caused great suffering to the villagers. There were quarrels, outrages and kidnappings of women. The British stopped the direct collection of posa and granted a lump sum payment of Rs. 175 to the Hazari Khowa and thereby brought the tribe under their control.

The Kapachors under the leadership of Taghi Raja, however, defied the British for a long time and surrendered when they were not able to resist the British any longer. In 1842, an agreement was concluded with the Akas. They had taken the oath on the skin of a tiger and bear, on elephant dung and by killing a fowl that they would not violate the British authority. Practically they gave no trouble to the British afterwards.

The Duphlas. The Duphlas were entirely independent of the Assam Raja and whenever they had an opportunity they plundered the country contiguous to their habitat. They were not a single tribe but a collection of petty clans, independent of each other and generally incapable of combined action. There were 238 gams or chiefs of Duphlas who were in receipt of compensation for loss of posa amounting to a small sum of Rs. 2,543.

The Duphlas gave a lot of trouble to the British but there was an understanding among the different clans, so far as the collection of posa was concerned. Each clan knew the village to which it had to look for posa. But they collected the posa ruthlessly whether the villages were capable of paying or not. This exacting spirit was not in the interest of the villagers. The British tried several times to persuade the tribals to give up their right to collect posa directly from the ryots but of no avail. An expedition was sent against them and they were compelled to agree to give up their right to collect posa directly from the villagers and consented to receive the posa from the revenue officer of the village—the Malguzar. Their posa was fixed. According to the terms of agreement one Chief must live in the Plains to be the medium of communication between the villagers and the tribals. By 1852, all the clans of the Duphlas submitted to the British and agreed to receive payment in cash for the posa they were receiving. Though they gave some

trouble later on, by 1874-75 they settled down and did not give any trouble to the British.

The Abors and Miris: In 1825, the Miris were living in the Plains and lower Hills along the North Bank of Brahmaputra from the Sisi district of Luckimpore as far as the Dihong river. The Abors were living in the further East, in the hilly country between the Dihong and the Dibong, the Bor Abors occupying the inner and more lofty ranges. The Abors called themselves Padams. They claimed the right to an absolute sovereignty over the Miris. The Miris acknowledged the Abors as their masters. The British came in contact with the Abors in 1836 and the latter were willing to submit to the British Criminal jurisdiction but objected to pay taxes. Later on, the Abors began to give trouble to the British. It was in November 1862, that the Deputy Commissioner met the Abors deputies and an agreement was concluded between the British Government and the eight communities of the Abors.

The Mishmis. The British came in contact with the Mishmis in 1825. One of the Mishmi chiefs murdered a French missionary who was passing through his territory. The British sent an expedition and the Chief was captured and hanged in Dibrugarh. Some of the Mishmis were giving trouble to the British. But no effort was made for permanent occupation and direct management because that would bring the British into contact with the tribes still wilder than others. So the policy of the British Government was one of conciliation and defence.

The Nagas. The British came in contact with Nagas of Patkoi mountains in 1835. The Patkoi Nagas raided the villages under British protection. With a view to protect the people within their jurisdiction, the British desired to establish a post under an European Officer. It was expected that this officer would take charge of Singpho Naga tract. The Government, however, felt doubtful of the ex-

pediency of assuming active charge of this sparsely peopled wilderness. In 1841, the Patkoi Nagas gave some trouble to the Government of Assam. Therefore, the British entered the area and took agreements from all the chiefs to abstain from all outrages in the plains. The Nagas also agreed to surrender the offenders within their territory, to discontinue hostilities with other tribes and finally they also agreed to abstain from importing Naga slaves into the British territory. It appears that sometimes the agreements were not observed. The British, therefore, formulated a policy of active control and tolerably vigorous interference in tribal matters. The Nagas were told that any breach of agreement would be punished.

While opening communications between Assam and Manipur the British came in contact with the Kacha Nagas and Angami Nagas. The Angamis frequently raided the Plains. The Commissioner of Assam, Jenkins, advised the Sub-Assistant at Nowgong to subjugate the Angamis, particularly the Chiefs of Mozemah and Konemah, the principal leaders of the raids. The necessity of occupying these places with a strong force, as a permanent measure, was again discussed and again a middle course was adopted. But the old story repeated itself. The Tribes recommenced their raids on the Plains and on one another. The Principal Assistant at Nowgong came to the conclusion that a strong permanent post in the hill area was necessary and placed Bhogchand in charge of the tract. But Bhogchand was murdered. The local officers insisted on taking over the direct management of the hills but the Supreme Government persisted in its policy of non-interference in the affairs of tribes. The raids went on. In 1862, the Commissioner reported that the policy of non-interference should be abandoned. Just at this time a new Lt.-Governor Sir Cecil Beadon came to office. He directed that an officer subordinate to the D.C. Nowgong, should be placed in charge

of the Angami tract. But the Principal Assistant at Nowgong recommended an entirely different course. He urged the immediate abandonment of the Hills. This recommendation was accepted and troops were withdrawn to Dimapur. But the raids continued. In 1873, Sir George Campbell, the Lt-Governor, thought that the only satisfactory course was to establish political control and influence over the tribes without any assertion of actual sovereignty over the tribal areas. This plan was accepted by the Government. In 1874 (February), the Naga Hills were made over to the charge of newly appointed Chief Commissionership of Assam. But the raids by one over the other continued. In February, 1877, the Mozemah people attacked the Cachari villages. This naturally compelled the Government to change its policy of non-interference. In accordance with this policy the Government of India proposed to establish headquarters station in the interior of the Hills and to strengthen the administration. The Secretary of State for India agreed and in 1878 Kohima was occupied and made headquarters of the district. Thus, the Naga Hills were annexed.

North Cachar Hills. The Kacharis belong to the great Bado tribe whose original home was somewhere between the upper waters of the Yang-tse-kiang and Hoang-Ho and migrated to Assam. Kacharis of North Cachar Hills are known as Dimasa Kacharis.

Dimasa Kachari is a Scheduled Tribe of Assam as given in the President's Scheduled Tribes List.

When the Bados and Dimasas separated? Long ago the Dimasa fought against a powerful tribe and were beaten in a pitched battle. They were compelled to retreat. But retreat was debarred by a wide and deep river. In despair the king resolved to fight again on the following day. But in the night God appeared before him and told him that the next morning the army could cross the river if it entered at

a spot where they saw a heron standing on a bank. No one was to look back while crossing the river. The dream proved to be correct. A heron was seen standing on the bank. The king and a great portion of the army crossed the river. But one man turned to see whether his son was following when the water suddenly rose and swept away those who were in the river bed and prevented others from crossing. The Dimasas were those who crossed the river.

In between the district of Nowgong in the North, the Khasi and Jaintia Hills in the East, Cachar proper in the south, there is a hilly tract. A good portion of it belonged to Tularam Senapati. The tribes living in the eastern part of the North Cachar were harassed by the Angami Nagas. To protect these tribes against the raids by the Angamis, the North Cachar Hills were annexed in 1829 and attached to the district of Nowgong and in 1852, it was placed in charge of a separate officer whose principal duty was to protect the tribes inhabiting the North Cachar Hills against the turbulent Angamis. In 1844, Tularam Senapathi made over the territory to his son but it was found that the Senapathi family was unable to control the Angamis. In 1854, the territory was finally taken over by the British and the five surviving members of the Senapathi family were pensioned off. In 1867, when the Naga Hills district was formed North Cachar was parcelled out between the districts of Nowgong, Cachar and Naga Hills.

The Mikris. The Mikris call themselves as Karbi or Arelong which means hill dwellers or hillmen. They were also known as Meng-Kiri, one who searches for a cat in a forest. According to tradition some Mikirs who went to the forest for hunting were searching for their pet cat which was lost in it. While they were searching for their pet cat they met non-Mikirs. The non-Mikirs asked the Mikirs what they were searching for. The Mikirs replied Meng-Kiri—search-

ing for a cat. Therefore, they were called Meng-Kiris which in course of time became Mikir.

Originally, they inhabited the territory between Nowgong and Cachar. But the Cacharis drove them away from this place. Then they sought refuge in the Jaintia Kingdom. They were not satisfied with the reception they got from the Jaintia Kings. Therefore they shifted to their present habitation and placed themselves under the protection of the Ahom Kings. The Ahoms disarmed the Mikirs and settled them in the present territory.

The Mikirs say that they do not belong to any tribe or community But Edward Stack says that they belonged undoubtedly to the great Tibeto-Burman stock. But Lyall, the Census Commissioner of Assam, 1881, says that they were the kinsmen of the Bados rather than of the Khasis and that their language is an outlier of the Bados or Kachari group. But Gemini Paul says that whatever may be their origin they are at present overwhelmingly a mixture of the Austric and Bados. Grierson classified them, on linguistic grounds, as belonging to an intermediate group between Bado and Western Nagas and Lyall accepts Grierson's classification and classified them as belonging to the Bados.

The Mikirs were the mildest of all the tribes. They kept themselves aloof in the jungles away from the civilizing intercourse. The Assamese always looked upon the Mikirs with contempt. The Mikirs owed allegiance to the Ahom Kings who appointed their chiefs and took tribute in cotton mats, valued about Rs. 300. In 1838, the British were determined to bring them under some kind of revenue settlement and raise their status so that they might occupy a position of parity with the Assamese.

The Garos. The Garos were the first mountain tribe with whom the British came in contact. There was a conflict between the Garos and the Choudhuri Zamindars. In 1816, the Garos invaded the territory of the Kariabari

Zamindari and burnt the residence of the Zamindar. David Scott, the Commissioner of Cooch Behar, was sent by the Government to enquire into the incident. Scott thought that the cause of raid was the oppressive rule of the Zamindars. Scott, therefore, thought that it would be better to separate the Garo territory and bring it under the control of the British. The Governor-General-in-Council accepted the proposal and the Garo Hills came under the control of the British.

Lushai or Mizi Hills

The word Lushai is a corrupted pronunciation of the word Lusei and Lusei again is the name of one of the tribes of the Mizo Hills. The correct name of the district is Mizo which literally means highlanders.

Tradition ascribes that the Mizos originally came out of Chhinlung, not a mythical rock as is said by some, but a hole in the ground covered with a stone, in the east of the Shan State, in the Falam sub-division of the Chin Hills district in Burma. They migrated from this region for two reasons, pressure of the Chins and the pressure of overpopulation, sometime in the 11th century and passed through the Chindwin Valley and the Chin Hills and finally came to the present Mizo Hills, Tripura, Chittagong Hill Tracts in Bangladesh, Manipur, North Cachar Hills and the Naga Hills. The areas inhabited by the Mizos are contiguous to one another although they are at present in different administrative units. Thus, there are Mizos not only in Mizoram, but also in the State of Manipur, Cachar district, Chittagong Hill Tracts, and in the Chin Hills.

Except the Chakmas and Riangs, the indigenous inhabitants of the Mizo Hills belong to the stock called the Kuki-Chin tribe. In the extreme west, at the bottom of the valley, there are small colonies of the Chakmas and Riangs. The Mizos say that they are not hillmen because they do

not live like the Mizos on the top of the ridges but at the bottom of the valley which are generally hot and malarious. The Riangs profess a very debased Hinduism and speak a language which is spoken by the Bados. The Chakmas profess a very debased Buddhism and speak a language which is like Bengali.

The History of the Lushai Hills, prior to the British conquest, is rather obscure. It appears that they had no connection whatever with the Ahoms. They had, however, close connection with Pawis and the Paihtes and other tribes now living in the Chin Hills. They were also in contact with the Kings of Tripura, Manipur, and Cachar.

The Lushais raided the plains of Cachar from time to time, particularly, when the Cachari Kings were weak and imbecile. Even after Cachar was annexed by the British the Lushai raids continued. Punitive expeditions had to be sent to punish the raiders in 1849, 1868 and 1871-72. Ultimately the Lushai Hills came under the control of the British after the expedition of 1889.

Although the Lushai Hills came under the control of the British, North Lushai Hills was placed under the control of the Chief Commissioner of Assam and the South Lushai Hills under the control of the Lt-Governor of Bengal. On 1 April 1898, the southern tract of the Lushai Hills was combined with the northern part and placed under the control of the Chief Commissioner of Assam. And the Inner-Line Regulation was brought into force. Under this regulation, it was lawful for the Provincial Government to prohibit all citizens of India or any class of citizens or any person residing in the district from going beyond such line without a pass issued by the Chief Executive Officer of the District.

Jaintia Hills. After the annexation of Cachar, the British concluded a treaty with Rajendra Singh, the Raja of

Jaintia by which the latter acknowledged the supremacy of the former and promised military aid to the British in military operations against the Burmese invasion into Assam and pledged himself to abstain from all independent negotiations with any foreign power. The Raja did not keep up any of the promises and things took a bad turn for the Jaintia King in 1832. Chuttur Singh, the Chief of Ghoba, a vassal of the Jaintia Raja, captured four British subjects to offer them as a sacrifice to Goddess Kali. One of the four escaped to tell the fate of his companions. The British demanded Ram Singh, the Raja of Jaintia, the surrender of culprits. In the meanwhile Ram Singh died. Rajendra Singh, his successor, evaded the surrender of the culprits. The British carried on negotiations with the Raja for two years but with no effect. The British deprived the Raja of his territory in the Plains. The Raja expressed his unwillingness to be the ruler of the hills only. The British then annexed the whole of Jaintia kingdom and constituted the Jowai sub-division. The territory belonging to the Chief of Ghoba was added to Nowgong and the Raja was pensioned off.

The Khasis. Between the State of Jaintia and the Garo Hills, there is a tract of mountain territory inhabited by the Khasis which until the year 1826 had never been visited by any European. In 1826, David Scott, the Commissioner of Assam, induced the Raja of Khongklaw for permission for the residence of some British subjects and concluded a treaty for the purpose. Under the Treaty the Raja permitted the British to construct a road across the Hills to connect Gauhati with Sylhet. In 1829, a misunderstanding arose between the officers engaged in the construction of the road and the local people. Apart from this fact, the Khasis feared that the British would establish their sway as a result of the development of communications. Therefore, they revolted under the leadership of

Tirot Singh. The British Survey Party was attacked and two officers together with fifty followers were massacred. The British sent an expedition to punish the rebels. Tirot Singh surrendered in 1832 and was sentenced to life imprisonment. The other Chiefs also made terms with the British and a British officer with adequate military force was posted at Cherrapunji which was made the capital. In 1866, the capital was removed to Shillong and the British rule over the remaining portions of the Khasi Hills was consolidated. The British entered into an agreement with the Chiefs belonging to other regions by which the Chiefs surrendered some of the powers but were left free so far as the internal administration of their territories was concerned, subject to the general control of the paramount power.

Conclusion. The policy adopted by the British so far as annexation of tribal areas was concerned, varied from time to time. At first, the frontier officers were requested to conciliate the tribes if that was possible; demand persistently the surrender of murderers but "endeavour at all times for a friendly intercourse in future." The majority of the so-called military expeditions into the Angami territory were designed to enable the officers of the Government to negotiate with the tribes. When it was found that all the efforts in this direction were a failure the policy of complete withdrawal from all intimate relations with the incorrigibles was adopted. The tribes were permitted to come down for marketing but the British should not enter into the Hills or interfere with their quarrels. This policy also failed signally. The British thought that they would have no rest till they annexed their territories. Sir Alexander Mackenzie says that the policy of the Government to the tribes "on its North-East Frontier has, I again assert, been a policy of conciliation and not a policy of repression or devastation. It was indeed for many years far too conciliatory, even after annexation. It was in 1872 that measures were taken for the complete subjugation of the territory of the tribes".

CHAPTER II

Relations Between the Tribals and the British

Khasis and the British. It appears that until 1869, the relations between the Khasis and the British Government were determined by agreements executed by the Chiefs. In 1859, side by side with agreements, Sanads also were issued and tendered to the Chiefs for their acceptance. In 1877, the agreements were abolished and Sanads were retained. They were the only means by which relations between the Khasi Chiefs and the British were regulated except in the case of Lyngdohs and Sardars with whom relations were regulated by Parwanas.

Why this was done? Perhaps the British Government wanted to reduce the status and influence of the Chiefs. By abolishing the system of agreements, the Chiefs were not recognised as a contracting party. A sanad, in political parlance, was generally issued indicating a grant of recognition from the Crown to the Ruler of the State. A sanad was also intended to create a feeling and foster the idea of absolute subordinate position occupied by the Chiefs in relation to the British authority.

The phraseology used in the Sanad granted to the Chiefs was also not happy. The opening sentence of a Sanad runs as follows: "You having been elected Siem of

the State of...in the District of Khasi and Jaintia Hills, this Sanad ratifying your election and appointing you as Siem is conferred upon you on the following conditions." This sentence makes it abundantly clear that the Government assumed to itself the right to appoint the Siem and not merely ratify his election. In other words, the Siemship was a gift in the hands of the British. Since the Government had the power of appointing the Siem it automatically follows that it had the power to dismiss him at any time without assigning any reason. This is evident from the following sentence in the Sanad: "You shall be subject to the orders and control of the Deputy Commissioner or any other officer authorised in that behalf, by the Government, may issue to you".

Another sentence goes to the extent of saying that the local government shall have the power to punish the Siem for misconduct or breach of any condition of the sanad, subject to the control of the Government of India.

The Sanads were issued to the Chiefs and not to Sardars and Lyngdohs. They were given Parwanas. The Parwanas issued to the Sardars and Lyngdohs were singularly brief and enjoined the person concerned: "You shall carry out all orders issued to you by the British Government". There is another sentence which treated them as if they were the servants of the British Government. "In the event of misconduct on your part, you will render yourself liable to dismissal from the Sardarship or Lyngdohship".

Again, the clauses of the Sanad were confiscatory in nature. Under the clauses of the Sanad, the mines and minerals waste, waste lands and forests were ceded to the Government on the condition of receiving one half of the profits that it might be able to make. What remained to the Siem and his people was the land they had actually occupied. Even the right to hunt and capture elephants was taken away on similar conditions.

Further, clause I of the Sanad authorised the Deputy Commissioner to entertain appeals against the decisions of the Siem even in cases where his jurisdiction was absolute. Again, the laws made by the Indian Legislative Council could be introduced into the Khasi States. Further, the local government was at liberty to establish civil and military sanitaria, Cantonments, Posts and Telegraphs in the Khasi States and occupy lands necessary for the purpose rent free. If the Government wished to construct a railway through their territory, the Siems must provide the land required for the purpose without compensation except for the occupied lands and should render all help to the Government for this purpose.

The Sanad concludes by saying, "If you violate any of these conditions of the Sanad, you shall be liable to suffer such punishments as the local government, subject to the control of the Government of India, think proper to inflict".

The Sanad was signed not even by the Commissioner but by the Deputy Commissioner. At first the Sanad was signed by the Viceroy. But from 1878 it was signed by the Commissioner of the Surma Valley and Hill Division. The Parwanas were signed by the Deputy Commissioner. Still later the Sanad also was signed by the D.C. This indicates the position occupied by the Siems before 1947.

Although, in theory, the Khasi States were semi-Independent States in subsidiary alliance with the British Government, in practice, they were reduced to the status of messenger boys. So wide were the powers of the British Government over the Khasi States that they might be regarded as parts of the British India.

The Sanad clearly demonstrates the subordinate position occupied by the Siems. The Rulers of the Khasi States were not sovereign. They were placed under the orders and control of the Deputy Commissioner. They

were deprived of the powers to try cases in which their subjects were not involved. Even in cases against their own subjects they were not authorised to try murder cases. Further, when cases were tried in the British courts the Indian penal code was applied. The Chiefs were deprived of the power to try cases in which persons who were not their own subjects were involved. Such cases were decided by the D.C.

In 1924, there were 25 Khasi Chiefs with a total population of 1,80,000 of whom 1,63,000 were Khasis. There were about 75,000 Khasis in Mylliem and Khyrim and about 45,000 in Cherra, Nongkhlaw, Nongstein and Maharm. None of the remaining States had 4,000 inhabitants. Four of them had just 500 persons. They were all so small to provide public services. Maintenance of footpaths by forced labour, employment of watchers for fruit groves, cleaning of markets, decision of petty disputes, and occasional religious functions were the only functions of the State. The Christian Missions provided education. The Government maintained dispensaries. The Khasi people did not expect many services from the State. They paid no fixed taxes except market dues. A house tax could be levied only with the consent of the people for special purposes. In some States it was paid every year. The Siem had no power to levy taxes on land. The theory was that special taxes should be levied only with the consent of the Durbar and for a special object. Revenues not earmarked for special purposes were appropriated by the Siem for the maintenance of his family, the officials of the State and other expenses of State. The Siem's family did not include his wife and children but the **kurs.** Any money taken for the maintenance of his wife must be with the consent and knowledge of the **kurs.** There was no such thing as Civil List. There was very little taxation in the Mylliem and Khyrim States. Therefore, there was practically nothing for public works

after providing a meagre amount for the maintenance of the Siem, his family and the officials.

In 1934, Keith Cantlie, the D.C. of K & J Hills, suggested the reunion of the States of Mylliem and Khyrim under a single Siem. Till the middle of the 19th Century they were one. A rivalry between the two branches of the family brought about a division. He also suggested that the three Lyngdohships adjoining the Mylliem and Khyrim States might be merged with it.

In their address presented to the Viceroy on 3 October 1933, the Khasi chiefs requested him to define the Status of the Khasi Chiefs so that they might be represented in the federal legislature. They also requested him to place them in direct relation with the Viceroy through the Political Agent and not under the D.C. The Viceroy replied that the total population of the Khasi States was so small in comparison with that of the large States in India that they would not be able to secure representation in the proposed federal legislature. He, therefore, advised the Khasi States to form a federation. "This is obviously the first and the most useful step which should pave the way towards your entry into the greater federation", said the Viceroy. As regards the suggestion that in future the Khasi States should be placed under a Political Agent, the Viceroy promised to consider the request.

As advised by the Viceroy the Khasi States met and passed a resolution as follows: "We the Chiefs of the Khasi States, the Siems, the Lyngdohs, the Wahadadars, the Sirdars, on behalf of the Khasi States whom we represent have now associated and made a federation of these States . . . which will be called the federated Khasi States. The aim and object of this federation is to form a body politic to discuss and consider political questions and matters of common concern and interest and to take united action in such matters for the consideration of the British Government",

But the real intention in forming the Khasi Federation was to secure a better status for themselves. The Chiefs desired to occupy the position occupied by the native princes and free themselves from the grand-motherly authority of the D.C. and thereby increase their own social status among their own subjects.

With this aim the Khasi Chiefs presented a memorandum to the Viceroy Lord Linlithgow, praying that they should be placed in direct relation with the Viceroy. In other words, they should be under a Political Agent and not under the D.C. In support of their demand the Khasi Chiefs advanced certain untenable reasons. First, that the D.C. was generally selected from the I.C.S. with experience in the Plains where the conditions were radically different from the Hills. As a consequence he was not able to understand the psychology of the hill people. This was not a fact. Generally an European I.C.S. officer with experience in district administration in the Hill areas for considerable periods was appointed D.C. of the K & J Hills. Some of them had profound knowledge of the Khasi Customary Law, Khasi Political Systems and Khasi history. P.R.T. Gurdon and Keith Cantlie are the outstanding examples. Their publications are still considered as standard publications. Evidently, the Khasi Chiefs were anxious to get away from the control of the D.C.

The Khasi Chiefs also represented that in enumerating the Khasi States, the Government enumerated only 16 States as States proper. The Lyngdohs, the Sardars and the Wahadadars were not included in the list of States. They demanded that all of them should be included in the list of States so that they might also be represented in the proposed federation. The Viceroy did not accede to any of the requests. This was the constitutional position of the Khasi States before 1947.

The Garos. In 1924, after the Garos had been

brought to reason by a successful military demonstration from Mymensing, David Scott the first Commissioner of Assam, brought into existence the institution of Laskars and took written agreements from all the Chiefs. The agreement was as follows:

1. I, having been appointed Luskars of Mouzah named below with the general consent of .. .. .. hereby, of my own free will, declare that I shall remain subject to the British Government and pay rupees .. .. nuzzuranah for the Mouzah specified below.

2. I shall assess and collect rents from ryots at the rate prevailing in the Mouzah and pay nuzzarnah either in the Sudder station or in the surburarkar's Cutchery. I shall never pay without a receipt; all allegations of payment without receipt will be considered invalid. Any order of alteration of juma I shall attend to. If any officer happens to be in my jurisdiction, I shall assist and guide him, till he reaches another Illaka. When a criminal case occurs I shall report the matter to the police or the Fouzadare court and I shall assist in its investigations. If I fail I shall be subject to any order that may be passed.

3. It was customary with us to murder human beings and hang their skulls in our houses. I shall henceforth discontinue the practice and shall not allow any of my subjects to do the same. If any one adheres to the former practice and commits murder, I shall apprehend and bring him to justice.

4. If an escaped offender happens to come within my jurisdiction I shall apprehend and bring him to justice.

5. I shall annually pay nuzzaranah either in the sudder or surburarkar's cutchery and abide by the foregoing rule; in case of failure our houses will be assailed by sepoys and our property destroyed for which any claim on my part is groundless.

6. I shall keep the boundaries of my mouzah unaltered.

In 1865 Capt. Morton, the D.C. of Goalpara, suggested the creation of Luskars with homogeneous jurisdiction and appoint one or more Chiefs as police Zimmadars. Morton made a distinction between Luskars and Zimmadars. The Zimmadars would be responsible for the maintenance of law and order. The Luskars would be responsible for the payment of revenues due from the Mouzahs. So long the Zimmadars exercised their powers judiciously, the British police would not be allowed to interfere. The Zimmadars would also have limited criminal and civil jurisdiction. They would be appointed by the Luskars. Each Zimmadar would be given amalnamah with a baton of office. The duties of Zimmadars being onerous than those of the Luskars they might be paid a higher remuneration than the Luskars.

Col. Hopkinson suggested that instead of styling them Zimmadars, they should be called Amulacus. Col. Hopkinson thought that the word Zimmadar might result in the assumption of territorial rights in his jurisdiction. The Government of India approved the proposal.

Morton suggested that the Zimmadars should be given a Sanad. It should be printed on paper with broad margins, emblazoned with gold fringes all around.

The contents of the sanad were as follows.

1. You are informed that in accordance with the wishes of an assembly of Luskars, you have been appointed Zimmadar of police within the limits given below.

2. The Lt.-Governor has been pleased to vest you with the criminal powers as regards the trial of petty suits and with civil powers in the trial of all suits the value of which does not exceed Rs. 50.

The following rules are laid down for your guid-

ance and you have given a written agreement setting forth your willingness to abide by the same.

1. You will administer justice impartially and in strict accordance with your village customs.

2. You will try to maintain peace in your own jurisdiction. Should any person of those Illakas under you or any Garo of other Illakas be guilty of any crime of a heinous nature within your jurisdiction, you will do your best to apprehend and bring the offender to justice.

3. You will not allow any person of a different Illaka or from the plains to overstep your jurisdiction and commit murder or other heinous crimes on the hills or the plains. Should such an event happen you will do your best and bring them before the Court of the D.C.

4. It was customary upon the death of a chief to sacrifice a human being or to burn human remains on the funeral pyre. You will on no account permit such a practice within your jurisdiction and you will in every way exert yourself to dissuade from and prevent the same in other illakas and should your remonstrance not be attended to you will report and assist in apprehending the offender.

5. You will after enquiry report to the D.C. all accidental deaths, such as those from bites of snakes, falls from trees, etc., but you will on no account, when you cannot trace offenders, conceal a murder or report it as an accidental death.

6. You will try to induce those Garos, who at one time acknowledged the sovereignty of the British Government but who have thrown off their allegiance to submit and pay their nuzzaranah as heretofore.

7. Should you, during the year, carry out these rules attentively you will receive from the D.C. on the part of the Government a sum of . . . . This will be paid to you at a

time and place to be fixed and of which you will be yearly informed by the D.C.

Then the Zimmadar was expected to execute an agreement. The contents of the agreement were as follows.

Having in accordance with the wishes of an assembly of luskars been appointed Zimmadar of police within the limits given below and the Government having been pleased to vest me with criminal powers as regards the trial of all, petty suits the value of which does not exceed Rs. 50, I give this written agreement setting forth my willingness to abide by the Rules laid down below.

1. I will administer justice impartially and in strict accordance with my village customs. Should I during the year carry out these attentively, I shall receive from the D.C. on the part of the Government a sum of Rs.... This will be paid to me at a time and place to be fixed and of which I shall be yearly informed by the D.C.

2. I shall try to maintain peace in my own jurisdiction. Should any person or those under me or Garos of other Illakas be guilty of any crime of a heinous nature within my jurisdiction, I shall do my best to apprehend and bring the offender to justice.

3. I shall not allow any person of a different Illaka or from the plains to overstep my jurisdiction and commit murder or any other crime on the hills or plains. Should such a thing happen, I shall do my best to apprehend the offenders and bring them before the court of the D.C.

4. It was customary upon the death of a chief to sacrifice a human being or to burn human remains on the funeral pyre; I shall, on no account, permit such practices within my jurisdiction and I shall in every way exert myself to dissuade and prevent the same in other Illakas and should my remonstrance not be attended to, I shall report and assist in apprehending the offenders.

5. I shall after enquiry report to the D.C. all accidental deaths such as those from bites of snakes, fall from a tree, etc., but I shall on no account, when I cannot trace out offenders, conceal a murder and report it as an accidental death.

6. I shall try and induce those Garos who at one time acknowledged the sovereignty of the British Government but who have thrown off their allegiance to submit and to pay their nuzzaranah as heretofore.

The Zimmadars were paid annually a certain amount which was in addition to rewards. They were also given old muskets and some ammunition. All this was done in order to raise them in the estimation of their fellow subjects. In 1866 there were 24 Zimmadars.

If the Luskars observed the conditions of agreement they were paid a small money allowance. The number of Luskars with whom David Scott entered into an agreement was 19. The Scheme prepared by Scott was approved by the Government of India.

The Akas. In 1842, the Akas entered into an agreement with Jenkins which determined the rights of Thagi Raja of the Aka Raja of the Aka Purbat.

The Hazari Khawa Aka Raja entered into a similar agreement with Jenkins.

There was also an agreement between the Deputy Commissioner Lukhimpore and the Meyong Abhors. The Meyong Abhors promised not to take law into their hands but would refer to the D.C. Lukhimpore all disputes and abide by his decision. In return the D.C. promised to supply 100 iron hoes, 30 maunds salt, 80 bottles rum, 2 seers of abkari opium and 2 maunds tobacco. In return, whenever the Meyong Abors met the D.C. they should present him a pig and fowls.

In June 1826, 16 of the 28 Singpoh Chiefs entered into an agreement with the British agreeing to give up captives and assist the British troops in case of need and promising to refer all disputes to the arbitrament of local officers. Hostages were given for the due fulfilment of these engagements.

CHAPTER III

Constitutional Position

There was a difference in the administration of Plains and Hills. In the Hill Areas, there was minimum administration. That is, there was minimum interference with the powers and functions of the Chiefs, village organization and other local authorities. The British thought that the complicated procedure adopted for the administration of the Plains was unsuitable for the Hills. In the Hills, the administration of justice was simple and direct. No land tax was levied. Only poll tax, house tax and hoe tax were levied. Rural policing and the maintenance of law and order were left to the local chiefs.

Inner Line. In 1872-73, it was found that there was an urgent and absolute necessity, for bringing under more stringent control, the commercial relations of the British subjects with the frontier tribes. In Lakhimpur, specially the activities of the speculators in caoutchouc had led to serious complications. Therefore, the Government came to the conclusion that it was necessary to take special powers and lay down special rules. Accordingly, a Regulation was framed by the Lt.-Governor of Bengal, and approved by the Governor-General-in-Council, to give effect to this policy under Statute 32 and 33 Vic. This regulation gave power to the Lt.-Governor to prescribe a line to be called

the Inner Line in each of the tribal areas beyond which no British subject and certain classes of foreign residents could pass without a licence or pass. The pass or licence might be subject to such limitations as might appear necessary. Rules were laid down regarding trade, the possession of land beyond the line and other matters which gave the Executive Government an effective control. The Regulation also provided for the preservation of elephants and authorised the government to lay down rules for their capture.

Before the introduction of Montague-Chelmsford Reforms, the whole of Assam as constituted in 1874, was declared to be a Scheduled District under the Scheduled District Act, 1874. Legislation could also be issued by means of Regulation.

A majority of the Hill Districts were, however, deregulationed in two ways. First, by section 14 of the Assam General Clauses Act, 1915, which authorised the exclusion of the operation of the Acts passed by the Assam Legislative Council, unless specifically extended under the Scheduled Districts Act, 1874. Second, under the Assam Frontier Tract Regulation, 1880, the Local Administration, with the sanction of the Governor-General-in-Council, could direct that any enactment in force in any tract, to which the regulation has been applied, shall cease to be in force therein.

The justification for treating Assam in a special way, must be sought in the fact that a very large portion of the area was covered with Hills and peopled by primitive tribes. Further, the area, population and revenue were also small. The problem was further complicated by the cleavage—religious, geographical, social as well as political—between the two valleys, which were the most advanced portions of the province. In the Assam Valley, the population was mainly Hindu and animistic. In the Surma Valley, the Muslims were in a majority. An experienced

officer went to the extent of saying that since the conditions and interests of the two valleys were fundamentally different. there should be separate administrations, if real advance towards responsible government was to be made.

When Partition of Bengal was decided upon, it was taken for granted that the Hill Districts of Assam would form a part of the New Province.

In 1917, the Montague-Chelmsford Report recommended that the typically backward tracts should be excluded from the jurisdiction of the Reformed Council. That is, if a territory was wholly excluded from the scope of the Reforms Scheme no legislation should be enacted and no resolution should be moved in the Legislative Council affecting the area concerned. Legislation for such areas should be effected entirely by means of Regulations made by the Governor-General-in-Council under section 71 of the Government of India Act, 1915.

The recommendation of the Report was referred to some of the senior officers of the Government of Assam for their opinion. Two senior officers of the Provincial Government, Reid and Barnes, were strongly in favour of the exclusion of the frontier areas from the reforms scheme as before. Reid, however, thought that the Garo Hills, the Mikir Hills and the North Cachar Hills might be brought under the reformed council.

A similar opinion was expressed by Sir Beatson Bell, the Chief Commissioner of Assam. He thought that the introduction of general reforms into the area was out of question. It was true that the standard of education in the Khasi and Jaintia Hills was comparatively high but the people there did not show any desire for political union either with the Assam Valley or with the Surma Valley. Moreover, a very large proportion of them were the subjects of the Indian Chiefs—the Siems. The inhabitants of other hill areas were obviously unfit for inclusion in the scheme.

At the same time, Beatson Bell said that 'there were reasons against the total exclusion of all the hill areas. In the first place, the legislative council had power to legislate for the hill areas and to a limited extent exercised that power. There was no real danger in the existence of the legislative power. For it was laid down in section 14 of the Government of India Act, 1915, that unless and until extended under the Scheduled Districts Act or otherwise, no Act of the Assam Legislative Council, in the absence of special provisions to the contrary, would come into force in the hill tracts.

An additional safeguard existed in Regulation 2 of 1880 which empowered the Chief Commissioner, with the previous sanction of the Governor-General-in-Council, to withdraw any enactment in force in hill tracts. Therefore, Beatson Bell thought that there was no real danger, if the new Legislative Council like the existing one had the nominal power to make laws for the hill tracts. There was also a compelling reason why the Legislative Council should have the power to make laws for the Hill Areas. The Hill areas, to a considerable extent, were financed by the Plains. If the Hill Areas were excluded completely from the Reformed Council, it would be necessary to make other arrangements by which the deficit in the budget of the hill areas could be met. The Plains districts might justifiably object the payment of monies from their budget for meeting the deficit in the budget of the hill areas. If the Plain districts were to meet the deficit in the hill areas budget, it was equitable that the representatives of the Plains should not be deprived of a voice in the expenditure of their money. Before 1920, the members of the Legislative Council could put questions regarding the administration of the Hills. They could discuss expenditures in the hill areas during the budget discussion. Therefore, Beatson Bell recommended that the whole province could safely be placed

Under the Governor-in-Council and at the same time maintain the existing special methods of control over legislation.

The Functions Committee (the Southborough Committee) 1918, did not agree with the arguments of Beatson Bell because he was inconsistent. "In our view", wrote the Committee, "if these special methods of control are necessary, it is better not to make a pretence of bringing the tracts within the scope of the Reforms scheme. We have not been able to find any satisfactory via media between the inclusion and the exclusion. .. .. We recommend, therefore, that the tracts in question should be excluded from the jurisdiction of the Reformed Provincial Government. If our recommendation is accepted they (the excluded tracts) will be administered by the Governor himself as proposed in Para 199 of the Joint Report". Since the Hill Areas would be excluded from the reformed council, the Committee contended that certain functions should not be transferred to the Provincial Government. For instance, forests should not be transferred because greater part of the Forest Department would be in the excluded area. So also P.W.D. and Excise.

Further, the Southborough Committee recommended that the Excluded areas should be the concern of the Government of India. The Government of India agreed with the recommendation of the Functions Committee. The Government of India thought that the Hill tracts clearly call for a special treatment. On this point opinion was unanimous. But the Government of India pointed out certain difficulties involved in the proposal. Let me make the point clear before enumerating the difficulties involved. If any area was wholly excluded from the scope of the Reforms Scheme, it would inevitably follow that no legislation should be enacted, no question should be put, and no resolution should be moved affecting such an area in the Legislative Council. Legislation for such an area should be effected

entirely by means of Regulation made by the Governor-General-in-Council under section 7 of the Government of India Act, 1915. The administration of such an area, both reserved and transferred, should be carried on either by the Governor-in-Council or by the Governor himself and the budget provision for the administration of such an area should be made separately and should be subject to no scrutiny of the Legislative Council.

The Government of India pointed out certain difficulties involved in such a course of action. First, the administration of the transferred subjects would present difficulties. They must be administered not by the Minister responsible to the Legislature but by the Executive Council. The D.P.I., for example, must function under two masters, the Minister for Education and the Member of the Executive Council. In other words, the officers of the transferred Departments would have to serve two supreme authorities and officers. The officers for the administration of the excluded areas must be drawn from the cadres under the ministers.

A second complication would arise in regard to the budget procedure. All receipts and expenditures on account of the transferred subjects in these areas would have to be separated from the departmental subjects and included in the reserved budget.

Third, some of the areas were not completely backward, and therefore their total exclusion was not desirable.

Therefore the Government of India recommended that the backward tracts should be divided into two classes, namely, those areas wholly excluded and those areas in which the scheme should be introduced with modifications. The areas wholly excluded would remain under the control of the Governor. Legislation for these areas would be effected solely by Regulation. As regards the partially excluded

areas they would be administered by the Governor-in-the-Council of Ministers.

The Chief Commissioner of Assam agreed with the recommendation of the Government of India. He would not exclude the Khasi and Jaintia Hills from the Reformed Council. He would exclude all other areas as they were typically backward areas. The Khasi and Jaintia Hills occupied a peculiar position. It consisted of, partly Indian States, with varying degrees of dependence, through their sanads on the Paramount Power, and partly of the British territory. The Shillong Cantonment was a British enclave and part of the Hill Station was also British though the British and non-British portions of Shillong were under a common municipal law. The Khasis and the Jaintias expressed a desire, for representation in the Legislative Council, though the Chiefs and their subjects were not in favour of their inclusion under the Reformed Council.

The Government of India Bill, 1919, containing the recommendation of the Government of India was referred to a Joint Select Committee. The witnesses that appeared before it expressed different views. Sir Archdale Earle, a former Chief Commissioner of Assam, said that there were certain Hill Districts in Assam, which should be excluded entirely from the Reforms Scheme. Other districts should not be excluded but should be treated as backward tracts. They should be put under the control of the Legislative Council subject to certain reservations.

Nabin Chandra Bardoloi said that if the Hill Districts were excluded from the Reforms Scheme, the Government of Assam should not be compelled to meet the deficit in the hill budget. If they were kept in Assam they should be under the control of the Assam Legislative Council. But Chandranath Sarma said that as the Lushai Hills, the Naga Hills and the Garo Hills had all frontier importance, they should be the concern of the Government of India and that

the entire cost of their administration should be borne by the Central Government and governed by the Governor as the Agent of the Governor-General. "It would be a grievous wrong done to the people of Assam to saddle them with the cost of administering the hill districts with which they were not very much concerned," said Mr. Sarma.

The Government of India Act, 1919. said that the Governor-General-in-Council shall declare any territory in British India to be a backward area under section 52A of the Government of India Act, 1919. On 3 January 1921, the Governor-General-in-Council declared that the Garo Hills and the British portion of the Khasi and Jaintia Hills, other than the Shillong municipality and the Cantonment, the Mikir Hills in Nowgong and Sibsagar districts, and the North Cachar Hills in the Cachar district, the Naga Hills and the Lushai Hills, the Sadiya Frontier Tract, the Balipara Frontier Tract and the Lakhimpore Frontier Tract as backward tracts. It was also declared that all laws provincial or Indian, solely intended for these tracts, would apply only as directed by the Governor-in-Council and with such modifications as might be made by him. Further, the Governor was authorised to apply to the areas laws passed by the Provincial legislature with or without modifications and exceptions as he thought fit.

Further, under the Assam Frontier Tract Regulations, 1880, the Governor could direct the withdrawal of any enactment in force in these areas. Again, section 14 of the Assam General Clauses Act, 1915, provided that no local Act passed either before or after 1915, would come into force in the Scheduled Districts unless expressly extended under the Scheduled Districts Act.

The Instrument of Instructions enjoined the Governor to see that due provision was made for the advancement and social welfare of the tribal areas committed to his charge. For the implementation of this Instruction, the Governor

framed a rule that all proposals which affected a backward tract, directly or indirectly, all proposals to postings to the backward tracts, any appointment which involved any function in backward tract, a transfer or grant of leave to officers of these tracts shall be submitted to the Governor.

When any case affecting a backward tract or tracts, directly or indirectly, came to the Governor, he should, if the case was related to a reserved subject, consider the opinion of the Member-in-Charge and also the opinion of other members or if the case was related to a transferred subject, consider the opinion of the Minister in charge of the subject and then pass such orders as he believed to be in the interest of the backward tract or tracts concerned.

Thus, the Ministers were not responsible for the administration of the backward tracts. They generally disavowed their responsibility for the administration of these areas.

Attitude of the Legislative Council. The Legislative Council did not understand the difficulties involved in the administration of these areas. Sometimes it grumbled that the plain districts had to meet the deficit of the hill areas and demanded that the cost of administration of the tribal areas should be borne by the Government of India, particularly on the Assam Rifles. Some of the members of the Legislative Council went to the extent of demanding the separation of the Hills from the Plains. One of them said, "Before long Assam Valley will have to see its own way to disjoin itself from the Hill districts". Another member said that the Hill districts with the exception of the British portion of the Khasi Hills might be administered by His Excellency the Governor as the Agent of the Government of India." A third member said, "If I read the signs and portents correctly I feel almost sure that the hill districts will be separated sooner or later and I hope within five or six years, the hills will be separated from the Plains and when this is done, the case of Cachar will be a clear case.",

From the above it is clear that the Legislative Council was generally indifferent towards the administration of the Hill areas. There were only forty-eight questions relating to the administration of the Hill areas in the Legislative Council from 1920 to 1927. Of them, several were asked by two members who were residents of the hill areas.

It was also true that some of the members of the Legislative Council did not want the separation of the hills from the Plains. Generally, the Planter Members of the Legislature were in favour of separation on financial grounds. "One of the principal disadvantages", said Lt.-Col. Emiles, "which this province is suffering from is the burden of the hill districts. Every one here knows that the Plain districts are being definitely bled for the sake of hills. The Hills should be definitely separated from the Plains districts of Assam".

Nabinchandra Bradoloi who followed Lt.-Col. Smiles did not oppose the proposal. But Brindaban Chandra Goswami did not agree with Lt.-Col. Smiles. Goswami said that the backward tracts should never be excluded from the Province and administered by the Governor-General through the agency of the Governor. The backward tracts which are still unfit to take part in the reformed Constitution should continue to be governed by the Governor with the help of the cabinet as at present but in cases in which the vital interests of the inhabitants of these tracts are at stake, the Governor shall override the cabinet.

Representation of the Hill Areas in the Legislature. After 1920, the Hill areas were represented by a nominated member. Before 1920 there was no representation of the hill areas. At first a Garo was nominated. But he was not a successful member. Since 1924 a Welsh Missionary represented the hill areas in the Legislative Council. But his experience was limited to the Khasi and Jaintia Hills. The Rev. J.J.M. Nichols Roy a Khasi was elected from the

Shillong constituency since 1920 and in 1927 Sir John Kher appointed him Minister for Medical Services.

Simon Commission and the Hill Areas. The constitutional position of the hill areas was again discussed by the Simon Commission. There was a great debate on this issue. We shall first consider the non-official opinion and then the official view which is more elaborate and convincing. The non-official opinion may again be divided into two, those who were in favour of extending the reformed constitution to the Hill areas and those who were against it. Let us consider the views of the advocates for inclusion of the hill areas in the reformed legislative council. Promode Chandra Dutta argued, "Is it fair that 50,000 square miles of territory should be kept as a close preserve for about a million people while six and half millions should be concentrated in 27,000 square miles? We had always looked forward to the material advantages which the vastness of the hill territories and its mineral wealth would afford, in the fulness of time, to the common benefit of the hills and plains." Dutta further argued that the dismembered province of Assam would never occupy a position of parity with other provinces in the country. Therefore, Dutta was opposed to the exclusion of the hill areas.

Kanak Lal Barua did not agree with Promode Chandra Dutta. He thought that Dutta's proposal was not of practical politics. He suggested that the Province should be geographically compact and, therefore, the hill areas intervening between the Assam Valley and the Surma Valley to the west of the hill section of the railway line should remain in the province. That is the K and J Hills, the Garo Hills and the Mikir Hills should not be excluded from the Province. But the Lushai Hills, the Naga Hills, and a part of the North Cachar Hills should be excluded from Assam. When Barua suggested this arrangement he had the material factor in his mind. The valuable forests and mineral

wealth in the area included could be exploited for the benefit of the people of Assam.

Rev. L. Gatphob and several others from the K and J Hills submitted a memorial to the Government of Assam that the K and J Hills should not be classed any longer as a backward district because from the point of literacy it occupied the second position in the whole of Assam; from the point of female education it stood first; from the point of political systems it was first because democratic institutions functioned in it from time immemorial. Even the Sardars and Dolois in the villages were elected. The people understood the elements of democracy. The social customs were practically those of the western countries. Therefore, Gatphob demanded that two seats should be allotted, one for the Kahsi Hills and another for the Jaintia Hills, in the Assam Legislative Council.

Rev. Nichols Roy suggested the inclusion of the whole of the British portion of the Khasi and Jaintia Hills district in the Province of Assam. He asserted that the district had advanced like any other district in the Plains of Assam. Therefore, it should be admitted to the same political rights granted to the plain districts. He favoured the formation of one or two constituencies for the election of the members to the legislative council. He would even give up the restrictions on the legislature to legislate for the district, if they were incompatible with the admission of the district to political privileges.

Rev. Nichols Roy advanced valid reasons in support of his contention that the Khasi Hills was entitled to the same privileges as the plain districts. First, literacy in the Khasi and Jaintia Hills in 1928 was 7.64 per cent of the total population—standing second in the whole of Assam. Second, female education in the district was the highest than in any other district—2.52 per cent. Third, the Khasi ladies took keen interest in the elections to the legislative council

held in Shillong. Fourth, adult franchise had already existed for a long time. The headmen and sirdars were elected on the basis of manhood franchise. Fifth, the Khasis had affinity not only with the people of the hills but also of the Plains. All their trade was with the people of the plains of Kamrup and Nowgong districts. The district is surrounded on all sides by the Assam Valley and the Surma Valley. It is no doubt joined with the Garo Hills but there was no relationship at all with them even in trade. Therefore, the Khasis were closely connected with the people of the Plains. Sixth, psychologically, there was affinity with the people of the plains because both the Khasis and the people of the plains were more advanced and civilized. Sixth, it was true that racially the Khasis were different from the people of the plains. But the Reverend pointed out that the people of the plains themselves were not homogeneous. There was as much diversity among them as among the hill people. Finally, the argument that the district was a deficit district was not a valid argument. Sylhet was a deficit district and yet formed a part of Assam.

Recommendations of the Government of Assam. The Government of Assam expressed different views at different times. In their memorandum to the Simon Commission, the Government of Assam recommended that with the exception of the Shillong municipality, the typically backward tracts should be excluded from the Province of Assam for obvious reasons. First, the backward areas had nothing in common with the rest of the province. There was no sympathy on either side and the union of the hills and the plains was artificial in nature, resented by both the parties. The Legislative Council resented the burden which the administration of these areas placed on the provincial revenues. The people of the plains fearde that their own political growth and material development was being thwarted by their being yoked with the backward tracts. Above all, i was unrea-

sonable to make expenditures on these areas as non-votable.

The backward tracts would not be represented effectively in the Legislative Council for sometime to come. They should be allowed to develop in their own way and should be protected from exploitation and subversion of their rules and customs by a different civilization which would be unsuitable to them in the existing circumstances.

The backward tracts should be administered by the British officers because the tribals did not want to be ruled by the Indian officers. Therefore, the Government of Assam recommended that these areas should be administered by the Governor as the Agent of the Government of India and that the cost of their administration should be borne by the Government of India.

The Government of Assam gave valid reasons why the Government of India should be responsible for their administration. The Naga Hills, the Lushai Hills and the Sadiaya and Balipara Frontier Tracts were occupied to protect the frontiers as well the Province from invasion and attack. The Government made a prophetic remark when it said, "though for the moment the North-East Frontier may not be a serious menace to the peace of the rest of India, there was a time, not long ago, when the attention was directed to that frontier and the time may soon come when the frontier will become no less, if not more important for the defence of India than the Norh-Wes Fronier, the administration of which is a charge of the Central Government."

While suggesting the general exclusion of the backward tracts, the Government suggested as we had already noted an exception in the case of Shillong municipality in the Khasi and Jaintia Hills district. In support of this recommendation, the Government gave certain reasons. First, Shillong was the headquarters of the Government of Assam. Second,

the Legislative Council was located there. Finally, Shillong had a composite population.

The Government of Assam did not accept the suggestion for the inclusion of the whole of the British portion of the Khasi and Jaintia Hills district within the Province of Assam because it was not reasonable to allow the Khasi Hills to elect its representatives to the Legislative Assembly and at the same time protect it against the legislation of the Assembly. Further, the district should be placed on a footing of equality with the districts in the Plains. Again, the district was a deficit district and the rest of the province would resent its inclusion. Since the district was more easily accessible to the plains, there was an imminent danger of its absorption and exploitation by the people of the Plains. Finally, the Government of Assam thought that the Khasis and the Jaintias would be able to maintain their individuality by their exclusion than by their inclusion in the Province of Assam. Thus, the Government of Assam recommended the total exclusion of the Khasi and Jaintia Hills from the Legislative control of Assam.

In their supplementary Memorandum to the Simon Commission the Government of Assam, however, changed its mind and recommended the inclusion of the Khasi and Jaintia Hills in the reformed Council. Why the Government of Assam changed its mind? There was a strong feeling, among the Khasis themselves, or at any rate among a section of them, to included in the reformed constitution.

Views of the Non-officials. The *Indian Tea Association* represented to the Simon Commission that there was no hope of bringing the hill tracts, within any reasonable time limit, under the Reformed Council and that they must continue to be administered by the D.C. under the direct control of the Governor.

Promode Chandra Dutta expressed different views at different times. At one time he said that the hill districts

should be handed over to the Central Government to be administered by the Governor of Bengal. At another time he said that the hill districts should not be separated from Assam. He went to the extent of saying that the Assam Legislative Council should have the power to legislate for the backward tracts also. Dutta asserted that the Khasis would not have been what they were but for their contact with the Bengalis and Assamese. Dutta said: "If we the inhabitants of Assam are not to have any part or lot in the administration of the backward tracts, why should we be made to pay for them? If the barckward tracts are to continue as parts of Assam they should be brought under reforms." Later on, Dutta contradicted himself when he said: "If Assam was transferred to Bengal the Hill districts should be constituted into a separate unit to be administered by the Governor of Bengal as the Agent of the Government of India. If Assam was not transferred to Bengal, the Hill districts should not be separated.

Muhammad Saadulla said that excepting the Khasi Hills, the people of other Hills districts were semi-civilized and rather aborigines. They had nothing in common with the people of the plains. Saadulla therefore said: "In my view the Hills should not be brought within the next constitutional advance but they should be administered by the Governor acting as an Agent to the Governor-General-in-Council and the cost of administration should be borne entirely by the Central Government. Saadulla's views were not contradicted by any politician of the Plains.

The Naga Club, Kohima, in its Memorandum to the Simon Commission demanded the exclusion of the Naga Hills. It said: "We the undersigned Nagas of the Naga Club, who are the only persons who can voice for our people, have heard with great regret that our Naga Hills are included within the reformed scheme of India without our knowledge. But as the administration of our Hills conti-

nued to be in the hands of the British officers we did not consider it necessary to raise any protest in the past. Now we learn that you have come to India as the representatives of the British Government to enquire into the working of the system of Government and the growth of education and we beg to submit below our view with the prayer that our hills may be withdrawn from the reformed scheme and placed outside the reforms but directly under the British Government. We never ask for any reforms and we do not wish for any reforms."

Official View. The inclusion of the Hill districts in the reformed constitution was opposed by officials also. The most notable opponent of inclusion was that eminent social anthropologist, Dr. Hutton. Dr. Hutton spent long years in the Hill districts particularly in the Naga Hills as its D.C. and made a thorough study of the problems relating to the tribal areas. He had a first hand knowledge of the conditions of the tribal areas. In a special note prepared for the Government of Assam, Hutton said categorically that the interests of the hill districts would not be served best by their inclusion in the scheme of the Constitutional Reforms. On the other hand, they would suffer by being joined wih the people of an irreconcilable culture in an unnatural union which would ultimately harm both the parties. Hutton gave valid reasons in support of his contention.

First, racially the inhabitants of Assam and Surma valley were of the Hindu and Muslim culture. Even those of Shan or Bodo origin have a considerable admixture of Indian blood particularly in the higher classes. The hill districts of Assam were populated by tribes who had neither Bengali, Shan nor Indian origin. They had remained untouched by either Hinduism or Islam. The Garo Hills people were no doubt racially connected with the Koch, Rabha and Kachari tribes of the plains. But the other hill districts had little in common with any Tribe of the Plains.

The Lushais belonged to the Kuki family whose racial connections were with Chins and Kacharis of' Western and Northern Burma. The Syntengs and the Khasis were connected with the hill tracts of Indo-China and Yunnan; the Nagas combined some elements of both these with an Indonesian Stock, closely connected with the Pagan peoples of Malaya, Borneo, the Philippine Islands and the Indian Archipelago, generally, having cultural and racial connections with the Islands of the Pacific. None of these tribes were Indian at all except in the barest geographical sense in that they were included within the political boundaries of the Indian Empire. These people have rooted antipathy for the people of the plains.

Second, historically, the hills and plains have always been hostile. The Ahoms succeeded in subduing the Mikirs but not the Nagas. The Nagas, the Lushais, the Khasis and the Garos raided the plains systematically until the British occupied their hills. Neither the Assamese nor the Bengalis ever attempted to conquer the hills for themselves. If the Hills and the Plains were joined together under the Reforms, the interests of the Hills must be sacrified as their population is impecunious, unlettered, rural and much too simple to compete with the plains' men in legal and political finesse.

Third, culturally, the hill people were not touched either by Hinduism or Islam. Animism which the tribals practised is alien to both. Legislation prohibiting the slaughter of cows or the brewing of strong liquor would come into conflict with his religious and ceremonial functions. The religion of the Hillmen is usually described as animism—ancestor worship. Almost all the tribes believe in a benign creator and in a future existence. They have a moral code which is, in some respetcs, different from that of the most revealed religion but which is not less exacting and which is much better suited to the environment in which

they live. Their religious beliefs are entitled to much greater respect. Animism differs from Hinduism and Islam as widely as Hinduism differs from Islam. It is tolerant of both but both regard it as intolerant because of its consumption of beef and pork. Hinduism is no doubt very catholic. But it would not permit them to occupy a higher position. It would degrade them to a lower position. Therefore, it would be unjust to place the animists under the control of those who abominate their practices. The animists of the hills were never subject to Hinduism or Islam nor had they ever displayed any enthusiasm for those aspects of Hinduism which had elsewhere appealed to animistic tribes.

Fourth, caste is unknown among the tribals. Distinctions in the tribal community are functional and not social. A man of the meanest occupation and position could eat from the same plate.

Fifth, there is a considerable degree of equality between the sexes.

Sixth, the social problems in the hills are entirely different from those of the Plains. There was no commercialised prostitution until it was introduced by foreigners, no child marriage, no taboo on widows and no caste.

Seventh, political development in the plains was fast, while social change was slow. In the Hills the political development was slow. Any attempt to fuse the two would result in the acquisition of the baser elements of the Plains and the retention of their own evils at the expense of what was best in them.

Eighth, linguistically, the tribals differ fundamentally with the people of the Plains. Their languages nearly all belonged to the Tibeto-Burmese group, the Khasis using a Mon language. None of these languages had affnity with Assamese, Bengali or Hindustani.

Ninth, administratively the tribal areas differed from the plains. In the plains a regular routine, standardised and codified administration was in force. The land revenue system with all its complexities that existed in the Plains was never introduced in the Hills and could never be introduced and enforced.

Tenth, the theory of the State ownership of all land was inherited in the Plains by the British from the previous rulers. In the Hill districts, the Government declared its theoretical right to all the so-called waste land but this theory was never enforced. It was utterly barren in the Naga Hills where much of the land consisted of irrigated terraces, privately owned and where almost every inch of jhum land had for generations been subject to individual ownership and had changed hands by sales, inheritance and marriage settlements. A claim by the State to settle such land with whom it might choose, could not possibly been forced without causing a rebellion. It is utterly foreign to the practices of the hill tribes before their occupation by the British. In the pre-British days each village was an independent or autonomous State. If these areas were placed under the control of a legislative council with a majority of the members from the plains and tea gardens, ignorant and unsympathetic towards the hills, they would receive scant consideration.

It was frequently said that jhum cultivation was wasteful. But Hutton said that this was not true. It was no doubt expensive but it was the only method which could be employed, in the hill areas. It is true that all hill land could be converted into irrigated terraces. But it would take generations to do so. In the meantime the people must live. Therefore, there is no other alternative to jhum cultivation.

Eleventh, there is another difference between the plains and the hills. The policing of the hills was carried out by the communities themselves with occasional supervision and

help by the D.C. The Civil Police did not enter the hills. They were forbidden to do so.

12. Justice too was administered according to the tribal customs. The D.C. simply acted as a recorder. Even serious crimes were dealt with by tribal customs.

13. Politically, the tribals lacked cohesion among themselves. Even in restricted areas they had little unity of sentiment which would enable them to work for a common end. As a consequence, they could produce no leader to represent their interests in an elected body. They had no community of interest whatever with the people of the plains. Their representation in the legislature was not only ineffective but farcical.

14. Would not the exclusion of the hills from the operation of the Reforms reduce the area of Assam and thereby reduce its status among the Provinces in the country? Hutton said that this argument was a spacious one. The withdrawal of the hills from the Plains would result in the reduction of the strength of the Legislative Assembly by one member and that too a nominated member. The first nominated member from the Garo Hills was ineffective because he did not understand the medium for the transaction of business. Fair representation would mean at least one representative for every tribe and more than one from the same tribe in some places. The Legislative Council might not agree to the increase of representation of the tribal areas in it, with equanimity. Even if it did, the difficulty would be to find out the representatives competent enough to sit in the legislature. Even if competent persons were found out they would be in a minority, against the combined opposition of the Hindu and Muslim members of the Legislative Council. They would be in a perpetual minority in a council whose interests were entirely different from their own. Therefore, the representatives from the Hills would constitute an incongruous element in the Legislative Council.

15. Hutton also pointed out another difficulty as regards the representation of the tribes in the Legislative Council. In the case of Nagas and Lushais, particularly the Nagas, there were large tracts of land and population across the frontier, not under the control of the British administration but nevertheless in intimate relations and daily intercourse with the people in the British territory. Some of these tracts have not even been surveyed or visited by any whiteman. What should be done with regard to these tracts?

16. Hutton also said that self-determination actually existed in a tangible form even though in some cases a transition was in progress. Organization of the villages varied from that of Greek City State with complete democracy through a feudal to a monarchical system but even these are essentially self-determined. An alien polity and policy would cause confusion and disintegration.

17. Hutton also pointed that too rapid contact with civilization would result in the desimination of the population of the hills. Already some tribes were showing a disturbing decrease in population.

18. Hutton also pointed out that financially the hill districts as a whole paid for themselves approximately, provided the cost of Assam Rifles was excluded, four-fifths of which was paid by the Central Government. Thus, the inclusion of the hill areas in the Reformed Council would not benefit Assam. The existing internal administration in the Hill areas was extraordinarily cheap. The patriarchal system in force entailed the minimum of expenditure on police and justice. But if a more complicated system of administration was introduced it would become a serious burden.

19. The hill areas stood where they were in 1917. They did not advance with the Plains and the rate of progress must be much slower for many generations to come.

The problem was a difficult one and the Legislative Council would not be able to deal with it effectively because the Legislative Council would consist of men from the Plains who would not be able to comprehend the entirely new environment and the needs of men of the hills.

Therefore, Hutton said that in the interests of the districts of the Plains and still more in the interests of the hills themselves, the latter should be withdrawn from the Reformed Constitution altogether. Hutton thought that this was not a retrograde step at all. If this was considered a reactionary step, Hutton suggested the establishment of local Darbars which would provide reasonable opportunities for the development of indigenous institutions for the administration of village affairs. Hutton asserted that communities in the Hill areas were remarkable for decentralization, individuality, and ability for the management of their affairs. The Hills already possessed a great measure of local self-government. If they were brought under the Reformed Council they would be deprived of these institutions. In other words, they would not be benefited in any way. How they would be deprived of these institutions Hutton did not explain.

20. Hutton also said that Hills were an unprofitable possession. They were occupied by the British to protect the Plains.

Hutton warned that history is full of instances of lamentable results of attempting to combine alien populations into political units. This could be avoided at the outset here. On the other hand failure to separate the hills from the Plains would produce dangerous results. There was the danger that hills brought under the Reformed Councils might suffer acutely at the hands of self-seeking persons of influence, in popular governments, in which the hill vote would be of no importance. The danger of exploitation by plainsmen of the hills was not a chimera. This was borne

out by experience in the Manipur State. The Manipuri Hill Tribes not only during the Regency of the Superintendent, but even after the ruling powers were vested in the hands of the Maharaja, were kept under the control of an European officer because of the inhuman treatment accorded by the Manipuris and because of the contemptuous disregard of the most elementary rights of the hillmen. The hillmen were treated a little better than animals. They were exploited in every possible manner.

The special treatment of the hill tracts of Manipur proved the fact that hills must be excluded from the operation of reforms. In case if the hill areas were included in Assam, the Provincial Government would interfere with local customs and rights. The plainsmen would be imported for all types of work. Local men would not be preferred. Unsuitable methods of administration would be introduced in every department. All these factors might produce revolutionary conditions. Discontent, disturbance and rebellion might result. The Kuki rebellion of 1918 was the result of the oppression of the tribals by the subordinate officers. It cost the Central Government Rs. 20 lakhs to disarm the rebels and restore law and order.

Therefore, Hutton insisted that the administration of the hill areas should be entirely separated from that of the plains. The hill areas should have a separate budget of their own. The deficit in the budget should be met from the Imperial Revenues as the security of the frontiers was of great importance to the whole of India. It would not be unreasonable to expect a grant from the Government of Assam whose territory was protected from the raids by the hill tribes.

Hutton, however, admitted that the Jaintia Hills might be included in the reformed Province of Assam. The reasons were, first, the Syntengs of Jowai were familiar in some ways with the principle of election as the Dolois were chosen

by limited election from certain families. Second, they had an administration which was similar to some extent to that of the districts in the Plains. Third, civil police was frequently employed in the Jowai sub-division than anywhere else. Fourth, the people are much richer, better educated and enjoyed a higher standard of comfort than in other hill areas and several of them paid income tax.

N. E. Parry, the Superintendent of the Lushai Hills, also advocated the exclusion of the Lushai Hills on the ground that in origin, the Lushais were absolutely different from the Bengalis and Assamese. They belonged to the Mangolian race and allied to the Kuki and Chin tribes. They were entirely untouched by Islam and Hinduism. They distrusted the people of the plains.

Parry also said that from the educational point of view, the backward areas were certainly not fit for council rule. Were not the Lushais the most advanced educationally of all the tribes? Parry admitted this fact but said that such education as there was among them, however, was superficial and underneath they were savage at heart. They were unstable. They were ready to follow any new thing. They had no understanding of abstract political ideas. Therefore, Parry said that Lushai district was not ready for political advance and was not likely to become ready in the near future. There was no political minded class and no one was fit to sit in the Council. He asserted that the experiment of nominating a hillman to the Council was a failure.

Parry also pointed out that industrially the district had no future. There were no minerals. Distances were very great. Transport was very difficult. The rivers were not easy to navigate. The cost of constructing motorable roads was prohibitive.

Parry also pointed out that the union of the hills and the plains was unnatural. The marriage of so ill assorted

couple could only end in a speedy divorce which would leave feelings of resentment in the minds of both the parties.

To the question whether it was fair to deprive the hills of the blessings of self-government, Parry's answer was that the hills were far ahead of the plains in the matter of self-government. Each village managed its own affairs. All disputes were settled by the Chiefs and the council of elders. A vast majority of the cases were not taken to the courts of law established by the British. They were tried by Lushai Customary Law by which the people have been governed.

Parry, therefore, suggested the exclusion of the Lushai Hills from the scheme of reforms. He went a step further. A hill division comprising all the backward tracts of Assam might be constituted and be placed under a Commissioner controlled by the Governor-General-in-Council. This Division would have an entirely separate budget. Its revenues would consist of all receipts from the backward tracts plus an annual grant from the Imperial Government sufficient to cover the deficit in it.

In case this suggestion was not acceptable to the Government, Parry made an alternative—the formation of the North-Eastern Frontier Hill Province, consisting of all the backward tracts—the Lushai Hills, the Chittagong Hill Tracts, the North Cachar Hills, the Naga Hills, the Garo Hills, the Khasi Hills, the Jaintia Hills, the Sadiya Frontier Tract, the Balipara Frontier Tract, the Mikir Hills, the Pakoku and any other backward tract in Burma. The headquarters of the North Eastern Frontier Hill Province would be Kohima. The head of the Province would be the Chief Commissioner, assisted by not more than two Secretaries and some Deputy Commissioners. Parry concluded by saying, "I suggest that either of these alternatives would be better than condemning the hills and the plains to an unnatural union in which the hills would merely act as a drag on the progress of the Plain district and the latter would

exercise a detrimental influence on the development of hills. The second alternative would in many ways be far better as it would group together a large number of tribes with more or less common origin and would ensure uniformity of administration for the hill tribes of the North-Eastern Frontier.

In his evidence before the Simon Commission, G.E. Soames said that the present union of the Hills and the Plains was unnatural which was not liked by either party.

The Provincial Government generally, accepted Hutton's view and recommended to the Simon Commission in 1928 the exclusion of the backward tracts from the province of Assam, their administration being entrusted to the Governor-in-Council and financed by the Central Government. An exception was made in the case of Shillong municipality in the Khasi Hills. The Government of Assam said, "There is no sympathy on either side and the union is an artificial one resented by both the parties".

The Government of Assam further recommended that these areas should be governed by the British officers. The tribes resented the rule by Indian officers. They might refuse to submit to any other authority. The Assam Government further stated that "If it be contended that the charge of these areas cannot be reasonably transferred from the Provincial tax payer to the General tax-payer of India, it may be stated in reply that the Naga Hills, the Lushai Hills and the Sadiaya and Balipara Frontier tract are frontier districts, occupied to protect India as well as the Province from invasion and attack and that though for the moment the North-Eastern Frontier may not be a serious menace to the peace of the rest of India, there was time when attention was directed to that frontier and the time may soon come when the frontier will become no less, if not more important, for the defence of India than the North Western Frontier, the administration of which is a charge of the Central revenues."

As regards Shillong the Government wrote, "Shillong is the headquarters of the Government of Assam and the Legislative Council chamber is also situated there. Shillong, moreover, has a cosmopolitan population and for that reason the arguments which have determined the general decision of Government do not apply to the town of Shillong".

The Rev. Nichols Roy did not agree with the decision of the Government of Assam. He maintained with certain amount of justice that the district was as much advanced as any other district in the plains in the matter of education and therefore it was entitled to political privileges granted to the districts of Assam plains. At the same time he would retain the existing restrictions on the powers of the Legislative Council in regard to backward tracts. Rev. Nichols Roy was, however, prepared to renounce this privileged position for the K & J Hills if this was incompatible with the spirit of reforms. He firmly believed that the Khasis and the Jaintias were capable of sailing in the same boat along with the people of the Plains. He therefore said that constitutional develpoment, both in the plains as well as in the Hills, must be on the same lines. But the other members of the Government did not accept the suggestion of Rev. Nichols Roy.

In 1930, the question of inclusion or exclusion of the hill areas was again discussed by the Government of Assam. It was again unanimous in recommending the exclusion of the Naga Hills, the Lushai Hills, North Cachar Hills, Mikir Hills and the three Frontier Tracts. As regards the Garo Hills and the Khasi Hills and the Jaintia Hills the Governor and the Finance Member of the Council wished to exclude them totally. But the two ministers and the Indian Member of the Governor's Council wished to include them.

The Government of Assam also suggested the formation of the North-Eastern Frontier Province consisting of all the Hill districts of Assam and the Arakan, Chittagong and

Pakkoku hill tracts, the Chin Hills and the area inhabited by the Rangpang Nagas on both the sides of the Patkoi Hills. Thus, a unified administration for all the hill areas of Assam was contemplated.

Recommendations of the Simon Commission. The Simon Commission generally accepted the recommendations of the Provincial Government. Thus, the Commission recommended that the typically backward tracts, such as those of Assam, except perhaps the Khasi and Jaintia Hills should be excluded. These areas should be administered through the Agency of the Governor. But the Commission recommended that the backward tracts should be classified into two, excluded and partially excluded areas. The partially excluded areas were not typically backward tracts. These areas were more developed though still unfitted to take their full share in the reformed constitution. The Simon Commission did not state specifically which of the areas should be partially excluded and which of them should be excluded areas.

The Commission recognised that there were areas the inhabitants of which were in a lower State of civilization than their neighbours and they required special arrangements for their administration. It also suggested that an area notified as a backward tract need not be treated as a backward area when it ceased to be so.

As regards the financing, the administration of these areas, the Commission recommended that this should be the responsibility of the Central Government.

As regards the administration of the partially excluded areas, the Commission suggested a somewhat complicated arrangement. Partially excluded areas would continue to send their representatives to the Legislative Council. And the Governor, as the agent of the Central Government, would decide how far local legislation should apply to them. The

extent to which the Governor should act in consultation with the council of ministers was to be regulated by Rules made presumably by the Central Authority. These tracts would be under the same system of taxation for provincial purposes as the rest of the province. The Provincial revenues raised within them must be spent on them. Any additional funds required should be provided by the Central Government.

Why the Commission recommended the total exclusion of the backward tracts? The reasons are obvious. First, to secure an efficient and congenial administration for the hill people; to prevent their economic subjugation by the more sophisticated people of the plains; to see that the hill people would not again become a nuisance that they were in the past to the peace in the plains and to prepare them ultimately for some form of parliamentary system of government. Finally, the typically backward tracts were deficit areas. No provincial legislature was likely to possess either the will or the means to devote special attention to its particular requirements. Expenditure in these areas would not benefit the plains. Therefore, they would be reluctant to spend the amount required. Moreover, Assam was a poor Province and therefore the administration of the backward tracts should be entrusted to the Central Government.

The Simon Commission also argued that so long Dyarchy existed, their administration could be entrusted to the Governor. But under Provincial Autonomy, the question arises whether these tracts should be handed over to the ministers responsible to the legislature or completely removed from their control. "We have no doubt whatever", said the Commission, "that for the really backward tracts such as those of Assam, the alternative of complete exclusion must be adopted". At the same time the Commission recommended that in order to avoid unnecessary expenditure and other disadvantages, the Central Government should act through

the agency of the Governor for their administration. Finally, the Commission recommended that the somewhat derogatory term—backward areas—should be discarded in the Statute and use a more colourless designation—excluded areas.

Views of the Government of Assam on the recommendations of the Simon Commission. The Government of Assam referred the recommendations of the Simon Commission to Dr. Hutton. Dr. Hutton made a detailed comment on the recommendations of the Commission. The Commission contended that the hill tribes did not ask for self-determination, but security of land. The Government of Assam said that this was not true. As a matter of fact the tribals asked for self-Government. Before the occupation of the tribal areas by the British, they were populated by numerous village communities with little or no coordination inter se but with very definite polities, sometimes representing a very intricate organization of their own. Under the British administration the customary native forms of administration were maintained as far as possible and so long they did not conflict with the larger requirements of the Government. The Government emphasised that the customs and institutions of the tribes were matters for which much veneration and affection was felt. In other words, the demand of the hill tribes was that they should be left alone, and to frame a government to their liking subject to the approval of His Majesty's representative. This was certainly a form of self-determination.

The problem of educating the people of these areas which was the most polyglot in the world and of fostering a tendency in them towards a Union for the purpose of self-Government was one so complex that it could only be solved by an administration specially designed for the purpose.

The Government of Assam agreed with the recommendations of the Commission that it would not be able to

find necessary funds for meeting the deficit which then existed. It must be admitted that even in the past there has been a tendency for the relegation to the background the needs of the backward areas. The Mikir Hills and the Jowai sub-division, for instance, were neglected for the more vocal claims upon the slender resources of the Province.

The Government also said that the hill areas were not ripe for inclusion in the general provincial scheme. Any attempt to do so might threaten the very existence of these unsophisticated tribesmen.

The Government gave another reason for the exclusion of these areas from the reforms scheme. It was always found necessary to employ European and Anglo-Indian officers for the administration of these areas. Because the tribals regarded the Indians of the Plains as their hereditary foe.

The Government of Assam did not agree for the partial exclusion of certain areas. They recommended the total exclusion of the Naga Hills, the Lushai Hills, the North Cachar Hills, the Frontier Tracts to be administered by the Governor on behalf of the Governor-General-in-Council. At the same time the Government admitted that the Khasi Hills and the Garo Hills might be partially excluded.

The Commission recommended that some members of the legislature might be nominated to represent the backward areas. The Government of Assam expressed its doubt of the practicability of the suggestion. It said that it would not be possible to find out suitable men for nomination.

As regards the future development of these areas, the Government said, "Our aim should be not to retain the aboriginal areas as picturesque survival but to secure them development by absorbing them with the rest of the community. The process of assimilation has been going on

and to put an obstacle in its way would be a retrograde step. The Under-Secretary of State agreed with this view.

The Government of Assam supported the proposal of the Commission namely that the tribal areas should be a central subject because there was the prospect of transferring the cost of the administration of the tribal areas to the Central Government.

Views of the Government of India. The Government of India, however, did not fully agree with the views of the Government of Assam. They were not in favour of the total exclusion of even the Naga Hills, the Lushai Hills and the North Cachar Hills and the three Frontier Tracts and were in favour of some sort of partial exclusion which they thought might avoid the disadvantages of total exclusion and at the same time secure to these areas better prospects of progress and development. The proposal broadly speaking was that the administration of the excluded areas should be vested in the Governor but means must be provided whereby the Provincial Government and the Provincial Legislature might be associated with the Governor without prejudice to his personal responsibility.

The Secretary of State for India did not agree with the views of the Government of India. He agreed with the views of the Government of Assam. He said that there is no justification for placing the control of the backward tracts in the hands of the legislature, composed of persons who have no knowledge of their needs and outlook or of ministers responsible to it. The Secretary of State for India, therefore, said that these facts must be taken into account 'without compromise or equivocation.' Therefore, he recommended that these tracts should be excluded from the jurisdiction of the Legislature and the Ministers. There was a great deal of correspondence between the Government of India and the Secretary of State on this subject.

The Provincial Government accepted the views of the Secretary of State.

The Views of the Royal Empire Society. The Society constituted a committee to consider the recommendations of the Commission. The Committee said, "It is clearly impossible to place the administration of these tracts under the control of the Legislature in which they are not represented and which cannot be expected to display any interest in them." "It is necessary, therefore, to entrust the backward tracts to the care of the Central Government, which must use the Provincial Governors as Agents for the administration of these areas. The Commission's scheme, however, obviously requires further definition before it can be applied to particular localities. It is impossible to go into the details here but we wish to emphasise the importance of finance . . . . In future the funds required for the administration of these tracts, as well for their development, where necessary will have to be provided from the central revenues". The Committee further said that each backward tract should be entrusted to the Governor under a mandate which should specify not merely the policies which the Central Government desired to see followed in regard to it but also the terms of financial settlement which will for a definite period of years provide funds adequate to secure efficient administration and orderly advancement.

Excluded Vs Partially Excluded Areas. What is meant by excluded and partially excluded areas and what is the distinction between the two? Excluded areas were the tracts where any advanced form of government was not a possibility because of the backwardness of the area. These areas would be administered by the Governor himself. The Ministers would have no constitutional right to advise him in connection with their administration. Neither the Central nor the Provincial legislature shall have power to make laws applicable to the tract but the Governor-in-Council

might direct that any Act of the Provincial legislature should apply to the tract subject to such exceptions or modifications as the Governor thought.

Proposals for expenditure in the tract need not be submitted to the vote of the legislature, Provincial or Central. No question might be asked about the tract and no subject relating to the tract might be discussed in the Assembly except with the sanction of the Governor.

In the case of partially excluded areas discussion in the Legislative Assembly was not barred. It was allowed with the previous permission of the Governor. The Provincial Government was given full discretion in applying or refusing to apply new enactments. The Governor might direct that any act of the Provincial legislature should not apply to the tract or shall apply subject to such exceptions or modifications as the Governor thought fit.

The Legislative Assembly or the Provincial Legislature while making laws solely applicable to the backward tracts in question or any part thereof, must insert a provision that the law shall come into force only on such date and subject to such exceptions or modifications as might be ordered by the Governor-General-in-Council or the Governor-in-Council as the case might be.

In addition, the Governor-General-in-Council was authorised by the Government of India Act, 1919, not to apply any all India statute of general application or apply with such exceptions or modifications as the Governor-General might think fit to any of the tracts.

In Assam, during the period 1920 to 1937, the ministers exercised authority over the transferred subjects. But the Instrument of Instructions issued to the Governors conferred on them a special responsibility to protect the backward tracts. This provision was taken advantage of and the business rules restricted the powers of the Ministers in

dealing with these tracts within very narrow limits. The Governor exercised effective control over the tribal areas which were technically within the authority of the Ministers so far as the transferred subjects were concerned.

Is there not a possibility of abuse of power by the Governor? He might not permit even innocent questions to be put in the legislature under the pretext that it would affect his special responsibility. Sir Samuel Hoare said that the officers who were administering these areas stressed on the effect of the discussions in the legislature on these areas. He also said that generally, discussion was permitted without the previous permission of the Governor. The Provincial Legislature would continue to influence the Governor. The Ministers would have access to the Governor to influence him in regard to the administration of the excluded areas. As regards the partially excluded areas certain subjects would be excluded from the ministerial control such as land and police. The Provincial Legislature would have no jurisdiction over these subjects. Thus partial exclusion would be functional and not territorial.

The Partially Excluded areas would be represented in the Provincial Legislature and not in the Federal Legislature because one or two representatives from the tribal areas in the central legislatures would not be able to influence legislation. But the Assam Legislative Assembly contained nine members from the Partially Excluded Areas, two from the Garos, one from the Jaintias, one from the Mikir Hills, two from Shillong and one for all Hill areas in the Legislative Council.

The R.T.C. and the Tribal Areas. The representatives from Assam, at the First Round Table Conference, did not speak a single word on the tribal areas. Assam was not represented at the Second and Third Round Table Conferences.

White Paper and the Tribal Areas—1933. The White Paper on Indian Constitutional Reforms accepted the proposal of the Simon Commission. It also accepted the classification of the areas into excluded and partially excluded areas. It also said that the expenditure on the Excluded areas should be non-votable.

The Government of India Bill, 1935. The Sixth Schedule to the Government of India Bill, 1935, contained the recommendations of the White Paper.

Part I: Excluded Areas. North-East Frontier, Sadiya, Balipara and Lakhimpore, the Naga Hills district and the Lushai Hills district.

Part II: Partially Excluded Areas. North Cachar Hills in the Cachar district, the Garo Hills district, the Mikir Hills in the Nowgong and Sibsagar district, the British portion of the Khasi and Jaintia Hills, other than Shillong municipality and the Cantonment.

The Joint Select Committee and the Tribal Areas. The witnesses that appeared before the J.S.C. on I.C.R. generally supported the proposals contained in the White Paper. Dr. Hutton who was the D.C. Naga Hills in his evidence before the J.S.C. said that all the hill areas should be totally excluded for obvious reasons. First, they were fewer numerically. Their representation in an elected body would carry no effective weight. Second, their interests were commonly alien if not actually antagonistic to the interests of their more civilised neighbours and would therefore be liable, if not likely, to be sacrificed to those of the majority. Third, the aboriginals themselves, although unvocal, were in several cases conscious of the dangers to themselves of their inclusion in the autonomous provinces and definitely wished self-determination for the preservation of their traditional culture and manner of life. Fourth, if the backward areas were not excluded they would be exploited by the people from the Plains. In the North

Cachar Hills in Assam, the rich rice lands had already fallen in alien hands although there was restriction prohibiting the lease of lands to non-tribals. The fact was the D.C. was too busy to know what was going on in the district in this matter and the local revenue officers from the plains recommended in the first instance lease which in course of time became permanent. Sometimes land was purchased from an indebted Kachari who ultimately became a landless labourer. Fifth, the extension of the licensed liquor shop system did harm to the tribals and the extension of prohibition would not do good to them. Sixth, the kind of administration of justice prevalent in the Plains was completely unsuitable to the Hills. The most essential feature of the administration of justice in the hill areas was that it was speedy and cheap, and the procedure was summary which was not suitable for all cases excepting the serious ones. The employment of lawyers who did not know the language of the place and who had no understanding of the local customs was most unsuitable. As a matter of fact the employment of lawyers in these areas would complicate matters. Seventh, as regards policing Dr. Hutton pointed out that it was and would be unnecessary. The clansmen themselves were their own police and their own courts. Finally, actions which were perfectly legal according to tribal customs were likely to be punishable according to the I.P.C. Therefore, Hutton suggested that these areas should be excluded from the control of the legislature and administered directly by the Government of India.

Sir Samuel Hoare while agreeing with the views of Dr. Hutton on the exclusion of areas from the control of the Provincial legislature, did not agree to their administration by the Government of India. He thought that the Provincial Government would administer them better than the Central Government.

The proposal to exclude certain areas from the operation

of the Reforms met with some criticism in the J.S.C. M.R. Jayakar pointed out that there was a feeling in India that proposals of the White Paper would withdraw from the influence of the Indian Legislature, large tracts and a large number of Indians. That feeling would be intensified if the Governor was authorised to declare any area as a backward area. But Sir Samuel Hoare contended that the local legislature would be indifferent to or unmindful of the special protection which these areas required. As a matter of fact, the tribals distrusted the Indian Legislature. Further, how to prevent politicians or any one from the plains from interfering with the life of the tribals. There was no other way than the exclusion of these areas from the operation of Reforms.

The J.S.C. recommended the exclusion of the backward areas from the control of the Provincial Legislature. It accepted the classification of the areas into two excluded and partially excluded; that the application of the Acts passed by the Provincial Legislature to the partially excluded areas might be done by the Governor on the advice of the Minister concerned. But the Governor should have the right to differ from the advice given by his ministers; that the expenditure on the Excluded Areas should be non-votable. Finally, the J.S.C. recommended that the areas to be Excluded and Partially Excluded should be determined by an Order-in-Council.

Discussion in the Commons. There was tremendous discussion in the House of Commons on this question. Col. Wedgwood said that the backward tracts should remain under the British control and should not be controlled by the Governor of the Province. The tendency of the Province was to bring the excluded areas into the same position as the rest of India. The tribes inhabiting the backward areas were really aboriginal. If they were dragged into the

competitive system of the industrial organization, into the mills and factories, they would be ruined. They should, therefore, by protected. Therefore, he suggested that they should be under the direct control of the British.

Educated Indians, said Col. Wedgwood, "want to get them as cheap labour and if these people are to be saved from the hell of civilization, the only chance they have is British protection and British control and to be free from the insiduous advances of the rich people in the Provinces to exploit them . . . It is not fair to put these tribes for hundreds of years behind the Indians, into the unrestricted hands of people whose object must be to exploit their labour . . . They should be developed from themselves."

On 10 May 1935, Mr. Cadogan moved an amendment in the Committee of the Whole to extend the list of excluded areas. The amendment suggested that North Cachar Hills and the Mikir Hills should be included in the list of Excluded Areas. The amendment was supported by Wing Commander James, Major Attlee, and Sir Reginald Craddock. All this discussion in the Commons influenced the Government.

On 13 May the Under-Secretary of State for India Mr. Samuel Butler stated that full enquiry would be made and that an Order-in-Council would be issued with the full knowledge of Parliament, before the appointed hour when Provincial Autonomy would be introduced. Butler also said that the areas to be excluded should be few and must be selected with great care and that their total exclusion should be justified.

The Atorney-General promised that the entire Sixth Schedule would be withdrawn and that the matter would be settled by an Order-in-Council as suggested by the J.S.C. Thus, there was a feeling in the Commons that there was need for an enquiry into the question of what areas under the

Government of India Act should be excluded or partially excluded.

Therefore Sir Samuel Hoare moved an amendment to Clause 91 of the Government of India Bill, 1935 which was as follows.

> "Such areas as His Majesty may by an Order-in-Council declare to be excluded areas or partially excluded areas.
>
> The Secretary of State shall lay the draft of the Order which it is proposed to recommend His Majesty to make under this Schedule, before Parliament within six months from the framing of this Act."

The Committee of the Whole on the Government of India Bill, therefore, omitted the Sixth Schedule containing a list of areas which were classified as excluded and partially excluded areas. The Government was authorised to determine, by an Order-in-Council, the areas to be classified as Excluded and Partially Excluded Areas subject to the Provision, that the draft of the Order proposed for this purpose was to be laid before Parliament for approval not later than six months after the passing of the Act. It was also agreed that the Order-in-Council shall not be varied at all.

This amendment was due to the doubt very generally expressed. by members of all parties, whether the areas enumerated in the Schedule was sufficiently comprehensive. There was also the feeling that the proposals contained in the Schedule were the result of insufficient examination of the needs to be met.

Therefore, the Government of India was requested to investigate and report de novo. The Government of India requested the Provincial Government, that in the selection of excluded areas strict necessity was observed. It should be limited as far as possible. The Government of Assam

consulted the local officers. The D.C. Goalpara said that only Bijni-Kokrajahar area, inhabited by the Boros, might be considered for exclusion, total or partial. He, however, added that the Boros, although backward, were not very backward. Further, their exclusion was administratively disadvantageous and their interests would not be protected.

The D.C. Darrang stated that there some Miris sidered as backward but they suffered no disadvantage. They were given two representatives in the Legislative Assembly. Although they might not be equal to their neighbours they were capable of looking after themselves. Therefore, they did not require any kind of protection. They need not be excluded.

The D.C. Darrang stated that there were some Miris and Daflas in the Darrang district but they were so small in number that they need not be excluded.

The D.C. Nowgong wrote that the Mikir Hills in the district should be excluded, because they were generally outside the local boards and were not able to secure anybenefit from them. They were so backward that they would not be able to raise their voice in matters affecting them vitally. It is true that they would return a member to the Legislative Assembly but he would most probably be set up by some party in the Plains which would finance his election and canvass votes for him. The D.C. also said that many of the Mikirs knew nothing outside their own mouzas and knew none except their mouzadar to voice their grievances. "On these grounds," wrote the D.C., "I think it will be to the advantage of the Mikirs if the area is totally excluded. As regards other tribal people they were so scattered throughout the district that there was no area to be excluded or partially excluded".

The D.C. Lakhimpore said that the area west of Buri Dihing should be included in the reformed constitution for

obvious reasons. First, the Dibrugarh local board had jurisdiction over these areas and realised local rates. Second, the number of backward people in these areas was only one-third of the total population. Majority of them live in tea gardens. Third, the other Fakials further down the Dhing were not backward. Fourth, Buridhing was a developing area which required the technical assistance from the Plains. Therefore, he said that the rest of the Lakhimpore Frontier Tract on the left bank of the Dhing might be excluded along with the portion of the Sadiya Frontier Tract.

The D.C. Garo Hills said that the Garo Hills should be excluded from the operation of Reforms because the Garos were almost entirely taboriginal except about two per cent who were Christians. Even these Christians were "Stomach Christians" hoping to get some post or other advantages. Most of them lived near the borders of the hills and lived practically as primitively as the Garos of the interior and followed tribal laws.

Second, the Garos were inimical to all plains people and like all hillmen were very primitive and very conservative regarding their tribal customs and laws. Special administrative rules were therefore framed to protect the Garos. Even special rules existed for the regulation of forest matters.

Third, the Garos were very nervous that reforms would mean control by a few educated Christians who would exploit them and promote their interests.

Fourth, the Garos had nothing in common with the people of either the Assam Valley and the Surma Valley. They used to raid these valleys.

Fifth, the Garos have nothing in common with the Hindus and the Muhammadans as they ate cows and pigs. They had no religious ties with the people of the Plains as they were animists. There was no purdah system or caste prejudices nor prohibition of widow re-marriage.

Sixth, the Hindus and Muslims looked upon the Garos as little better than animals. The Garos admitted that they were not equal intellectually to the people of the Plains. The Garos were duped and cheated by the plains people in commercial and trade matters.

Seventh, historically, the Garos had always been hostile to the Plains people and that this hostility continued.

Eighth, linguistically there was absolutely no connection with either of the valleys.

Ninth, a council consisting of the representatives from the Plains would have no sympathy for the Garos who would be represented by two representatives.

Tenth, any form of administration other than the one existing would be too expensive and of doubtful advantage to the tribe.

Eleventh, the Garos were matriarchal in their customs which was contrary to the laws found in the plains. They lacked cohesion among themselves and consequently had no leaders. There was little unity of sentiment to enable them to work for a common cause and a common end. One of the Garos who was nominated to the legislative council took no interest in the Council work. Further, Garos would do anything for money and would not trust one another.

Twelfth, the Garos had no experience about elections as there was no municipal or local board in the Garo Hills.

Thirteenth, lands were held by clans in villages known as Aking, a form of tenure entirely foreign to the Plainsmen.

Fourteenth, the Garos had no leaders who had the interests of all the Garos in their minds. Those who thought they were leaders did not understand what they were talking about. Such men would be worthless in any council. Almost all the Garos did not understand the significance of Reforms. There were some who pretended to know some-

thing about reforms but actually they were thoroughly ignorant of them. They were only concerned about their membership in the reformed council. The non-Christians did not desire any reforms. Even Christians, several of them were against reforms. Only those who had hoped to get something out of their membership of the council desired Reforms—rather partial exclusion. Therefore, the D.C. concluded by saying that the Garos were not fit for partial exclusion. At the same time the D.C. said that the Mouzas six, seven, and eight containing a few Garos and a majority of Hindus and Muslims might be permitted to exercise their franchise in the adjacent constituencies of the Goalpara district.

The D.C. Cachar wrote that the North Cachar Hills were altogether backward, in the matter of education and knowledge. The inhabitants of the area knew little or nothing of the outside world and they had no idea of the legislature or of its functions. Above all it might not be possible to find out persons to represent them in the legislature. The D.C. therefore said that North Cachar Hills should be classified as an excluded area. It might be argued that there were a number of Bengalis and Hindus in Haflong. They were there in connection with their business and they were not interested in the well-being or in the internal life of the hill people. Therefore, they were not entitled to representation in the legislature.

The D.C. K and J Hills wrote that matters had gone too far and that it would not be possible to exclude them from the operation of reforms. He said that the matter was not referred to him. It was decided by the Government itself. A deputation approached Sir Laurie Hammond when he visited Jowai. He decided in favour of inclusion under reforms. It was true that political opinion was confined to a few educated men but they were vocal and influential. There was a protest in Jowai and a campaign was conducted vigor-

ously by a Jaintia against the inclusion but finally he gave up as he could not get sufficient number of people to support him. Rev. Nichols Roy was the chief supporter for inclusion and his views ultimately prevailed. Nichols Roy feared that the exclusion of the Khasi Hills would mean many things, exclusion of the Khasis from schools and colleges, exclusion from Government service, and exclusion from professional colleges maintained in the Plains. Though this was not a valid argument, it went a long way in influencing public opinion. If we make behavioural approach to this question we come to the real reason that induced Nichols Roy to advocate inclusion—he would not be able to take part in Provincial Politics and thereby satisfy his political ambition. This was not an unnatural ambition.

In Shillong the educated Khasis were able to secure the right to vote. They were very much pleased at being represented in the Legislative Council. There would be an outcry if they were denied of representation in the council. As a mater of fact Rev. Nichols Roy was greatly agitated when the Myllieum State was excluded in the Original Bill.

The arguments in favour of inclusion were weighty. The advocates of inclusion argued that the Khasis were not backward because the percentage of literacy was high. Mention was also made of the freedom that people would enjoy from the arbitrary powers of the D.C.

Thus, since total exclusion would arouse vehement protests, the D.C. recommended partial exclusion.

The D.C. Naga Hills recommended that the Naga Hills should be excluded from the operation of the Reforms.

The Officiating Superintendent of the Lushai Hills wrote that the Lushai Hills should be excluded for obvious reasons. First, the district was the poorest in the Province. Natural wealth was extremely limited. Trade was negligible,

Communications were primitive. Business was confined to the bare necessities of life. There were no industries. People lived the life of frogs in a well.

It is true that in 1934, there was an agitation by a few persons under the inspiration of Rev. Nichols Roy for the inclusion of the Lushai Hills under reforms. A memorandum was submitted for the representation of the Lushai Hills in the Legislative Council. A representative Public Meeting was held to make out a case for the representation of the Lushai Hills in the Reformed Council. But those that attended the meeting did not understand the implications of the meeting. After some discussion they realised that they had been deceived by a few sophisticated and interested Lushais outside the district who had themselves been used as the catspaw by a certain ambitious member of the Legislative Council. The end of the whole episode was farcical. The whole thing went wrong to the ignominy of the would-be member of the Council.

The officiating Superintendent further contended that the entire administration would break down completely under the reformed constitution. The Chiefs would fall. The disintegration of the village would take place. Factional strife would be endemic and finally there would be serious disunity ending in chaos due to the outstanding trait of the Lushais—individualism. This trait under the present administrative policy had been crushed to such an extent that it would rise again in case a reformed constitution was introduced in the district.

The Superintendent concluded by saying that the intelligentsia of the district comprised three or four graduates of limited intelligence and knowledge. These persons would become M.L.As.

Hutton's Comments. All the letters from the different D.Cs were sent to Dr. Hutton for his comment. Dr. Hutton

who had by then retired from the Indian Civil Service agreed with the views of the Garo Hills' D.C. for its total exclusion. He said that the Garo Hills was in many respects more backward than the Lushai Hills which were excluded. Therefore, it would be farcical to give representation to Garo Hills in the Legislative Assembly and deny it to the Lushai Hills. Those who were asking for the representation of the Garo Hills in the legislature did not understand what they were asking for. The person who was nominated to represent the district in the existing Council was the best Garo that could be found in the district but he made no contribution to the debates in the Legislative Council. He could not understand the proceedings in the Council. He got disgusted with his position in the Legislature and resigned his membership of it. It was also feared that the Zamindars who owned lands in the Garo Hills might launch an agitation against inclusion. The Legislative Council would support the Zamindars and not the poor Garos. Therefore, Dr. Hutton said that the Garo Hills should be excluded.

As regards the Mikir Hills, Dr. Hutton said that it should be excluded. He argued that if the Mikir Hills were partially excluded the expenditure on them would become votable; further, the Mikir Hills were outside the jurisdiction of the Local boards; they were so backward that they would not be able to raise their voice in matters that affected them vitally; any member they would return would probably be some one put up by the party in the plains. He would not be able to secure enough funds for the administration of local affairs. In case the Mikir Hills were excluded totally, Hutton recommended that the mouzas of Sarupathar and Barpathar should also be excluded and be added to the Mikir Hills until the Development board had finalised its work. Afterwards they could be included in the Golaghat Sub-Division if they so desired. Dr. Hutton concluded by saying that

the hill portions of the Mikir Hills tract should be excluded. "The Mikirs are in some ways the most backward tribe in Assam and they are totally incapable of protecting themselves against exploitation. The D.C. Nowgong found that in some villages the Mikirs were being oppressed and systematically exploited by foreign money-lenders and shopkeepers who had squatted there for that purpose without the permission of the D.C. He was able to drive them away from the district because it was an excluded area. That would not be possible if it is a partially excluded area".

As regards the North Cachar Hills, Dr. Hutton said that they should be totally excluded. The Secretary of State for India wished that they be partially excluded. The Provincial Government agreed to this at first and later on recommended their total exclusion. Dr. Hutton thought that since the Kachha Nagas and the Kukis would never agree on a common representative the North Cachar Hills should be totally excluded. Hutton also said "experience of the past few years has shown that the easternside of the North Cachar Hills is an Alsatia for all the firebands and fly-by-nights who make trouble in the Manipur State or in the Naga Hills. If this corner of the Province is to be kept in order it is extremely desirable that there should be total exclusion of the North Cachar Hills as the Naga Hills".

Commissioner's Views. The Commissioner of the Assam Valley Mr. Mullan wrote that the Garo Hills and the Mikir Hills should be excluded on the ground that the inhabitants of these two hills were not "more civilized than the inhabitants of the Naga Hills and Lushai Hills." They were liable to be exploited by the people of the Plains. The Commissioner of the Surma Valley recommended the total exclusion of the North Cachar Hills. He also recommended the exclusion of the Naga Hills and the Lushai Hills, the Garo Hills and the British portion of the K & J Hills excluding the Municipal and the Cantonment areas of Shillong

The Commissioner thought that the argument of Rev. Nichols Roy that the percentage of literacy was higher in the Khasi Hills was ridiculous. The number of Khasis who had been to school was no doubt relatively large but the standard of literacy attained by most of them was well below . . . the lower primary. "The vast majority of the Khasis would like to stick to their ancestral customs and it will be a great injury to them to imperil these because of the vocal few who would betray their race for their own glorification or gain".

Recommendations of the Government of Assam. The Government of Assam considered the views expressed by its officers and also of Dr. Hutton. It agreed with its D.C. of the Khasi Hills. The Government said that any proposal to exclude the Khasi and Jaintia Hills from the new constitution would arouse the most intense public opposition from the leading Khasis. Therefore, it recommended that the British portion of the Khasi and Jaintia Hills district, other than the British portion of the Shillong Municipal and Cantonment area, should be a partially excluded area.

As regards North Cachar Hills, the Government of Assam were originally in favour of its total exclusion. But the Secretary of State for India did not accept this proposal. Later on he changed his mind and accepted the proposal. But in the meanwhile the Government of Assam changed its mind and recommended the partial exclusion of the North Cachar Hills on the assumption that the inhabitants of North Cachar Hills would continue to be in the Cachar district. Finally on 12 January 1935, the Government of Assam said that in view of the various difficulties pointed out, the Secretary of State might agree if compelled by circumstances, to the total exclusion of the North Cachar Hills. The whole matter was again considered by the Government of Assam. It recommended that in view of the impossibility of devising any satisfactory system for securing representation for the area in the legislature—an area inhabited by various

tribes mutually hostile to each other, an area which adjoins the Naga Hills and the Manipur State, and which was the scene of numerous minor armed rebellions, it would be probably wiser and more beneficial to the people of North Cachar Hills that it should be excluded totally from the operation of Reforms. The Government without adducing any argument excluded the Naga Hills and the Lushai Hills.

As regards the Garo Hills, the D.C. of the Garo Hills and the Divisional Commissioner were in agreement with one another that except the plain mouzas the Garo Hills district should be excluded. The Government of Assam did not accept their recommendation on the ground that it would upset the whole balance of the scheme for the reformed Provincial Legislature by transferring the Garo Hills and the Mikir Hills from the partially excluded areas list to the totally excluded areas list. The Government of Assam provided two seats for the Garo Hills out of the nine seats reserved for the tribal areas (Hills) in the Fifth Schedule to the Government of India Bill. If the Garo Hills were excluded totally there would be a surplus of two seats. How to utilise these two seats? Therefore, the total exclusion of the Garo Hills would definitely upset the balance of the present inter-valley distribution of constituencies.

Further more, it was found practicable to devise a suitable system for obtaining the representatives from the Garo Hills by conferring franchise on the village headmen. These proposals were already published. Representations were received from certain Garos objecting to such a limited franchise and demanding a franchise based on income tax. The total exclusion of the Garo Hills at this stage would, therefore, expose the Government to the accusation that it created false hopes among the Garos. Thus, the main objection of the Government of Assam was that it was too late to make any change. The Governor of Assam was formerly the D.C. of the Garo Hills. When he was a Member of the

Governor's Executive Council, he favoured its total exclusion. Now he was opposed to any change in the arrangements already made. Therefore, the Government of Assam thought that it would not be possible to exclude the Garo Hills for all time to come from the scheme of Reforms. The indigenous tribes might be trained to take their proper place in the future development of the Province to which they belonged. The Government of Assam also said that partial exclusion would not result in the exploitation of the Garos by the people of the Plains, as feared by Dr. Hutton. The local officials would be there to prevent and frustrate any such tendency and the presence of their representatives in the Legislative Assembly elected by the headmen of the tribes and the Governor's special responsibility for the good Government of such areas were ample safeguards against oppression from outside.

Further, the Garo Hills was not a frontier district or the district in which armed rebellion or acute internal dissensions were to be feared. The district was situated in the heart of the Province and therefore must evolve itself on lines similar to the rest of the Province. Change must come, said the Government of Assam, and all that should be done was that it came gradually and in accordance with the capacity of the local tribes to adapt themselves to it.

Thus, the Government of Assam recommended that the North-East Frontier, Sadiya, Balipara, Lakhimpur Tracts, the Naga Hills district and the Lushai Hills district should be excluded totally. The Balipara, Sadiya, Lakhimpur Tracts were essentially Frontier Areas inhabited by tribes in an early stage of development. The Balipara had no defined outer boundary and extended to the confines of Bhutan and Tibet. The Government of India accepted the recommendation.

As regards North Cachar Hills, the Government of Assam recommended its total exclusion subject to the condi-

tion that opportunity should not be lost as soon as local conditions permit to convert this area into a partially excluded area.

As regards the Garo and Mikir Hills, there were differences of opinion. All those concerned with these two areas agreed that they should be protected. But the point was whether they should be excluded partially or completely. These two areas were neither frontier nor border tracts like those recommended for total exclusion. Therefore they should be excluded partially. The Government of India agreed with this recommendation. Thus, the Government of India did not support the amendment moved by Cadagon.

The Report of the Government of India on excluded and partially excluded areas was accepted by the Secretary of State without any modification and embodied it in a Draft Order-in-Council and laid it before Parliament on 31 January 1936. There was discussion in the House of Commons on the Draft Order-in-Council. Wing Commander James was not satisfied with the Draft Order. He thought that the Mikir Hills also should have been excluded completely. But the Under-Secretary of State Samuel Butler defended the recommendations of the Government. Gallacher did not agree with Butler and raised a vital point. "Instead of keeping the aboriginals in excluded areas and appointing all kinds of officers to protect them, all our power and wealth ought to be directed towards bringing the aboriginals into the line with the general development that is going on in India . . .I am not giving any suport or encouragement to this idea of excluded areas and protection."

Lt.-Col. Smiles who resided in Assam for long years and was a member of the Assam Legislative Council said that such a development, suggested by Gallacher, must be slow. He, therefore, argued that there were fundamental differences between the Hindus of the plains and the aborigi-

nals of the hills. The Hindus of the plains looked down upon the aboriginals because the latter ate pigs, cows and dogs. He, however, agreed that the British portions of the Khasi hills, other than the Shillong Municipal area, and the Cantonment area should be partially excluded because it was very close to the Capital of Assam. The inhabitants of Shillong were getting every day more and more sophisticated districts." The Commons accepted the recommendafore, it should be partially excluded.

Lt.-Col. Smiles did not agree with the recommendation of the Government of Assam as regards the Garo Hills and the Mikir Hills. "I see no justification for their inclusion as partially excluded area. They are not yet fit for the rough and tumble of political life and they are in very isolated districts". The Commons accepted the recommendations of the Government of India.

On 25 February 1936, an Address was presented to His Majesty that an Order-in-Council be made in the form of the Draft laid before Parliament on 31 January. It was agreed to and an Order-in-Council was made on 3 March 1936 which declared that (a) the Naga Hills, the Lushai Hills, and the North Cachar Hills, the present Arunachal Pradesh were excluded totally. (b) The Mikir Hills, the Garo Hills and the Khasi Hills were declared as partially excluded areas within the meaning of the Government of India Act, 1935.

What is the Order-in-Council? And what are the consequences? No act of the Federal or Provincial Legislature could apply to excluded or partially excluded areas unless the Governor so desired. The provision was clearly meant to guard against the application of unwise or unsuitable legislation or legislations opposed to the interests of the backward areas. The Governor was responsible for examining the legislation passed by the legislature and deciding

whether it was suitable for the tribal areas or needed modification. The provision was intended to shut out unsuitable or harmful legislation. Thus, the Governor was provided with a veto power. It was expected, however, that in practice, the veto power would not be exercised unless there were good reasons for it.

Section 92 of the Government of India Act, 1935, endowed the Governor with additional powers to make regulations for the peace and good government of the Excluded and Partially Excluded Areas.

In addition to these powers, the Governor was generally responsible for the protection of the partially excluded areas.

Again, the expenditure for the administration of the excluded areas was a charge upon the Revenue of the Province. Further, the Governor had the power to authorise expenditure on the partially excluded areas if that was necessary for the purpose of discharging his special responsibility.

Thus, though it was open to the legislature to pass special legislation for particular areas, since such legislation did not automatically apply to the tribal areas and since the legislature might not be sufficiently interested in the backward tracts, the power to make special regulations for them was vested in the Governor.

In the case of Excluded Areas the legislature was not competent to make any law or approve the expenditure on them.

The Instrument of Instructions to the Governor enjoined him to see that a primitive tribe did not suffer or fear of neglect.

The administration of the Excluded Areas was carried on by the Governor of Assam from 1937 to 1947, acting independently of the Government of Assam, with a separate

Secretariat. He was assisted by a Secretary, designated as Secretary to the Governor.

Comment. The provision, excluded areas and partially excluded areas, was not after all new. The Indian Statute book has from the earliest times contained such a provision—laws, barring completely or partially, the application of ordinary law in the more backward parts of the country. For these areas, laws were enacted by the Executive. They corresponded to the Orders-in-Council by the Crown. The machinery devised for the purpose was as follows. The Secretary-in-Council by Resolution would declare that the provisions of section 1 of the Act of 1870 would apply to some part of the British Indian Province. There upon the Governor-General-in-Council drafted the Regulation for the peace and good Government of that part. The Draft Regulation when approved and assented to by the Governor-General-in-Council and duly gazetted had the same force of law as if it had been passed by the legislature.

Under the Government of India Act, 1919, areas had been selected with the idea of excluding them from the Reforms scheme. Under the Government of India Act, 1935, a more extensive territory was excluded than under the Act of 1919. Provision was, however, made for declaring the wholly excluded area into a partially excluded area and to convert a partially excluded area into a normally administered area.

There was criticism against this provision in the I.N.C. The Congress said that nearly 15 million inhabitants of India had been preserved in a state of semi-barbarism, denied of education, medical facilities and other amenities of civilization so that they might never develop political consciousness and learn to struggle in an organized and systematic manner against the innumerable wrongs to which they had been subjected to.

It was also said that these areas were excluded from the normal control of ministers, responsible to the legislature, not because they were educationally or politically backward, but with the idea of controlling the mineral and other resources of these areas in the interests of foreign capital. The I.N.C. at its annual session held at Faizpur said, "This Congress is of opinion that the creation of the Scheduled Areas and partially excluded areas is yet another attempt to divide the people of India into different groups with unjustifiable and discriminatory treatment and to obstruct the growth of uniform democratic institutions in the country. The separation of these areas is intended for the exploitation of the mineral resources and forest wealth in these areas and keep the inhabitants of these areas apart from the rest of India for their easier exploitation and suppression". The I.N.C., therefore, demanded the abolition of the excluded and partially excluded areas.

All this criticism was made by persons who had no knowledge of the area and its people. Even after Congress came to power the policy of exclusion was followed. The Inner Line Regulation is still continued for obvious reasons.

The No Party Conference constituted the Conciliation Committee which recommended that the Government of the Province in which these areas existed should be ultimately responsible for and be entrusted with the administration of these areas. If tribal areas were attached to the Province. provision should be made for the return of their elected representatives to the legislature. The number of seats for the tribal areas in the Legislative Assembly should be increased. They should be in proportion to their population strength. Their constituencies should be territorial and not separate electorate. There should be at least one representative from the tribal areas in the Provincial cabinet. The administration of these areas should be entrusted to a Special Commissioner

who had special knowledge of and sympathy for the tribal people.

The Socialist Party said that "the State should provide special facilities to the aboriginal tribes and other backward peoples for their economic and cultural advancement. It is obvious that without such facilities real equality will never be achieved by them and legal equality assured to them by the Constitution would be of negative value".

Thus, before Independence the tribal areas in North-East India were divided into excluded areas and partially excluded areas. The Indian Independence Act, 1947, provided that all provinces and all parts of the Province should be governed as nearly as might be in accordance with the Government of India Act, 1935, the Orders-in-Council and other Instruments made thereunder. As a consequence, the Special Responsibilities of the Governor disappeared. From 15 August 1947, the administration of the Excluded and Partially excluded areas was entrusted to the Government of Assam.

In 1948, the Indian Provisional Constitution Order added the Proviso to Section 91 authorising the Governor-General to remove any area from the list of partially or completely excluded area or add any area to an excluded or partially excluded area.

CHAPTER IV

Tribal Political Systems

There is immense diversity so far as indigenous political institutions are concerned. The political organizations among the tribal communities in this region may be broadly divided into three categories, authoritarian, republican and in between the two there is another type in some areas.

The authoritarian type of institutions exist among the Garos, the Mizos, the Singpohs, the Khamptis, the Noctes, the Wanchoos, the Konyaks, the Changs, the Semas, the Kukis, the Chins, the Riangs and the Chakmas.

The Republican type exists among the Monpas, the Akas, the Sherdukupens, the Tangdas, the Adis, the Angamis and the Nagas of Manipur.

In between the two models, there are the Khasis and the Ao Nagas. The Khasi Chiefs (Siems) are not entirely hereditary nor elective.

It is not possible to give a complete account of all the political systems that exist in the tribal areas in the North-East India. We shall, therefore, concern ourselves with some of the most important ones, the Village Chiefs, the village council, the village courts (administration of justice) and the bachelors' dormitory.

SECTION I.
THE CHIEF

The Chief is variously designated in the tribal areas. In the Garo Hills he is called Nokma. In the Khasi Hills, Siem, in the Jaintia Hills, Dullias, and so on.

Garo Hills. The Nokma was the earliest political system that existed among the Garos before the annexation of the hills by the British. There are four kinds of Nokmas, the Gamni Nokma, the Gana Nokma, the Kamal Nokma and the Aking Nokma. The first three do not have any authority or power. Therefore, they are not political institutions. The Aking Nokma is the only Nokma which is a political institution.

Succession to Nokmaship is regulated by customary law of inheritance. The A'king Nokma, if he has a daughter (Nokna), looks for a nephew, the son of his sister, to come and be his son-in-law and heir (Nokkrom). Thus, the nephew not only becomes the heir to the property of the Nokma but also inherits the headship of the village when his father-in-law dies. In the absence of a daughter the nearest female relation of the Nokma's wife is adopted as a heiress (Nokna) and she and her husband succeed to the A'king land. In recent years there were cases when after the death of the Nokma, his widow succeeded as Nokma superseding the claims of her daughters and their husbands. This is due to the fact that succession to Nokmaship is finally settled by the members of the clan. They have the right to elect any one for the Nokmaship. The Government simply accepts the decision of the members of the clan.

The Nokma occupies an important position in the village. But it must be said that he does not occupy the position of a chief. He cannot claim any superior status. He may be dismissed at any time should he fail to discharge his functions. At the same time it must be said that the Nokma

has certain privileges. First, if one wants to become a Gana Nokma by performing the gana ceremony, he must first obtain the permission of the A'king Nokma.

Second, the A'king Nokma alone can possess Kram or Drum which is used only on special occasions such as funerals and annual ceremonies. The common belief is that the drum is endowed with supernatural powers.

Third, the A'king Nokma alone can perform A'songtata, a kind of sacrifice to propitiate evil spirits.

The Nokma's status is basically equal to that of the villagers. The A'king land is held by all the inhabitants of the village. The Nokma has no right to sell the A'king land, because it is the common property of all the villagers. The entire land in the village is divided into several parts and distributed among the villagers. The Nokma like other villagers gets his share of the land for cultivation. Thus, the Nokma does not occupy any advantageous position economically. Some of the Nokmas are poorer than the villagers.

At the same time he has a number of social responsibilities. He is responsible for the entertainment of visitors to the village. The visitors who have no relatives in the village stay with the Nokma. All festivals and funerals and marriage ceremonies are conducted in his presence. In fact, the socio-religious ceremonies must begin and end in his house. On all such occasions he must provide meal and drink to the visitors. At sacrifices, the Nokma must provide the sacrificial animal.

There is, however, one advantage which the Nokma enjoys. If any outsider wants to cultivate land within his jurisdiction he must pay a small sum to the Nokma. He also receives certain fees from the forest produce.

The A'king Nokma is also responsible for the maintenance of peace and good government in his territory, submit

reports on births and deaths, on epidemics and on any unusual occurrence in his village. He regulates jhum cultivation. Before the annexation of the Garo Hills by the British, he led his army against external invasion.

The Nokma is also responsible for the settlement of all disputes that may arise in his village.

Laskars. The office of Laskar was introduced in the Garo Hills by David Scott. In 1824, after the Garos had been brought to reason by successful military demonstration, Scott entered into agreements with Laskars or village headmen along the frontiers. The agreement stipulated the punctual payment of nuzzaranah to the Government in recognition of British sovereignty. Further, Laskars were under an obligation to report all criminal cases to the police, assist them in their investigation and apprehend the criminals and try to suppress head hunting. The Laskars who carried out their duties were paid an allowance.

The Laskars were men of influence and were always the chief Nokmas of their villages. At present the Laskars are appointed by the district council provided they had the necessary qualification, namely, the candidate must have attained 35 years of age, must possess good character, must be a man of integrity, must be conversant with tribal customs and usages and finally, must be financially sound.

In 1964, the Garo District Council resolved to hold an examination for the selection of Laskars but no examination has been held so far.

Sardars: The office of Sardar was introduced by the British in the Garo Hills. The Sardars were appointed by the Laskars to work under them. They were paid by the Laskars. The Sardar might be a Nokma residing in his village. Sometimes the Laskars sent his sardar to investigate into certain minor crimes and also settle certain cases.

The district council recognised the sardarship. At present the Laskars appoint the sardars and the district council pays an annual stipend of Rs. 100 and supplies him with a shirt and a pair of short pants. Every village has no sardar. Normally, a sardar is simply an assistant of a Laskar and acts according to his direction. Laskars are fulltime servants of the District council whereas the sardarship is a part time job.

Zimmadar. In 1865, a new system known as the Zimmadari system was introduced. The Zimmadari system is only an extension of the Laskar system. The Zimmadar shall be responsible for the maintenance of peace in his area and the Laskar shall be responsible for the payment of revenues due to the Government. Thus, the Zimmadar, like the Dollois in the Jaintia Hills, try criminal and civil cases provided the value of the case was not more than Rs. 50. Thus, the Zimmadars were rseponsible for the administration of justice in accordance with village customary law. As a police officer he must apprehend criminals, prevent persons from other elakas from committing serious crimes in his jurisdiction. The Zimmadars were paid an allowance by the Government.

In 1866, it was found that these two institutions, the Laskar and the Zimmadar, were not working effectively. Therefore, both the offices were combined together. At present the Zimmadars do not exist.

Thus, in the Garo Hills, there were Nokmas, Laskars, Sardars. There were also revenue officers concerning with the collection of revenue, the Mouzadars, the Mandals and Konungos.

Mizo Hills. The only indigenous institution for the administration of local affairs in the Lushai Hills was the autocratic chief. Besides the chief there were headmen who were not hereditary chiefs but exercised the powers of

a chief. At first the number of chiefs was not more than 60. In 1930, the number increased to 300 because of the partition of the existing chieftainships and the formation of new villages. The Chiefs and the village headmen were given broad instructions which they had to observe in the administration of the village under their control.

Origin of the Chieftainship. Originally, the right to rule was with those who had the power and ability to command sufficient number of subjects to be able to repel any attack by other chiefs. Thus, the chieftainship originated in the physical and intellectual power of any person. In other words, any person who had the ability to organise a force could become a chief. After the Lushai Hills came under the control of the British, the Government appointed some persons as chiefs. The Superintendent of the District was authorised to create Chiefs and the Government did not wish to interfere with his discretion as it had no complete knowledge of the situation. In 1937, the Government directed the Superintendent not to create new chiefs. On the other hand he was directed to abolish the existing chieftainships and amalgamate the smaller chieftainships wherever possible, because the Government realised that chieftainship was a burlen on the commoners.

Every chief was helped by a council of elders nominated by himself. But he had the power to veto the decision of his council. The chief had also the power to expel any one from the village. Later on, however, he was deprived of this power. He was responsible for the administration of the village. He decided petty disputes according to Lushai customary law. He tried almost all cases except the serious ones which had to be reported to the Superintendent. He collected house tax on behalf of the Government.

The other functions of the Chief were, he acted as a police officer, arresting a person who had committed crimes

such as murder and kept him under his custody till the arrival of the police.

The Superintendent upheld the authority of the Chief to the best of his ability. The Chiefs were told that as long as they behaved properly their orders would be upheld even though some of them might appear to the Superintendent, a little high-handed and not quite in accord with the absolute ideas of justice. In accordance with this policy the Superintendent as a rule declined to take up an appeal against their orders in petty cases as it might diminish the authority of the chief.

Succession. The Government recognised the principle of primogeniture so far as the chiefs were concerned but not of headmen. That is, the eldest son succeeded his father. This rule enabled the Government to concentrate its attention on the eldest son so far as his training was concerned. Thus, the eldest legitimate son of the ruling chief, unless he was debarred by youth or serious physical or mental disability, inherited the lands of his father's village. If the eldest son was a minor, the Superintendent could appoint his mother and the customary council as guardians provided the widow observed such customary rules which she must observe by the Lushai customs. 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 then it returned to the original line.

From the above it is evident that when a minor became a major, he was not entitled to chieftainship. The motive behind this customary rule is not clear. Normally, the chieftainship should be held until the minor became a major. This rule was not observed in the Mizo Hills.

If the eldest legitimate son of the deceased chief suffered, in the opinion of the Superintendent, from permanent mental or physical disability, as to make him incapable of holding a chieftainship, the office passed on to the nearest male heir but it should be returned to the original line after the death of that heir provided there was a male heir in the line, capable of holding the office.

If the chief died without legitimate sons but Hmeifas—illegitimate sons, the succession was settled on the merits of the case. But the claims of the Hmeifas must be settled before the claims of others.

If the eldest son settled in an independent village and died without a son, the property and chieftainship of the village reverted to his father.

A chief could move the Superintendent to disinherit his son who was normally entitled to the chieftainship. When such 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 another by the Superintendent. The Panchayat must submit its recommendation to the Superintendent who in turn must make his recommendation on the basis of the report of the panchayat to the Commissioner of the Division, whose decision was final. From this it is evident that the chief had no right to disinherit his legitimate son from chieftainship. The son had a voice whenever a dispute arose as regards the inheritance of chieftainship.

Recognition of the principle if hereditary chieftainship and non-interference with his administration, lulled the chiefs into insensibility towards the people particularly, when we remember the fact that the contact between the chiefs and the Superintendent was very little because the area was

large and required sustained and long marches by walk. As a consequence, the chiefs exercised autocratic powers. He allotted lands every year to the villagers for cultivation according to his whims and fancies. He called on the villagers to assist him in the rebuilding of his house.

Privileges. The chief was entitled to certain privileges. First, the sachhiah, a traditional tax. The sachhiah was the forelegs of every animal the villager had shot or trapped. The villager had to carry the sachhiah, the flesh tax to the chief who resided in a distant place. Failure to pay sachhiah resulted in a fine of Rs. 40. To avoid going long distances to the chief for the payment of flesh tax, the villagers did not kill small deer.

The second tax was fathang—a traditional paddy tax. That is, every villager after every harvest must pay the Chief six kerosene oil tins of paddy or Rs. 2 per annum if sufficient paddy was not harvested.

The third tax was Khuaichhiah, certain quantity of honey from a particular bee's nest.

The fourth tax was thirdengsa — flesh tax payable to the village blacksmith.

Some of the chiefs abused the powers and privileges vested in them. They treated the villagers as their personal servants and reduced some to slavery. Not only they received the customary taxes, they took a kind of bribe from the Ramhual — the people in the village who were allotted the best lands.

To fight the illegal practices of the chiefs, the Mizo Union was formed. To counteract the activities of the M.U. the chiefs set up their own council. The M.U. retaliated by launching a movement to boycott the chiefs altogether. The villagers were told not to obey the chiefs and not to pay the customary taxes. The result of this

propaganda was there was conflict between the chiefs and their supporters on the one side and the M.U. on the other. Since the Government traditionally supported the chiefs, the M.U. urged the people not to obey the Government and instigated the people to stone the chiefs.

The M.U. fought the general election to the Assam Legislative Assembly and the Mizo District Council on the issue of abolition of chieftainship. Ultimately, it succeeded in abolishing the chieftainship by the payment of compensation.

Was there justification for the abolition of chieftainship? It must be admitted that some of the members of the M.U. were against the abolition of chieftainship. Saprawnga for instance still holds the view that the abolition of the chieftainship created discontent not only in the chiefs but also in their dependents. Goodwill is far better than illwill. Therefore Saprawnga says that the abolition of the chieftainship was a mistake and was one of the factors for the rise of the M.N.F. Rev. Liangkhaia agrees with Saprawnga. If there had been chiefs, they would have controlled the villagers and the M.N.F. would not have come into being. Tuikhurliana said that the chiefs had experience and knowledge of village administration on their side which were not possessed by those who were democratically elected. Thus, intelligent public opinion was against the abolition of chieftainship.

When chieftainship was abolished the disgruntled chiefs either joined the ranks of the M.N.F. or abetted their activities. Saprawnga admits that some of the chiefs abused powers vested in them. This was due to the fact that the Superintendent upheld their decisions. Rev. Zairema thinks that the abolition of chieftainship was the greatest mistake committed by the M.U. The district council could have curtailed some of their powers and eliminated some of their privileges. Further, the abolition of chieftainship was a

costly mistake because the Government had to pay compensation to the chiefs to the extent of Rs. 16 Lakhs.

Khasai and Jaintia Hills. In 1853, there were 24 Khasi Chieftains but the most important of them were the Raja of Cherra, the Raja of Myllium, the Raja of Maram, the Raja of Khyrim, the Raja of Nusting and Nishping. The first and the last exercised civil and criminal jurisdiction in their territories. The British Government did not interfere with their administration, though they had a right to interfere.

In the Jaintia Hills, there were 23 Dullias and Sardars. East Sardar had jurisdiction over a number of villages and exercised jurisdiction over minor cases, both civil and criminal. The Dullias were also known as Pattors. Under each Pattor there were priests. All cases were first taken to the priest, and appeal could be taken to the Pattor and from there to the Dullia and finally to the Agent to the Governor General.

In 1953, the form of government, according to Rev. Lewis, was a mixed one. In some places, the chief exercised despotic powers and in others limited powers.

According to tradition, the Khasi States were formed by a voluntary association of villages or groups of villages. The head of the State was the Siem or the Chief. The Siemship usually remained in one family but the succession was orginally controlled by a small electoral body constituted from the heads of certain priestly clans. Later on, there was a tendency to broaden the elective basis.

The Siem exercised limited powers. According to custom, the Siem should carry on the administration in consultation with the Durbar, consisting of Mantris. In some places, the members of the Siem's family had a considerable share in the management of State affairs.

The Siems' principal source of income was the toll,

levied and collected on the products brought to the market for sale and the licence fee for the sale of liquor.

The Siem is selected from a certain family and the heirship to the Siemship is from the female side and the line of succession is uniform in all cases except in Khyrim. Generally, the sons of the eldest uterine sister inherit in order of priority of birth. In the absence of a male heir from the eldest sister, the male children of the next eldest sister inherit the Siemship. In the Khyrim State, the Siem must be selected from the male relation of the high priest.

Originally, the succession was controlled by a small electoral college consisting of Lyngdohs of certain priestly clans. This body sometimes rejected certain candidates on religious grounds. Later on, there was a tendency to broaden the basis of the electoral college by the addition of sardars and basans. In some places there was election by all adult males—manhood suffrage. Popular election was resorted to when the electoral college could not come to an unanimous decision. The electoral Durbar was considered to be a divine institution and the Siem chosen by it was known as Ki Siem U Blei—Siem of God.

In the Khyrim or Nongkren State, there was a spiritual head—a high priestess—Ka Siem Sad, who was responsible for the performance of certain religious functions. She delegated the temporal functions to her son or nephew. The procedure for the appointment of high priestess was as follows. The Lyngskor proposed a new siem to the six Lyngdohs or priests and to the 24 mantri clans. The latter decided in Durbar whether the proposed Siem should be elected. They had absolute right to reject the nomination made by Lyngskor and elect another as Siem. The order of succession was as follows. The high priestess was succeeded by her eldest surviving daughter, failing daughters. by the oldest daughter of her eldest daughter, failing that by the

eldest daughter of her second daughter and so on. If there were no daughters and grand-daughters, she was succeeded by her eldest sister and so on. But the electors might disqualify any heir to Siemship for sufficient reasons. If the first was disqualified, the next was preferred.

In the Myllium State, the electoral college consisted of five mantri clans, eleven matabors or heads of clans. The Siem must be elected by an absolute majority. As regards succession, a Siem was succeeded by the eldest of his uterine brothers, failing such brothers, by the eldest of his sister's son, failing that by the eldest of the sons of his mother's sister, failing that by the eldest of his male cousins on the female side, those nearest in degree of relationship having prior claim. If there were no male heirs, as stated above, he was succeeded by the eldest of his uterine sisters. In the absence of a sister, by the eldest of his sister's daughter, failing that, by the oldest of his female cousins on the female side, those nearest in degree of relationship having prior claim. A female Siem would be succeeded by her eldest son.

In the Nongstoin State, there was a large electoral college, consisting of the Mantris, 13 Lyngdohs, 25 sardars, Lyngskor ane one Basan who elected the Siem. Lyngdohs were the heads of the priestly clans by whom they were chosen. The Sardars were chosen by the Siem. The Lyngskor, the agent of the Siem, for the collection of the revenue was appointed by the Siem with the approval of the male adults of the village.

In the Langrin State, all the adults had the right to vote at the election of the Siem.

In Sohing, Mowphlang and Lyning, the Lyngdohs were elected from the Lyngdoh Clan by all the adult males.

In Mawlong, the sardars, the Lyngdohs and the Dalai were elected by all adult males.

In Maodou and Pomsanngnt, the Sardars were elected by the adult males.

In the Shella confederacy there were four Wahdadars who were elected by the people for a term of three years.

In Jaintia Hills, all the Dollois were elected by the people.

In the Rambari, the Siem was nominated by three Lyngdohs and two Mantris and placed the nomination before the Darbar consisting of Sardars for its approval. If the Sardars did not approve the nomination, then a combined Darbar consisting of Sardars, Lyngdohs, and Mantris decided the election. In Mawlong the six Basans selected the Siem and placed the nomination before the adult males of the State for their approval.

In Mawsynram the heads of the four principal clans selected the Siem. In case of difference of opinion an appeal was made to the adult males among the people.

So the position before independence in the Khasi Hills was as follows. There were 25 chiefs who exercised limited powers. In some States, the succession of Siemship appears to be hereditary but in most states, the Chief by whatever name he was known, was elected either by an electoral college or by all adult males, the election in many cases being confined to the members of certain families known as the Chief's families. Whatever might be the mode of election, the recognition by the British Government was necessary. This was conveyed by means of sanads granted to him. Further, the British Government as Paramount Power reserved to itself the right to remove the chief in case of oppression, misconduct or dereliction of duty. Before taking such an action, the wishes of the Darbar were consulted. The Chiefs were also under the control of the Deputy Commissioner of the Khasi and the Jaintia Hills.

The Siem was assisted by a Darbar. The Darbar consisting of Mantris is different from the electoral Darbar. It was an executive council with the Siem as its president. Every act of the Siem must be approved by the Darbar.

Nagaland. The tribal villages in Nagaland were generally ruled by chieftains, though this is sometimes not true. The Konyaks have kingship but not the Angamis. The Tangkhuls have a village chief who exercises a great deal of authority. But the Ao chief is democratic.

The chief is either elected, or selected for a definite period or for lifetime. Some of them were hereditary. At first the chieftainship was elected because of his personal qualifications.

The procedure for the selection of the chief is simple. A meeting of all the villagers excepting women and children is held. Before the meeting was held there was always discussion about the person to be selected. Generally the selection was unanimous. Normally, a person without-standing personal qualities is selected. In the meeting the elders of different clans discuss the personal qualifications of different candidates and suggest the name of a candidate and it is generally accepted by the meeting. Then the meeting fixes the date, time and the place of the ceremony to invest the new chief with the symbols of office.

The person selected for chieftainship must possess certain qualifications. They are good physique, impressive personality, the gift of speech, courage and kindness and leadership.

A chief may be removed from office for dishonesty, dereliction of duty. oppressive rule and inefficiency.

The responsibilities of the chief are a legion.

Where chieftainship has become hereditary, the law of primogenitune is generally observed. If the eldest surviving male child of the previous chief is incapable, cowardly, or

suffers from certain physical defects he may not be permitted to inherit the chieftainship. From this it is evident that the son becomes the chief in virtue of his personal qualifications. It may also be noted that daughters cannot succeed to the chieftainship even when sons are not available for succession.

It appears that the principle of hereditary chieftainship was introduced by the British because it guaranteed political stability and loyalty of the chief to the Government.

Privileges. The Chief is given a prominent position at all social and religious gatherings and festivals of the village. He is entitled to a portion of the meat of all animals killed in the village during the festivals. The youth of the village help him in cultivating his fields, and in the construction or reconstruction of his house. He is always offered the best ZU (rice beer) during the festivals. He is venerated and respected by the villagers, particularly if he happens to be a powerful chief.

Functions. The Chief was responsible for the collection of house tax on behalf of the Government. He was in return given guns and the more coveted red cloth, a red blanket — a symbol of high status and power. They are also responsible for the construction of roads and their repair, for the distribution of post, construction of rest camps for the touring officers of the government.

In some places, the Chief plays a dual role, secular and religious. This is the case among the Aos, Semas and Tangkhuls. The religious functions were usually shared with the village priest or performed by the Chief in consultation with the priest. The sacrifices and worship may be done by the Priest but in the presence of the Chief. Without his participation in the festivals the worship will not be valid. As the head of the village the Chief inaugurates the village festivals He sows seeds first, plants first, harvests first,

The secular functions of the Chief are greater in number than the religious functions. Indifference and inefficiency in the discharge of his secular functions may result in his dismissal from chieftainship. The secular duties are that he is responsible for the effective defence of the village. This was the most important of his functions. He must examine village fence periodically and assure himself that it was good. He must keep the village gate in good condition. The village defence force must be maintained in good condition.

The next function is the allotment of lands for cultivation among the villagers, in consultation with the councillors.

The third function is rendering relief in consultation with his councillors to those who were in financial difficulties.

Fourth, visitors to the village must inform the Chief of the purpose of their visit to the village and its duration and pay him their respects. The Chief then welcomes the visitor and guarantees his safety during his stay. The chief also provides the visitor with food, drink and merriment.

Fifth, meetings of the clan heads of the village are fixed and summoned by the Chief, and presided over by him. He opens the discussion and presents the case. Since the Chief is responsible for the promotion of general happiness of the people he must frequently consult his councillors to find out their grievances.

Sixth, he was also a judge and decided disputes among the villagers.

Seventh, the Chief had some emergency powers in times of war. He was the commander-in-chief. When the enemy approached the village, the Chief issued a proclamation, ordered the closure of the village gates, and assembled the warriors to meet the danger.

He received and sent friendly messages to villages.

Powers. It is difficult to state all the powers of the Chief because they varied from tribe to tribe and from village to village in the same tribe. But the Chief do not exercise unlimited powers because the Nagas are highly individualistic. Further, in most tribes the powers of the Chief are curbed and controlled by the village council. In some places the Chief is merely a titular head. But everything depends on the personality of the Chief. The Chiefs in the Angami, Ao and Tangkhuls do not possess any special privileges or powers. It is true that the Chiefs in the Sema, Konyak and Lotha tribes were respected and the villagers would till their lands, give him the head of the animals killed by them and do other jobs for him. All this was done voluntarily by the grateful people.

The Naga chiefs do not wear any kind of special dress. However, their houses are differently constructed and their shawls were specially woven. In the Tangkhul villages the chiefs wear red-blankets.

Mikir Hills. The administration of the Mikir Hills before its annexation by the British was carried on by three classes of officers—hiearchically organised. They were Achom-A-Sar, also known as Rong-A-Sar, Habes also known as Basaks and Pinpos. Achom-A-Sar was the oldest of the three. He was the most influential man. He was supposed to know all the customs. He was appointed by Habe. Today the Achom-A-Sar is called gaonburas. His jurisdiction was normally one village and performed the functions of a gaonbura.

The Habes were above the Achom-A-Sar. They were appointed by Pinpomers. The Habe generally settled all kinds of disputes in the village. But he had no power to inflict a sentence of death. A Habe was selected from among those who were well versed in the Mikir laws and customs. In 1946, there were 26 Habes. One of them was a head Habe. The Habe administered criminal and

civil justice. He could award stripes, impose fines, deport persons from the area, but had no power to inflict a sentence of death. The head Habi lived in the village at Rongkhong side of the Nowgong Mikir Hills area.

Above the Habe, was the Pinpos, an institution that was brought into existence by the Jaintia Kings. The Jaintia Kings appointed the Pinpos to represent them in the Mikir Hills. Appeals against the decisions of the Habes were taken to the Pinpos. The Pinpos must be recruited from certain families like the Siems in the Khasi Hills. There were nine houses of Pinpos known as the Artu. These nine houses were believed to have originated from three brothers, Ronghang, Chinthong and Amri. Ronghang was the eldest and Amri was the youngest. Four houses of Pinpos came into existence from Ronghang, three from Chinthong and two from Amri. The Ronghang houses were known as Ronghang Artu Phli, the Chinthong houses as Chinthong Artu Kethom and the houses of Amri as Amri Artu Hini.

When a Pinpo died, the other Pinpos gathered together and searched for a person, well versed in Mikir laws and customs from the clan in which death had occurred. The selection of the Pinpo must receive the approval of the Karbi-a-Risoo — the Mikir King.

The Karbi-a-Risso was a constitutional monarch. He must act according to the advice of the Pinpos. The Pinpos had the power of deposing the Karbi-a-Risso and elect a new one. But every act of the Pinpo required the assent of the Karbi-a-Risoo. Thus, the Pinpomers constituted the cabinet in a parliamentary democracy, with this difference, namely, there was no parliament to remove them from office by a no-confidence motion.

The Pinpomers performed multifarious functions. They were the guardians of the Mikir customary laws.

The seat of the Pinpos was at Rong Khang Mouza, in the Nowgong district at Niz-Rongkhang Gaon. Among the Pinpos, the Pinpos of Ronkhang are the highest in order and the other Pinpos should carry out the order of Rongkhang Pinpo. The Rongkhang Pinpo was the final authority in all matters. He could even inflict a death sentence.

SECTION 2
THE VILLAGE COUNCIL

Another institution which is of interest to us is the village council. It is the principal organ of the village administration. The members of the village council are either elected or appointed. The method of election of the members differs from tribe to tribe. Normally all the clans are represented.

Nagas. Every Naga village has servel clans residing in it. Each clan has its Khel or Khels, clan-head and clan-elders. The clan-head is the first man of the clan. Normally he is selected by a unanimous vote by the clan. If, however, he is infirm or otherwise incapacitated, he may suggest the name of another able young man. Each clan usually sends one representative. Bigger clans may send more than one. The names of the clan representatives are communicated to the Chief by the clan-heads. Then a meeting of the entire village is held at which the chief reads out the names of the councillors from each clan. The meeting accepts the nominations. Thus, there is no election in the accepted sense of the term.

The Angami Nagas do not have a council. All disputes are taken to the meeting consisting of all villagers.

The Aos have a village council consisting of representatives of the various clans in the village.

Among the Tangkhuls, the head of each clan is an ex-officio member of the village council. The head of the clan

is the oldest male member of the clan and holds the position during his lifetime. If the head of the clan is old and infirm, the members of the clan may induce him to nominate a younger and more capable person to represent the clan on his behalf in the village council. This has become a regular practice.

The size of the council is not less than nine and not more than 30.

As regards the qualifications of the members of the council, one must be married, marriage being a sign of maturity; one must be able to express his ideas lucidly and with courage.

Let us now consider the term of office. It varies from tribe to tribe. It is three or five years among the Aos. It is lifetime among the Tangkhuls or as long as one is able to command the confidence of the clan. A councillor may be recalled at any time.

The councillors are not paid.

Women do not have the right to be members of the Council.

Functions. Each village council performs two kinds of functions, administrative and judicial. Let us take the administrative functions. It is responsible for the effective execution of its decisions. It punishes the villagers who are guilty of breaking customary laws. Every Naga is believed to be conversant with the customary laws. There are innumerable taboos in the Naga society. Any violation of them will seriously affect the society. Therefore, the observance of the customary laws is strictly enforced.

The other administrative functions are, the maintenance if the village water supply and footpaths, the constructions of new footpaths and bridges across the streams and rivers which are swollen during the rainy season.

The dates of all village festivals are fixed by the Council in consultation with the village priest and the Chief. The Council also announces the religious ceremonies.

It is the council that chooses the auspicious days for the village sports. It fixes the date for the commencement of jhum cultivation. It regulates the use of grazing ground. It supplies planks and bamboos for the construction of houses. It also allots land for the construction of houses and granaries. It also fixes the number of houses to be built every year because the entire village undertakes the construction of houses.

Again, the council also arranges and looks after the village market. The village market is not a regular affair. It is organised on certain occasions.

The village council has a common granary which contains grains collected from each house after the harvest. Each family makes a voluntary contribution of one-tenth of its paddy. This paddy is kept in the village granary. It is used when there is a poor harvest or to supply to the families who do not have sufficient supply of food grains. This is an antidote against beggary. In the Christian villages the church collects the grains and distributes it among the needy. If the grain is not used for any reason it is auctioned.

The village council also assists the village chief in matters of defence.

The village council together with its chief is the village court. It is the highest court of justice in the tribe. Normally, all disputes and differences between families belonging to the same clan are decided by the clan elders. Those which could not be settled by them are referred to the village court.

Thus the village council in the Naga society plays a vital part. It checks the autocracy of the chief.

The Garos. We do not have a detailed account of the village councils of the Garos. But it appears that they adopted democratic methods for the administration of the village. All quarrels and complaints were settled by convening a meeting of the elders of the village. Their decisions were final.

Besides the settlement of disputes, the other functions are the allotment of land for cultivation, the regulation of jhuming, fixation of the dates for the village festivals and sacrifices, the construction and repair of footpaths, etc. Generally, the village council was summoned by the A'king Nokma. Thus before the annexation of the Garo Hills by the British, there were village councils. But afterwards the village councils have disappeared and in their place Luskars and Sardars came into existence.

Dimasa Kacharis of North Cachar Hills. The routing administration of each village is run by the village council, particularly by the village headman, the Gaonburas.

The Gaonbura is responsible for the distribution of the Jhum land in the village.

The Gaonbura is elected by the village people. The election must be approved by the District Council.

Mikir Hills. The village government in the Mikir Hills is carried on by the village council known as Mei. Each council is presided over by the village headman or Gaonbura called Sarthe. All adult males of the village are members of the Mei. The members of the Council are called Charki. The number of Charkis that a council may have is not limited. The district council recognised the village council (Mei). The Mei is an autonomous body, in the sense that the District Council does not interfere with the customary rights and privileges of the community and also the right of selecting Sarthe from among their members.

The Sarthe is one of the village elders, who is generally

respected. He commands the confidence of the villagers. When a person is elected as Sarthe, he should give a feast to the villagers. The tenure of office of Sarthe is not fixed. He may be removed at any time. Normally, the Sarthes who are efficient hold office for a lifetime. Inefficient and incapable Sarthes are removed from office. The District Council has no voice so far as the appointment and dismissal of Sarthe is concerned. The village council is the final authority in the matter.

The village council can be summoned only by the Sarthe. He alone should preside over its deliberations. But the Mei is the final authority so far as decision making is concerned.

The Sarthe has no emergency powers. In the discharge of his functions the Sarthe is assisted by Sarsos, Assistant Gaonburas.

As regards the functions of the Mei, it fixes the dates of the festivals. It appeals for voluntary contribution from the village members for the celebration of the village festivals. It settles the disputes among the members of the Mei. It helps them in case of death. It may impose fine on defaulters. Cases which cannot be settled by the village council are referred to the district council.

The Mei plays an important role in the regulation of social, economic and religious life of the community though its powers have been curtailed with the establishment of the district councils. Yet the Mei still occupies an important place in the Mikir Hills and still retains many of its traditional powers.

In addition to Mei there are also Mei-pi. A Mei-pi is a combination of two or more villages for common purposes. The Mei-pi or the Great Council consists of Sarthes only from the constituent villages. It is presided over by the head Sarthe selected from among themselves holding

office for one year. He may be re-elected for any number of terms. Matters of common concern to all the constituent villages are dealt with by Mei-pi. Matters which cannot be settled by Mei-pi are settled by the District Council.

SECTION 3

ADMINISTRATION OF JUSTICE

Before and after the annexation of the hill areas by the British, no separate courts existed for the administration of justice. Since each village community was an autonomous political unit, all disputes were settled at a meeting consisting of village elders and presided over by the Chief. The decision of the meeting was final and binding on the parties concerned. There were no appeals against the decision of the village councils.

Oaths. The parties to the dispute must take the oath that they would tell the truth, the whole truth, and nothing but truth. The oaths are if various kinds, in the Garo hills. First, standing on a stone, which they salute first, and then with their hands joined together, call upon their God in the most solemn manner to witness the proceedings. Second, the person concerned placed a tiger's bone between his teeth and gave evidence. Some others bite the tiger tooth and gave evidence. Third, the parties concerned grasped the weapons and swore. Fourth, oath is taken by taking some earth in the hand or in the mouth. Fifth, oath is taken by cutting the head of a fowl and pierce a piece of bamboo from one end to the other of the head through the eyes. Sixth, oath is taken by touching the heads of their children.

Ordeals. The administration of justice was also carried on by means of ordeals, which were of various kinds. The first is Sil So'a or ordeal of red hot iron. That is, a piece of iron is taken to the Kamal, the village blacksmith. He was paid a small fee for heating it. When the iron ball

becomes red hot, he administers an oath to the person concerned and informs him that no harm would be done if he had spoken the truth but warns him of the consequences of uttering falsehood. The person concerned stretches his hand with palm upturned. The priest lays upon it some pieces of cotton and jack-tree leaves. On them the red hot iron is placed and the hand is closed. If the hand is not burnt, the person is not guilty of the crime.

Second, a tripod is heated to red hot and the accused person is asked to sit on it. The innocent person is not burnt. Otherwise he will be burnt.

Third, there is another kind of ordeal of Sil So'a. A piece of metal is brought to the village blacksmith who fasts the day previous to the day fixed for the trial by ordeal and heats the metal ball on the appointed day at his forge. If the iron ball becomes red hot, the accused was guilty of the crime.

Fourth, the Chokela So'a or the ordeal of boiling water. An egg is placed in a pot of boiling water and the accused person is asked to pick it from the pot. If the hand is not burnt the person concerned is not guilty of the crime. In some places, instead of water, oil is placed in the vessel.

Fifth, another firm of Chokela So'a is to heat a carefully measured amount of water with a fixed amount of wood. If the water boils, the person concerned is guilty of the crime. There was an interesting incident in this connection. One Kiban Garo fell in love with Jangsi, the daughter of Gangetta, cohabited with her for some time and deserted her. Then Digen Luskar fell in love with Jangsi but followed the example of Kiban Garo. Gangetta, the mother of Jangsi, disgusted with the love affairs of her daughter, angrily remarked, "You have accepted a sorcerer as your lover". Among the Garos, such a remark was the cause of serious trouble. Many years ago, a person who

was found guilty of sorcery was generally killed but not without applying several ordeals. Later on, this practice was given up and the person suspected of sorcery was avoided by every body and no one would give his daughter in marriage to him.

The remark made by Gangetta somehow reached Kiban Garo, the first lover of Jangsi. He enquired from Gangetta whether she made any such remark. The latter vehemently protested and denied having made any such remark. Kiban was not convinced. How to find out the truth? Chokela-so'a—boiling water. A new earthen pot was filled with water and the required quantity of fuel was collected for boiling it. The test was that if the water did not boil with the prescribed quantity of fuel it was a conclusive proof that the accusation was never made. When this test was applied, Gangetta maintained that the water did not boil. Kiban on the other hand contended that the water boiled and demanded compensation. The efforts of Kheya, a Lukma of Boldamgiri to settle the dispute were unsuccessful. So he took both the parties to the Deputy Commissioner at Tura who directed them to go through the test once again in the presence of some Lukmas. We may, however, note that not one test alone but several tests were applied.

A more dangerous ordeal was that the accused person was tied to a tree in a dense forest and left alone there for several nights and days. If no tiger devoured him he was declared not guilty of the crime. The person thus acquitted appeared before the Deputy Commissioner and claimed damages from his adversary. Later on, instead of tying the accused person, a fowl, a bull or a goat was tied and if the creature was not devoured by a wild beast, the accused person was declared not guilty of the crime. He might appear before the Deputy Commissioner at the district headquarters and claim damages from his adversary. One such person actually appeared before Capt. Maxwell, the D.C.

of the Garo Hills at Tura. Capt. Maxwell instead of making any award, warned the participators in this barbarous practice, that they would be punished severely should they repeat the same ordeal again.

A somewhat similar ordeal is the Akhrom ordeal. The spot where a man is killed by a tiger is known as 'Akhrom'. The Garos are afraid to go to the Akhrom just as some of us are afraid to go to the graveyard. To find out whether a man was guilty of a social offence, the village elders adopted the Akhrom ordeal. That is, the person concerned was ordered by the village elders to sleep on the spot (Akhrom) one night. If the man was found alive without any injury he was acquitted.

If the offence was not a serious one, a goat, or a hen is tied at the Akhrom by the person accused of the crime for one night. If the animal was not injured or killed, the person was honourably acquitted.

Ordeals played an important part in the tribal society in the settlement of disputes. But they had their own limitations. They were not applicable to civil cases such as property disputes, disputes relating to succession, family and inter-clan disputes involving customary laws and traditions. Such cases were generally settled by a panchayat consisting of the heads of the families or the chiefs. The decision of the panchayat was generally accepted by the parties.

Another kind of ordeal was that the accused person was put into a long basket with a cat on his shoulders. One of his hands was left free and protruding through a hole at the top of the basket. The basket was lowered by a rope into deep water. If the accused person is able to bring up a handful of sand and was not scratched by the cat, he was not guilty of the crime.

In the Khasi Hills cases were decided by means of water ordeal—Ka ngam Um. The water ordeal was of two

kinds. The first was Ka ngam kshi. It was as follows. The two disputants in the case would each of them fix a spear under water in a deep pond. They should dive and hold the spear. The man who remained longest under water without returning to the surface, was adjudged by the Siem and his Durbar to have won the case. Col. Maxwell witnessed such an ordeal in Manipur in 1903, when two Manipuris dived to the bottom of the river and remained there for a long time. One man who remained longer was nearly drowned. Among the Khasis, sometimes the supporters of the contending parties used to compel the divers to remain under water by holding them down with their spears.

Another form of trial was to place two pots each containing a piece of gold and silver in shallow water. The contending parties were directed to plunge their hands into the pots and pick up a packet. The person who brought the packet containing gold was adjudged as innocent of the crime. If both the persons brought the gold piece or the silver piece, the case was compromised.

Khasi Hills. Rev. W. Lewis, who spent long years among the Khasis doing evangelical work, in the first part of the 19th Century, says that the procedure for the settlement of disputes was ultra-democratic. A. J. Moffat Mills, in his Report on the Khasis, published in 1853, quotes approvingly the account given by Rev. Lewis. In the Khasi Hills the Siem administered justice. The procedure for the administration of justice was as follows. First, the complaint was filed before the Siem. An attempt was always made to effect a compromise between the contending parties. If the Siem fails to effect a compromise, the criers in the Khasi Hills, the Sangot in the Jaintia Hills announced the meeting of the Durbar in the evening after all the inhabitants returned to the village from their daily work.

The crier yelled as follows:

Kaw: thou, a fellow villager;
thou, a fellow creature;
thou, an oldman;
thou, who art grown up;
thou, who art young;
thou, a boy;
thou, a child;
thou, an infant;
thou, who art little;
thou, who art great;
Hei because there is a contest,
Hei for to cause to sit together,
Hei for to cause to deliberate,
Hei for to give intelligence together,
Hei for to assemble in Durbar,
Hei for to listen attentively,
Hei Ye are forbidden,
Hei Ye are stopped to draw water, then not to cut firewood, then;
Hei To go as coolies then,
Hei To go to work then,
Hei To go on journey then,
Hei To descend to the valley then,
Hei he who has a pouch,
Hei he who has a bag.
Hei now come forth,
Hei now appear,
Hei the hearing is to be all in company,
Hei the listening attentively then is to be all together,
Hei for his own king.
Hei for his own Lord, lest destruction has come,
Lest wearing away has overtaken us.
Kaw, come forth now fellow mates.

This proclamation was called Khang Shnong. Attendance at the Durbar was compulsory. Absence was punishable with a fine. Only the adult males had the right to attend the Durbar. The Durbar ground was an open space. Flat stones served as seats for the Durbaris. When all had

assembled, one of the headmen opened the proceedings with a long speech. Then other speeches followed. Thereafter the parties to the dispute threw on the ground their turbans or a bag containing betel pan and lime in front of the Durbar merely indicating their readiness to accept the decision of the Durbar. The Durbar was presided over by the Siem. He was the judge and the Durbar was the jury. The parties to the dispute engaged pleaders. Witnesses were examined on oath. The oath was taken on a pinch of salt placed on a sword. Sometimes the Durbar went on for several days. At the end, the Siem summed up the case and the Durbar gave the verdict. The punishment was generally a fine in money and the presentation of a pig which was eaten up by the Siem and the Durbar.

SECTION 4

MORUNG — BACHELORS' DORMITORY

Naga Hills. In every Khel in the Naga Hills, there is a bachelors' house or dormitory. Every boy after attaining puberty must live in Morung, until his marriage. It is called Champ among the Lohta Nagas, Arichu or Ariju among the Aos, Dekha Chang among the Sema Nagas, Longshim among the Tangkhul Nagas, Kichuki among the Angami Nagas, Nokpante among the Garos, and so on. But most writers call it Morung. The role it plays differs from tribe to tribe. It does not play the same role among the Angamis, Semas and Maos as it does among the other tribes.

Among the Semas the house of the village chief is used as Morung. The bachelors of the village sleep in the outer room of his house. Thus among the Semas the Morung has disappeared except for certain ceremonial purposes. But the Aos venerate this institution. Women are not permitted to enter the Morung.

The Morung in the Naga Hills performs various func-

tions. It is the village guard room among the Aos. It is the centre of social, religious and cultural life of the tribe. No social function can be arranged or managed without the help of the Morung.

The older members of the Morung have to shoulder greater responsibilities than a probationer or a newly admitted member. The Morung is also called upon to entertain important visitors from other villages. Further all the announcements are made by the members of the Morung. The organization of village feasts is entrusted to the Morung. The Morung must collect firewood for cooking and bonfires, fetch water from distant village water supply, distribute the meat of the slaughtered animals to the different households.

It is in the Morung that the members are instructed in useful lessons of day-to-day life. The gymnasium in the Morung trains its members as wrestlers and warriors. Here again leadership is brought into existence. Thus, the Morung is both a school where practical arts are taught and a club for entertainment.

Every Morung has its own council with certain office bearers. It has its own rules and regulations. The officers of the Morung enforce the rules and regulations.

The Morung is maintained by its members. The Morung building was originally constructed by the villagers but repairs to the building are done by its members. But the members of the Morung ate in their respective houses and worked on their fields. Therefore, the Morung is deserted during the day time. The Morung came to life only after the evening meal.

The entire Morung members work in turn in the fields of one of its members at a time so as to complete the work as soon as possible. This practice is prevalent even today. All the members of the Morung first decide on which field

they should work. After the work is over they move on to another field and so on till all the fields are made ready for sowing or harvesting.

The Morung is financed by the parents of the members of the Morung. The cost of feasts is borne by the families residing in the village.

A youth as soon as he marries, must leave the Morung and live in his own house. When a member of the Morung is engaged, the custom is to arrange a farewell party. The bridegroom receives special attention and respect of the members of the Morung. They help him in building a house of his own. The Morung will arrange a wedding feast and the young bridegroom reciprocates by inviting the members of the Morung to his father's house. On the wedding day, the groom is accompanied by the members of the Morung to the house of the bride and after the marriage is over they escort the bride to the newly constructed groom's house

Although Morung existed in many tribes in the Hill areas, there was no such institution for girls. It is true that maiden's dormitory existed among the many Naga tribes, including the Aos, Angamis, Semas and Tangkhuls. But it has fallen into disuse. Often, the girls of one clan and not of one tribe spend the night only in the house of one of the clansmen, who has a large room to spare. During the day time the girls work in their parents' house. Though they sleep together, the young unmarried women do not have any community life worth the name.

Further, while the girls are strictly prohibited from entering the Morung, bachelors are not prohibited from entering the girls' dormitory. But the bachelors must visit the girls' dormitory after the evening meal, not individually but in groups.

Today Morung does not occupy an important position, because of two reasons. Headhunting has been banned and hostilities between the tribes have come to a stop. Therefore, it may be said that Morung is almost extinct. It is no doubt revived periodically for organizing village festivals and other celebrations. But there is no separate building. Boys and girls sleep in their own houses during night time and come together during day time for the purpose of making arrangements for the festivals. There are many Naga students in my class. None of them know the Morung and therefore Morung has ceased to exist.

Zemi Nagas of Assam. The Zemi Nagas also have a Morung. In every village there must invariably be a Morung. In big villages there may be two Morungs, The boys' dormitory is known as hangseoki. The girls' dormitory is called leoseoki. The members of both the dormitories are known as kienga. The girls have no such leoseoki of their own but use the house of each member by turn.

Every male member of the village should be a member of the Morung. The procedure for the admission of the members to the Morung is as follows. When a male child is born any member of the Morung informs the father that the child should become a member of the Morung. As soon as the child reaches the age of eight or nine it ceases to sleep at night in the parents' house. It must sleep in the dormitory. The girls work at home during day time and go to the dormitory at night.

No married man, including the parents, should enter the dormitory of the girls. The village headman alone may make a visit. Of course young men may visit the girls' dormitory stealthily after sunset to see their sweethearts.

In the dormitory, the girls learn weaving and singing.

As regards boys, they spend their whole time in the dormitory. They go home to take their meal or when they are

sick. But when a boy marries he ceases to be a member of the Morung.

Each Morung has a leader elected from amongst the village elders.

In the Morung the boys learn all the manly arts.

Every Morung has a resident leader or guide. He lives in the Morung itself. He is appointed by the village elders. The leader must have certain qualifications. He must be elderly, with ability to promote common good, and a spirit of compromise; he should be an expert in basketry, cane work, music and folktales. He holds office for an indefinite period but he may resign at any time. Besides the resident leader, there are two others called herangmepeu who are selected from among the members of the Morung. Their main function is to enforce the orders of the Morung leader. They must also look after the daily needs of the Morung and enforce discipline in the Morung. They hold office for an indefinite period.

The hangseoki or the boys' dormitory organises dances, repairs the village pipe line, makes new water troughs and cleans the village paths. They may be employed by rich men of the village for the construction of a new house or for harvesting. But such services must be paid for and the payment goes to the dormitory which spends it on feasts.

The Morung also helps each member by working in the field, at the time of sowing seeds and harvesting.

Mikir Hills. In the Mikir Hills also there is a bachelors' hall, called risomar terang, where young boys sleep in the night time. The risomar is constructed under the supervision of Sarthe. Membership of the risomar is open to all bachelors in the village irrespective of Kur or sub-kur. Generally, boys after they attain the age of ten do not sleep in their houses but in the risomar. They remain as mem-

bers of the risomar until they are married. Non-members are not allowed to enter the risomar.

The risomar terang is intended to promote dance and music. The senior boys control the risomar. But in the urban areas and also in villages where Christian influence is predominant there are clubs for boys but not risomars. As a matter of fact risomar is dying with the spread of education. But they continue to exist in the interior villages on the high hills.

The risomar has no common kitchen. It is just a place for the young boys to sleep at night.

Garo Hills. In the Garo Hills, the Nokpante or the Bachelors' Dormitory is one of the commonest institutions. Nokpante literally means 'a house of bachelors'. Almost every Garo village has its own Nokpante or Nokpantes. In big villages every clan has its own Nokpante. In small villages, however, Nokpantes do not exist. The bachelors sleep either with their parents or in the house of an old widower.

The Nokpante is a little different from ordinary houses. The special feature of Nokpante is that it is well built and much bigger than ordinary houses. Some of the Nokpantes are 20 feet high, 40 feet in width and 60 feet in length.

In some Nokpantes, pig heads and elephant tusks are hung from the beams. Inside the house and on the bamboo machang or platform, a rectangular hearth is constructed where fire is lit during winter so that the inmates may warm themselves. The hearth is also intended to roast meat. Feathers of fowls, horns of cattle, drums and gongs which belong to the whole community are also kept in Nokpante.

Young boys about the age of eight sleep in the Nokpante at night. They usually go there after their supper and gossip about their love affairs and sleep. In the morning they get back home.

The Nokpante is also used for other purposes. The Nokma or the Laskar held his court there. The villagers hold their important meetings there.

Married men of the village also go to Nokpante for making baskets, mats and fishing nets. Thus, the Nokpante is a community hall. It is also an inn for the strangers and visitors to the village. According to the Garo custom, the visitors are not allowed to sleep in the family houses. They are taken to the Nokpante to spend the night. Of course they dine with the host but sleep in the Nokpante.

It is in the Nokpante that some arts are taught, the arts of beating the drums, playing on flutes, and such other musical instruments and dancing. Besides the musical arts, physical exercises such as wrestling, high jump and long jump and tug of war are also taught here. It is here that discipline is taught by the senior boys to their juniors. The boys must be in the Nokpante during night time. They should not wander about after sunset.

Women are not allowed to enter the Nokpante. So far as girls are concerned, they live with their parents. But it may be noted that on certain occasions, girls are permitted to bring food to their lovers living in the Nokpante. But they should not enter the Nokpante by the front door but by the back door.

Though Nokpante continues to exist in the Garo villages, it lost its importance and many boys live with their parents, particularly the Christian boys. This is the result of modern education.

PART II

DISTRICT COUNCILS—WORKING OF

CHAPTER IV

Formation of the District Councils

Let us recapitulate the constitutional position of the tribal areas under the Government of India Act, 1935. They may be classified into three, Excluded, Partially excluded and Frontier Areas. The Excluded Areas were the Naga Hills, the Lushai Hills and the North Cachar Hills. The Partially excluded Areas were the Garo Hills, the Mikir Hills and the British portions of the Khasi and Jaintia Hills other than the Shillong Municipality and Cantonment. The Frontier Areas were Balipara, Sadiya, and Lakhimpur Tracts, inhabited by tribes in an early stage of development. Though the Governor of Assam was vested with authority over the frontier tracts, he exercised his powers not under the provisions applicable to Excluded Areas of the Government of India Act, 1935, but as the Agent of the Governor-General. The cost of administration of these tracts was also borne by the Central Government which treated them as tribal areas within the meaning of section 311 of the Government of India Act, 1935. But the local officials treated the area as consisting of two parts, excluded area which stretched up to the Inner Line boundary and the tribal area. the area beyond the Inner Line boundary. The Inner Line boundary was roughly along the foot of the Hills and the area bounded by it was occupied by mixed populations while the tribal area was inhabited by the Tribes only. This,

classification of the tribal areas by the local officers was not in accordance with law.

From the above it is clear that the Naga Tribal Area on the Eastern Frontier, the Balipara, Sadiya, Lakhimpore and Tirrap Frontier Tracts on the North Eastern Frontier fell under one category. The Balipara Frontier Tract was the tract over which there was the smallest measure of control and administration. This tract and the Sadiya Frontier Tract were inhabited by Tribes such as the Daflas, the Apatanis, the Mombas, the Abor Mishmi and the Khamptis. The Tirap Frontier contained the Singphows who were originally Kachins and a number of tribes classed as Nagas. The Naga Tribal Area was largely inhabited by Nagas of the Konyak group. The policy of the Government in these areas was to establish administration and control over the whole area right up to the Frontier.

The Excluded Areas of the Naga Hills district, the Lushai Hills district and the North Cachar Hills sub-division fall within the second category of areas over which the Provincial Ministers had no jurisdiction whatsoever and the revenues expended in this area were not votable. The Naga Hills district was the home of large number of Naga tribes such as the Angamis, the Aos, the Semas, and Lohtas. Adjoining it, was the Naga Tribal area in the Eastern portion of which a good deal of head-hunting still went on. Though these tribes were called Nagas, they spoke different languages and had different customs and practices also.

The Lushais, on the other hand, though consisting of a number of Clans, were practically one people and spoke one language. The Kukis in the North Cachar Hills and elsewhere belonged to the same stock as the Lushais and spoke the same language and dialect. The Lushai Hills district, except for a small number of Lakhers, Pawis, Chakmas and Riangs contained a homogeneous populaton. The North Cachar

Hills, on the other hand, provided sanctuary for the Kacharis, Nagas, Kukis, Mikirs and Khasis. Of these the Kacharis constituted the biggest group.

The third category was the partially excluded areas consisting of the Khasi Hills district, the Garo Hills district and the Mikir Hills district. These areas were administered by the Provincial Government subject to the powers of the Governor to withhold or apply the laws of the Provincial legislature with or without modifications. Of the tribes in the partially excluded areas, the Khasis were the most advanced and the Mikirs the least. Unlike the Naga and Lushai Hills, the partially excluded areas had much more contact with the people of the plains.

Progress of Hill Areas. In the past, energy and enthusiasm were displayed in maintaining peace and in studying the life of the people. The earlier discussions of the problem of the hills were marked by the negative idea of preserving and protecting the tribes. One finds little thought on the possible ways of progress or even recognition of the fact that in a rapidly changing world the tribes should not stand still. The effect of the policy in the past has been to keep the tribes as a human museum but there was little regard for the future. Their connection with the outer world was ignored. There might have been justification for this policy in the distant past but not in the present century. The effect of this policy was to encourage isolation.

As regards the degree of development, the Mikir Hills and the Garo Hills both of which were partially excluded were the most backward. The Frontier Tracts which had no contact with civilization were also most backward. The Khasi Hills were the most advanced because of their close contact with the Plains and also because the capital of Assam was located in the Khasi Hills. In the Garo Hills, Christian Missions were responsible for the spread of

education. But of all the hills the Mikir Hills suffered most because they were divided between two districts, Nowgong and Sibsagar and therefore, it was everybody's child and therefore no-body's child. Partial exclusion to some extent was also responsible for its backwardness because the Governor and the Ministry disclaimed any responsibility for the progress of this area. The sub-divisional officer and the Deputy Commissioner of the district did not take much interest in the promotion of the welfare of this area.

Yet the hill areas made some progress. The Khasi Hills supplied some ministers before 1947. The Lushai Hills were benefited by the activities of the missionaries. Therefore the Mizos were better off than many plain areas in the matter of education. While the percentage of literacy among the Plains people was only 13 per cent it was 30 per cent among the Lushais. The Naga Hills district was less advanced than the Lushai Hills in the matter of education. In the North Cachar Hills, the development was not impressive and occupied a position similar to that of the Mikir Hills.

While there was progress so far as education was concerned, there was not much economic development. It must be said that the people were not less intelligent. The amount of intelligence necessary for the administration of these areas was available among the people. "We are in fact impressed by the intelligence of the Abors and Mishmis, the Sherdukupens, the Hkamptis and even the Konyaks of the tribal area, and the skill of many of the tribes in weaving and tapestry". But agriculture was practically the only occupation and it was still the primitive one of jhuming, except of course the terraced and irrigated cultivation in the Khasi Hills. In the frontier tracts, the economic, social and political conditions were very primitive.

As regards local government there were no self-governing bodies in any hill district, except the Shillong

Municipal Board. Generally, however, the tribes were all highly democratic in the sense that the village councils were created by the general assent or election.

Before 1947, there was discussion about the future of the hill areas.

Introduction of Local Government Institutions

In 1945, the Government contemplated the introduction of local government institutions in the hill areas. Therefore, it directed one of its officers, P.F. Adams, to consider the means for establishing and developing local self-government among the hill people in such a manner as to secure advancement by peaceful and progressive administration, the growth of democratic spirit among them, and the equipment of the hill people to play their part in any larger unities of which they would form a part.

Adams in consultation with local officers made a number of recommendations. For the Lushais, Kukis and Semas, Adams suggested the establishment of village councils consisting of the recognised chief, assisted by elders, who would not be members of the chiefs family but who would be appointed by the chief in consultation with the villagers and should not be dismissed by the chief without just cause or reason.

For the tribes having elected elders, Adams suggested that the village council would be composed of the Gaonburas and elders appointed by the customary procedure.

For Tangkuls, Adams suggested that the village council would be composed of the recognised Chief or Chiefs with elders elected by the respective clans. Thus, the village councils would differ from tribe to tribe.

As regards the powers and functions of the village council, it shall concern itself with the customary internal administration. It shall also settle all disputes of minor nature.

Adams also suggested the constitution of sub-tribal council consisting of all the recognized chiefs and others entitled to wear the Red Cloth. The sub-tribal council would choose from its members the various office bearers. The chairman shall be selected from the original members. Any member might be removed for serious neglect of duty by a vote of not less than two-thirds of the sub-tribal council.

The sub-tribal council would elect from their own members representatives to the Tribal Council in proportion to their population strength. The tribal council would elect its own office bearers from its own members. It would also coopt certain number of members to represent tribes not already represented.

The Tribal Council shall be responsible for the administration of all local affairs.

The Chairman and the Vice-Chairman of the Tribal Council shall be elected from among its original members. The coopted members shall not aspire any office of the tribal council.

The Village Council shall be the village court. Besides the village court there should be a tribal court. The chairman of the tribal court shall be appointed by the District Officer in consultation with the Tribal Council. There will be six additional members, three of whom will be interpreters appointed by the District Officer and the remaining three shall be elders or chiefs in the case of Semas, Lushais and Kukis, nominated by the Tribal Council and approved by the District Officer. The Tribal Court shall consist of a number of interpreters for local enquiry, investigation and hearing of cases. The Tribal Court shall have jurisdiction in all cases arising within the jurisdiction of the Tribal Council. The Tribal Court shall hear appeals from the village courts, reduce or enhance any sentence passed by the lower

court and to hear all cases except cases of murder or homicide.

Adams also suggested that all proposed legislation affecting the welfare of the tribe shall be submitted to the Tribal Councils who would vote for or against its adoption and would inform the Government of their decision and reasons for it.

The Tribal Court shall be subordinate to the District Court. The District Magistrate might call for the proceedings of any Court subordinate to him and pass such orders as he might think fit.

In addition to the Tribal Council, Adams also suggested that there should be a General Assembly of leading men of the tribes in the district to advise the District Officer on local affairs.

The North-Eastern Frontier Province. It was suggested that the hill districts on either side of the frontier in North-East India should be combined together and constituted into a Province, known as the North-Eastern Frontier Province. This was first suggested by Hutton and Parry, the D.Cs of the Naga Hills and the Lushai Hills. This we had already noted. In 1941, this question again came up for discussion. Sir Robert Reid, the Governor of Assam, supported the proposal. Reid suggested that the districts, starting from the Bay of Bengal, the Hill tracts of Arakan, Pakkoku, the Chittagong and the Chin Hills, the Lushai Hills and the North Cachar Hills, the Naga Hills, the Mikir Hills, parts of the Chindwin district and the hill areas administered on the west bank of the Chindwin, from the Upper Chindwin district, the Hakaung Valley together with the Sadiya and Balipara Frontier Tracts, the Lakhimpur Tract, the Hill Areas in Manipur and Tripura and the isolated Shan States of Thangdut on the west bank of the Chindwin should

be constituted into a Province. This Province would have 16 districts.

Sir Robert Reid went farther than Hutton. He brushed aside Hutton's geographical argument for the exclusion of any area from the new Province. He also argued very strongly for including in the agency, the partially excluded areas under the Reforms of 1935, namely, the Garo Hills, the Mikir Hills and the bulk of the Khasi and Jaintia Hills excluding the British territory of the Shillong sub-division plus the non-British areas where the municipality and cantonment exercised jurisdiction.

Hutton claimed certain advantages for the North-Eastern Frontier Province. First, an opportunity would be provided for political advance. Second, there would be consolidation of the incredibly polyglot area into an uniform administrative unit with a common language. English would be the common language for official purposes. Third, it would have its own cadre instead of a borrowed one from time to time from the neighbouring areas. Fourth, the defence of the frontier between the longtitudes 92° and 97° would receive greater attention.

Hutton simply set aside all arguments regarding communications. The natural capital of the Province would be Imphal in the Manipur State.

What about the internal structure of the Province? Hutton said, "The express desire of most of the tribal areas is for self-determination and this could be secured in a number of cases by the creation of petty States on the lines of those Khasi States or the Kerenni States in Burma. Thus, the tribals would have the freedom to manage their own affairs as self-governing units of a federation like the minor States in Western India.

Robert Reid added another important reason for the formation of the North-Eastern Frontier Province. In the

Hill Tracts of Assam, the Muslims and Hindus were almost everywhere confined to the small district and sub-divisional headquarters. There was no widespread infiltration of members of these advanced communities into a primitive animistic population such as that occurred elsewhere in India. The population of the area for all practical purposes be regarded as a solid block of animistic in the rapid process of becoming Christians. "We have no right," said Reid, "to allow this great body of non-Indian animistic and Christians to be drawn into the struggle between Hindus and Muslims which is now and will be in future, with ever increasing intensity, the dominating factor of politics in India proper".

Sir Robert concluded by saying, "Personally, I am in favour of Dr. Hutton's idea of a North-East Province or Agency, embracing all the hill fringes from Lushai land on the south right round to Balipara Frontier Tract on the North, embracing on the way, the Chittagong Hill Tracts of Bengal and the Nagas and the Chins of Burma and perhaps their Shan States too. I will put this under a Chief Commissioner and he in turn would, I image, have to be divorced, as in Burma, from the control of the Government of India and put perhaps under some appropriate department at Whitehall. The members of this federation shall not be subject to constitutional changes introduced in the Provinces of India".

J.P. Mills, Adviser to the Governor for Tribal Affairs, discussed the future of the hill areas in 1945. He suggested three alternatives, the inclusion of all the hills in Assam, the inclusion of some of the hills in Assam or the exclusion of all the hills from Assam. He was personally in favour of the third alternative. He favoured the formation of the union of States in these areas. This union should be under the control of either His Majesty's Government or the Government of India or as a possible compromise the Government of India might be given a mandate.

The proposals of Robert Reid and Mills were rejected by the Government of India.

The idea of a separate province for the hill tribes has many attractions. First, there is a tribe known as the Rangpang Nagas dwelling on both sides of the main Patkoi range. Wherever the administered or partially administered areas were joined, there were tribes living on both sides with several social and economic points of contact. It is not correct to say that land frontiers of Burma on the Indian side formed practically an impassable barrier. There were indeed, at several points, easy means of communication from the plains. There was much interchange between the border tribes. If a separate hill State was formed all these areas could be integrated into a harmonious whole.

Second, there could be a single cadre of officers specially trained for definite duties among these tribes.

Third, life in these montane areas was not complicated and therefore the administrative expenditure would be small.

Sir Robert also said that in the event of his scheme for separate administration was not acceptable, an alternative might be considered. "A workable intermediate arrangement....might be found in the formation of the Province of the Assam Valley only and in placing the hills under it, if they must be placed under a provincial government without any of the safeguards that at present exist. There would at least be a chance that the old Assamese friendly method of dealing with the hillmen might be revived. But the accepted official view was that the Hills and the Plains of Assam could never co-exist as a single entity. This view is now an accomplished fact.

The Reid Plan—creation of North-Eastern Hill Province—was approved by Churchill but vetoed by the Labour Government,

When the Reforms Commissioner visited Assam in 1942, the tribals complained that they should not be excluded from the operation of Reforms.

Sir Reginald Coupland suggested the creation of a sub-province for the hill areas of Assam. He also suggested that the hill areas might be a condimonium.

In 1945, Mills received a memorandum from the Nagas which stated, "We the Nagas and Kukis are not ready to take our place in a democratic constitution or to compete with the sophisticated so called Indian politicians....We the Nagas became dependent only on the British. Therefore, it is immaterial to us who rules Hindustan or Pakistan as long as we are the subjects of the British under the Great King of Great Britain and his British representatives".

On 10 April 1945, the tribal representatives of the Naga Hills passed the following resolution, demanding one administrative unit, comprising the hill districts of Assam and the neighbouring hill tracts, under the British Crown. It should have a legislative council consisting of the representatives of the people. The Council should be autonomous. It should become a part of federal India. The Government of Assam thought that the hill province idea was inspired by some British officers and missionaries of the Baptist Mission. We have no evidence to prove this assumption.

Sir Andrew Clow's Views. In 1945, Sir Andrew Clow considered all the schemes formulated from time to time for the reorganisation of the Hill Areas of North-East India. He suggested that Sadiya, Balipara and Lakhimpur Frontier Tracts and the territories up to the Macmohan line and the Naga Tribal Areas which subsequently became the Tuensang district of NEFA should be constituted into a separate Agency and at the same time some link should be maintained with Assam. There should be joint cadre of all the

superior officers for all the hill areas and also for Assam. The Governor of Assam should continue to be responsible for the administration of this area.

As regards other hill areas Sir Andrew Clow thought of two possibilities—a merger of the hills and plains into one administrative unit subject to the condition that the tribal customs and institutions were recognised and their outlook was respected. Or the constitution of a separate Province for the Hills with some links in regard to the administration of certain institutions. At the same time Sir Andrew Clow said, "On a long term view, it is difficult to see any future for the hills as a separate province. While they are by no means without resources, they seem too heterogeneous to form a satisfactory unit and too small even if fully united, to sustain a healthy and progressive life of their own. The ultimate interests of both, plains and hills, lie in fusion".

Sir Andrew Clow further said, "Experience shows that it is much easier to divide states than to unite them and there is little doubt that the setting of two provinces would create vested interests in both the areas which would oppose union. Antagonisms tend to arise, economic barriers grow and the people drift apart rather than together. The hillmen whose future depends on healthy intercourse with the wider world and who have a good deal to contribute to it, might well find themselves shut up, in their fastness, with a petty and impoverished administration. Indeed that a stage might be reached when they would like to join and would be unwelcome. Assam is never likely to be homogeneous as other provinces. The Plains people are not so divided as those of the Hills but they are far from being a single people such as can be found in equally large or larger areas in India. But this collection of the peoples in hills and plains have been set out in a particular well demarcated corner of the world and their welfare will depend on their proving able to live together."

Sir Andrew Clow further said that there is no record of the hill people ever combining as such under one political organization at any period. Racially and linguistically, the hill people of Assam belong to several ethnic groups like the Monkhemer, Bodo-Kachari, Kuki, Chin, etc., with numerous sub-groups. Uniformity is no doubt observable in social organization and even here there are innumerable differences in detail. The methods of organization, customs, beliefs and ways of life vary considerably from tribe to tribe.

While the hill-men are separated from the Plainsmen by these and other differences, it would be a mistake to think of the Hill peoples as having much homogeneity for there are very important differences between them. The Nagas are not one people but a collection of peoples. Naga is a collective nickname bestowed by the plainsmen on a dozen or more tribes who look much alike to strangers but whose languages are so distinct that most of them are unintelligible to any other tribe and whose customs and methods of social organization also differ considerably. Between the tribes of the northern hills and those of the southern and central hills there is no contact whatever. It is doubtful if a Naga has ever seen any Momba or any Lushai has ever met a Dafla.

While admitting that there were contacts between the inhabitants of the southern and the central hills in recent years as a result of Second World War and Christianity, Sir Andrew Clow said, "With all this it must be admitted that cohension does not go so far as yet. It wil be a long time before the tribes can claim to be a people. Even the Nagas by themselves cannot meet that claim today. The Tribesman tends to think primarily in terms of his village or clan; even the tribe itself sometimes means little and it is only a few who have a conception of any larger unity. Between the tribes too as indeed between the villages in some areas notably in the Naga Hills there are some traditional hostilities.

No group of people of the same size and perhaps none in the world has so many distinct languages, the number of known ones is in the neighbourhood of ninety. The Hill-man is a good linguist and the man of one tribe has normally some acquaintance with the languages of the border tribes but none of these languages can hope to become a lingua franca and any larger gathering of tribal representatives would have serious difficulty in reaching a common basis in the present circumstances."

Sapru Committee

The Sapru Committee discussed this problem and said, "It may be necessary to appoint a special officer to look after the interests of such classes for a certain period and to make special protection from undue interference with their religious beliefs. A minority Commission, the establishment of which we have recommended, may usefully be employed to keep constant and vigilant watch over the interests of these classes. In any scheme of full self-government, these special powers of the Governor will have to be replaced by appropriate obligations placed on the legislature and the Government of the future for discharging their duties in respect of these classes. We feel that it will be one of the main functions of the Constitution making body to suggest suitable provision in this behalf".

In 1945, when India's political future was being discussed, the Khasi States also considered their own future. In 1946, the Khasi Chiefs formed an organization known as the federation of the Khasi States with the object of preserving their own rights, the laws and customs of the Khasi people in the event of Indian Independence. The federation signed a Standstill Agreement with the Governor of Assam in July 1947.

There were extremists among the Khasis—Wickliffe, the heir—apparent of the Siem of Nongstoin and his associate

S. A. Chyne who advocated independence for the Khasi States. Wickliffe, it was alleged, tried to induce the Siem of Nongstoin and other Siems to accede to Pakistan. When he could not accomplish it he left for Pakistan. His associate S. A. Chyne carried on subversive activity and he was detained.

There was another party under the leadership of G. C. Swell who desired the separation of the Khasi Hills from Assam and place it directly under the control of the Government of India.

There were extremist groups like the Hill Union and the Khasi National Durbar which demanded that all the people from the Plains residing in the Khasi Hills should quit the Khasi Hills immediately after the withdrawal of the British from India. They also demanded that the Tribes must have the right to self-determination with the right to secede from the State of Assam; that they should have the right to form a federation of their own within the Indian Union. The federation should be given adequate representation in the Adivsory Committee constituted by the C.A. The federation should be equal in status along with other provinces.

Proposals of the Cabinet Mission. The Cabinet Mission suggested that there should be an Advisory Committee on the Rights of Citizens, Minorities and Tribal and excluded Areas. Sir Stafford Cripps said that an influential Committee should be set up to make proposals for the administration of the tribal areas. Accordingly, the C.A. set up an Advisory Committee in terms of the Cabinet Mission Statement of 24 January 1947. This Committee appointed a sub-committee, known as the North-East Frontier (Assam) Tribal and Excluded Areas Committee with Gopinath Bardoloi as its chairman. The sub-committee coopted two members from each of the hill districts they visited. No person was coopted from the Frontier Tracts.

Bardoloi Committee

The witnesses that appeared before the Bardoloi Committee suggested various means of reorganisation of the tribal areas. Let us first consider the Khasi Hills. Rev. J.J.M. Nichols-Roy suggested that there should be a Khasi and Jaintia Federated State consisting of the Khasi States, Sardarships and Jaintia Hills. The federated State shall be federated with the Province of Assam. It shall have a National Council of 29 members four of whom shall be women. The term of the Council shall be five years. Twenty-five of the 29 members shall be elected by adult franchise from single member constituencies. The women members shall be elected according to rules prescribed. The National Council must undertake the codification of customs in all the units of the federation. The National Council shall have a chairman elected by it. It shall have a secretary and an executive council elected by the national council consisting of three members, one of them shall be president. The Executive Council shall hold office for five years. The Chairman of the executive council shall be the ex-officio president of the federated State. The President shall hold office for five years. All legislation passed by the national council must receive the assent of the Executive Council which shall have the right to withhold its assent and return any bill passed by the National Council to it for reconsideration. It may veto any bill which would be detrimental to the interests of the Federated State.

The federated State shall have a High Court of Appeal to hear appeals from the subordinate courts. The judges shall hold office for five years. This is rather a peculiar provision. The decisions of the Court shall be final. It shall have both criminal and civil jurisdiction.

As regards finance, all revenues from the district shall belong to the federated State. It shall pay certain amount to the provincial Government of Assam for the administration

of certain subjects and institutions which would be utilised by the Federated State.

The Federated State shall send four elected members to the Provincial Legislature. The Provincial Legislature shall not have the right to legislate on all subjects for the Federated State. In other words, the National Council may or may not apply any Provincial legislation or might apply with such modifications as it might think necessary. Rev. Nichols-Roy appears to have circulated these proposals among others and they made the same proposal.

The Naga Hills District. In August 1946, the N.N.C. agreed to be a part of India and that the Naga Hills should form a part of Assam and had objected to the proposed grouping of Assam with Bengal. This attitude was maintained by them till November 1946, with the exception of Konema group comprising the villages with a population of 5,000 who were talking of independence. Therefore, there was nothing contrary to the original resolution of the N.N.C. Sir Andrew Clow, the Governor of Assam, advised the Nagas that their future was with Assam. But in February 1947, the N.N.C. demanded an interim Government with financial assistance for a period of ten years at the end of which the Nagas would be free to choose any form of Government under which they would live. The N.N.C. said that ethnically the Nagas were from a distinct stock; that the Nagas had distinct social life, manner of living, laws and customs and even the method of their governance of the people. In religion a great majority of the Nagas were animists.

Subsequently the N.N.C. said that the financial assistance would be given by the guardian power; that the guardian power would maintain a force for the maintenance of internal security and the prevention of external danger. This force would be responsible to the N.N.C. who would in return be responsible to the guardian power. Who was this guardian

power? The N.N.C. left this to the H.M.'s Government and the Government of India.

Thus, the attitude of the N.N.C. was fundamentally different from that of their previous attitude. When the witnesses were asked to give reasons for the change, they gave evasive replies to the Bardoloi Committee. A careful reading of the evidence of the witnesses before the Bardoloi Committee indicates that they were not frank and free in the expression of their views. The change in the attitude of the N.N.C. was due to the fact that it was dominated by certain Angami leaders like Kevichusa and Lungalong and that the more reasonable elements were prevented from asserting themselves. In fact one of the witnesses went to the extent of saying that unity would be maintained, if necessary, by force. Some of the members of the N.N.C. were trying to keep the British as the guardian power. But the N.N.C. declined to name the guardian power. This might be due to the fact that the members of the N.N.C. were divided on this issue.

Lushai Hills. There was a good deal of discussion about the future of the district. We had already noted that in 1935, the Lushai Hills were excluded from the Government of India Act, 1935. In 1940, however, the Lushais aspired for something better. They did not like to be labelled for ever as a backward people. At the same time, they would not like to be swamped by the people from the Plains. "When I visited the Lushai Hills, for a second time", wrote Sir Robert Reid, "in December 1940, this was one of the points put to me that they would be better off if they were attached to the Hill areas of Burma." In 1945, an educated Lushai Pastor, with considerable following, requested the Superintendent of the Lushai Hills that he and his adherents might be excluded from the Government of Assam. This clearly indicates the dislike of the people of the Lushai Hills for the people of the Plains and also their ignorance of the constitutional position of the Lushai Hills.

When Indian Independence became an accomplished fact, a sense of uncertainty and apprehension about their political future gripped the minds of the educated leaders of the Lushai Hills. The principal political party in the Mizo Hills, the Mizo Union, was thinking in terms of separation from India. The Superintendent of the Lushai Hills called for a conference of the leaders and formulated a scheme, known as the Macdonald Scheme.

The Macdonald Scheme. Under this scheme, only defence would be transferred to the Government of India. A draft Constitution for Mizoram was approved by the Conference of the Chiefs and Commoners, elected on the basis of household suffrage in 1947. The salient features of the plan were, first, there shall be a legislature consisting of representatives of the Chiefs and Commoners with power to make laws and levy taxes. There shall be a judge and an auditor, a minister and three councillors who shall constitute the Executive. There shall be a Public Service Commission for the recruitment of public personnel.

As regards the term of office it varied from office to office. The judge shall hold office for 16 years, the auditor for four years, the minister for four years and the representatives for eight years.

Evidently, the father of the Plan was not a student of constitutional law and therefore the Macdonald Scheme is very clumsy and unworkable. It was not accepted by the Mizo Union which formulated its own scheme.

District Conference. When the transfer of power was imminent the Superintendent Macdonald thought that something should be done and brought into existence the District Conference, although there was no demand for that. It was entirely the child of Macdonald. Before the establishment of the District Conference, no political activity was permitted. It was Macdonald that lifted this prohibition. The Conference

was brought into existence to advise the Superintendent on all matters concerned with the administration of the District. Before the formation of the District Conference there was no other organized body except the Chief's Conference. At first, the Mizo Union agreed to the formation of the district conference and also to its composition. According to this agreement, the District Conference would consist of 20 representatives elected by the Chiefs and 20 Commoners. For the election of 20 Chiefs and 20 Commoners, there were separate electorates. That is, all the chiefs—350 in number—formed an electoral college, and elected 20 from amongst themselves to sit in the district conference. There was another electoral college for the election of the 20 Commoners. The basis of the electoral college was as follows. A group of ten neighbouring houses were joined together and elected one man from amongst themselves. In 1941, the number of occupied houses was 25,102 or 2,510 groups and there were 2,510 voters who elected 20 Commoners.

For the election of members of the District Conference, the procedure was as follows. Any person who wished to be elected to the district conference sent his name to the Superintendent who prepared a list of candidates and also the list of voters. There were two lists, one for the Chiefs and another for the Commoners. The Chiefs must vote for the election of 20 Chiefs and the Commoners must vote for the election of their representatives. Thus, there was separate electorate. For the election of their representatives, both the Chiefs and the Commoners must go to Aijal on the date fixed to exercise their franchise.

The First District Conference held in January 1946 laid down the principle that no one should be expelled from the village by the Chief. Formerly the Chiefs could expel any one from the village. Some of the Chiefs abused this power and therefore it was vested in the District Conference.

In 1947, the second District Conference was elected. The basis of election was joint electorate but 20 seats were reserved for the Chiefs in the District Conference. Every voter was given two ballots, one for the election of the Commoner and the other for the election of 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 to a candidate representing the Chiefs and the other to another representing the Commoners. Thus, this system of election was an improvement over the first in the sense that the Commoners had a voice in the selection of Chiefs representatives and vice-versa. The Chiefs who wished to be elected must be acceptable to the Commoners. The Commoners constituted a majority and thus the Commoners occupied a position of advantage. The M.U. boycotted the District Conference.

This was the position when the Bardoloi Committee visited the Lushai Hills in 1948. The committee coopted two representatives from the M.U., Saprawnga and Kawtinkhuma. By the time Bardoloi Committee visited the Lushai Hills, the M.U. was split up into two, the Pachhunga faction and the Dengthuama faction. Both the factions appeared before the Bardoloi Committee. Vanlawma and Pachhunga representing the right wing of the M.U. supported the District Conference. Vanlawma said that the District Conference should have 20 general seats and five for the Chiefs. Dengthuama on the other hand opposed the District Conference on the ground that it recognised absolute equality between the Chiefs and the Commoners. On the other hand, he suggested that the whole of Lushai Hills should be divided into 20 circles, each one electing one representative. It did not matter whom it elected, Chief or Commoner. Aijal town should be represented by two, Lunglei by one. One special seat may be reserved for the Chiefs.

The District Conference demanded that in case Mizoram

joined Assam, there should be at least three representatives from the Mizo Hills in the Assam Legislative Assembly. All appointments should be made on the basis of merit. There should be no reservation of seats for any community in public services. This is a surprising demand. All matters relating to land tenure, agriculture and social customs must be administered by the District Conference; so also primary education, immigration, civil and criminal justice including capital punishment must be in the hands of the District Council. It appears as if the District Conference was in favour of the Mizo Hills being a part of the Indian Union. This conclusion is supported by the evidence given by Macdonald himself before the Bardoloi Committee. Macdonald suggested that there should be a constitutional body elected by the district for the management of their affairs. They should have their own officers appointed by themselves for the purpose. That is, there should be a District Council to manage its affairs. The District Council should have nothing to do with foreign affairs, currency and coinage and communications. But the entire administration of justice should be in their own hands including capital punishment. Macdonald also said that the Mizos might be given the money they needed for meeting the deficit in their budget subject to certain conditions. They should be permitted to govern themselves in accordance with the constitution approved by the Government of India, to make laws they needed and execute them; and to levy taxes and collect them. They should be held responsible for the maintenance of law and order within the Lushai hills. They should prevent the Mizos from committing crimes across the border. They shall not maintain more armed forces than what was necessary and sufficient for the maintenance of internal peace. They should permit officers of the Central Government to enter Lushai Hills and provide them all facilities to carry on their work. The Government of India should pay certain amount as grant-in-aid. Finally,

Macdonald said that the Mizos must be told plainly that if they do not observe any of the conditions the subsidy would be stopped automatically. From this evidence it must be clear to any reasonable person that Macdonald was not anti-Indian as was made out by some. His anxiety was how to protect the Lushais who were backward from exploitation by the sophisticated people of the plains. This was also the view of some Mizo officers whom the present writer interviewed at Aijal.

Rev. Zairema in his evidence before the Bardoloi Committee on 18 April, 1947 said that Lushai Hills should have **local autonomy.** What did he mean by **local autonomy?** Zairema elaborated his conception of local autonomy. First, union and solidarity of all the Lushais living in contiguous areas. Hereafter they should be called Mizos and the land they inhabit should be called Mizoram and not Lushais and Lushai Hills. Second, the Mizos should retain the sole proprietary right over land. Third, they should be given full self-determination within the province of Assam. Fourth, there should be a national council having supreme power to make laws and executive authority for the enforcement of the laws. The composition of the national council and its functions should be determined by rules. The division of powers and functions between Assam and Mizoram shall be decided by negotiations between the parties concerned. Any legislation, State or National, shall be extended to the district with the approval of the national council. The Central Government shall place sufficient finances at the disposal of the Mizoram Government until the Mizo people were able to maintain themselves without financial assistance. Finally, the form of Government shall be the purest form of democracy. Thus, Zairema did not say or talk about secession. He would be within the State of Assam for all time to come.

It was Vanthuama that claimed the right of secession. Vanthuama who belonged to one of the factions of the M.U.,

while agreeing with Zairema in some respects, did not agree as regards the future of Mizoram. He would be within the Indian Union so long the Lushai Hills were economically backward. He would secede from the Indian Union within ten years from the date of commencement of the Constitution. He would get away from the Indian Union the moment he felt that the Lushai Hills were financially stronger and needed no more financial assistance.

Pachhunga did not make such a demand. He would be within the Indian Union but he preferred that the Lushai Hills should be under the control of the Government of India and not under the Government of Assam.

The Women's Union consisting of Mrs. Kawtinkhuma, Mrs. Lalnghinga and Mrs. Kapthluaii appeared before the Bardoloi Committee and demanded adult franchise and reservation of two or more seats in the District Conference for women. Adult franchise according to them meant all adults above the age of 18 should have the right to vote. Bardoloi agreed with this demand. This was also the view of Dengthuama and Nichols-Roy.

But Pachhunga said, "One must be very careful about giving adult franchise, because under adult franchise, bigger tribes would exploit the smaller ones." So he was opposed to adult franchise. Pachhunga was a conservative and belonged to the right wing of the M.U. He was considered as one of the richest men in the Lushai Hills. Naturally he was afraid of adult franchise. Dengthuama belonged to the lower middle class and that explains his advocacy of adult franchise.

The Government servants that appeared before the Bardoloi Committee suggested that defence, communications and foreign relations should be in the hands of the Central Government. In all other matters, the Mizos should have as much autonomy as possible.

R. Thanhlira, the Editor of the Mizo, demanded as much autonomy as possible for Mizoram.

H. K. Bawichhuaka said that widest possible self-determination should be given to the Lushai Hills. Further, all the Mizo territories must be amalgamated provided they were contiguous to one another. Defence, communications and foreign affairs should be with the Government of India. As regards other subjects, the matter should be decided by negotiations. Bawichhuaka also said that Lushai Hills would be a part of Assam provided adequate representation was given to the district in the Legislative Assembly. As regards the division of subjects between the Lushai Hills and the Assam Legislative Assembly, it should be decided by the Lushai National Council.

Mikir Hills. When the Mikirs heard of the departure of the British and of the impending constitutional changes they formed the Karbi-a-Darbar, the Mikir Jatiya Mahasabha in March 1947. A meeting of the Mikirs in Assam was held in Habiapur Huzar. It was attended by about 2,000 persons. The meeting constituted Karbi-a-Darbar. It had no written constitution. It elected Khorsing Terang Haboi as its president and S. S. Ingty as its Secretary. Both of them were Sibsagar Mikirs. Both of them were coopted by the Bardoloi Committee to represent the Mikir Hills. Khorsing Terang was succeeded by Sarsing Teron Habi. On 18 May 1947, the Karbi-a-Darbar, the only organization of the Mikirs, submitted a memorandum to the Bardoloi Committee. Besides Sarsing Teron, Chatrasing Teron, Soi Soi Terang, Barelong Terang, Bonglong Terang and several others gave evidence before the committee. In their memorandum they demanded first, a separate district should be established so that all the Mikirs could be placed under a single administration. They suggested that the Mikir Area of 4,174 square miles of the partially excluded area, the Mikir portion of the Nowgong, Sibsagar plains, North Cachar Hills and the Khasi and Jaintia Hills should form the new district. A boundary Commission should be set up immediately by the Assam Government to

report on the areas which could conveniently be added to the existing Mikir Hills Partially Excluded Area. In other words, all the hill areas inhabited by the Mikirs and which were contiguous to the present Mikir Hills Partially Excluded Area and which could conveniently be added to this area should be included in the proposed Mikir Hills district. "Even if it is not geographically convenient", said Satrasing Teron, "if it is administratively convenient, these areas should be brought together. But if any Mikir village was surrounded by the Khasi villages they should not be included. But the Mikir villages in the Khasi Hills contiguous to the Mikir Hills but which would not like to be a part of the Mikir Hills should not be compelled to join.

The memorandum also demanded that the Mikirs of other areas which could not conveniently be added to the new district should be protected so far as their land problem, educational and social customs were concerned.

The Karbi-a-Darbar also demanded that the new district should form a part of Assam with autonomy so far as local matters were concerned. The Chin Hills Regulations should be enforced to protect the people from foreign exploitation. The Mikir language should be the language of the district. The District Officers should be specialists; qualified young Mikirs should be recruited for Government service; if they were not available others might be recruited for a temporary period but they should know the Mikir language.

There should be a local council consisting of elected members at the rate of one for every 5,000 persons. All the tribes inhabiting the district should be allotted seats in the local council in proportion to their population strength in the district. The members of the local council shall be elected on the basis of adult franchise and on separate electorate system. The local council should have a chairman and a vice-chairman. It should have legislative, executive and judicial

functions. It should decide all disputes relating to land and local customs.

The Central and Provincial legislation could be introduced in the district only with the consent of the local council. The local council alone shall have the power to permit outsiders to reside in the district. The powers of the local council might be increased or decreased by the Provincial Legislature.

The Mikir Hills district should be represented in the Assam Legislative Assembly at the rate of one member for every fifty thousand population. The candidates must belong to the Mikir Tribe or the tribes living within the district. If the Provincial Legislature was bicameral the district should be represented by at least one member in it. As regards the representation of the Mikirs in the Central Legislature, they should be represented by rotation. Some seats should be reserved for the tribals in the Provincial cabinet in proportion to their population strength. But the tribal members in the Provincial Cabinet must be selected by the tribal members of the legislature. The Tribal Welfare Department in the Secretariat should be entrusted to the tribal member of the Cabinet.

As regards franchise, Mouzadars, village headmen, Pinpos, Habais, those that had passed the lower primary examination, the head of each family paying a house tax or land revenue, male or female, provided they had attained the age of 18, must be entitled to the right to vote to the Provincial Legislative Assembly. For the Central Assembly, however, the voting qualification would be different. Members of the Provincial legislature and of the local council, Mouzadars, and those that passed the middle school examination should have the right to vote. Thus the memorandum did not prescribe adult franchise. But in his evidence before the Bardoloi Committee, Satrasing Teron advocated adult franchise.

As regards the administration of justice, the memoran-

dum suggested that petty cases such as thefts, land disputes, disputes involving social customs should be decided by the village panchayats. Appeals against the decisions of the village panchayat might be taken to the Mouza Panchayat, and from there to local council. Cases involving serious crimes should be taken to the ordinary criminal courts.

The memorandum also recommended that education should be free and compulsory. Further, Mikir students should be admitted to professional colleges. They should be given certain number of foreign scholarships. The medium of instruction should be in Mikir in the primary stage.

Dealing with social customs the memorandum suggested that they should be preserved at all costs but they might be modified by the local councils.

The memorandum suggested that all posts within the Mikir Hills district should be reserved to the Mikirs and a proportion of the provincial services also should be reserved for the Mikirs.

Dealing with the development of agriculture, the memorandum suggested the introduction of cooperative farming.

As regards financing of the administration, the memorandum suggested that all revenues derived from the Mikir Hills district should be reserved for expenditure in the district. This demand was made because the total income of the district was Rs. 2.81 lakhs but the amount spent in the area was only Rs. 57,000.

Finally, the memorandum said that there should be compulsory military training for all Mikirs. Thus, the memorandum submitted by Mikirs was a bread and butter business. They did not, like the Nagas and the Lushais, demand interim Government or the right of secession. They simply wanted that they should be protected against external exploitation.

North Cachar Hills. On behalf of the Tribal Council, a body consisting of representatives from all tribes, Haflangbar submitted a memorandum to the Bardoloi Committee. North Cachar Hills consisted of four major tribes and some others. Of the four tribes, the Cacharis were the most numerous, Kukis, Nagas, and Mikirs come next. In their memorandum the Tribal Council demanded that forced labour and beggary should be abolished and the right to follow one's own customs and usages should be guaranteed, the cultural life of the tribes should not be interfered with; that outsiders should not be permitted to acquire landed property or any other kind of vested interest in the aera; only the bone fide inhabitants of the area should be permitted to participate in the political life of the sub-division; the village administration should be carried on as at present, by the village authorities and social institutions with social customs and usages should be respected; and law or regulation passed by the Central or Provincial Legislature should not be applied to the hill area without the consent of the M.L.As from the area concerned. The day-to-day administration of the area should be in the hands of the people themselves. The local officers must be appointed from among the local people. There should be a separate portfolio in the Provincial cabinet for the administration of tribal affairs and it should be in charge of a tribal. He should hold office so long he commands the confidence of the tribal members of the legislature. There should be a separate secretariat for the management of tribal affairs.

Dealing with the qualifications of the candidates for public appointment, the tribal candidates need not possess the same qualification demanded from others.

The Provincial Government should appoint a boundary commission to fix the boundaries of the sub-division so that all the Cacharis living in the adjoining areas might be brought together,

As regards representation of the North Cachar Hills in the Assam Legislative Assembly, the Tribal Council demanded that two seats should be allotted to the sub-division because it contained many tribes.

As regards franchise, it need not be adult franchise. The basis of franchise should be tax paying capacity or literacy qualification. While all the hill areas demanded adult franchise, the North Cachar Hills alone demanded restricted franchise. Each tribe should have a council of its own and it should have the same status as that of a local board.

Dealing with the finances of administration, the tribal council demanded liberal grants. The tribal council also said that the system of common holding should be continued.

The Kukis simply demanded the protection of their lands.

The Garo Hills. The G.N.C. in its memorandum to the Bardoloi Committee, made it abundantly clear that the setting of a separate Province for the hill areas would not be in the best interests of the hill people as the hills were geographically like isolated islands and that the people were widely different in language, culture, and political development. The G.N.C. also said that from the point of hill economy, the hills should be linked with the plains as their economic prosperity depended upon the plains. Further, the hills were deficit areas. Therefore, the G.N.C. pleaded that the Hills should be linked with the plains with a common Government.

The G.N.C. also demanded that the boundaries of the Hills district should be so adjusted as to include all the Garos living in other districts contiguous to the Garo Hills such as Goalpara, Kamrup, Mymensing, etc.

The G.N.C. demanded that the Zamindari system in the Garo Hills should be abolished immediately as the Zamindars almost always were oppressive.

The G.N.C. also said that there should be a Garo Hills Union and the Garo Hills should be a part of Assam. The Provincial Government should have legislative and executive power over certain subjects, general and technical education, medical and public health, provincial communications, export and imports, and some other powers.

The Garo Hills Union should have a National Council consisting of 25 members. Two of the 25 members shall be women. The term of the council shall be five years. The 23 members shall be elected by adult franchise. The two women members should be elected by a college of electors consisting of all adult women. The Garo Hills Union should be divided into 23 single member constituencies. Each constituency shall contain at least 10,000 population.

The National Council shall codify the customary law. It shall have the power to make laws and impose taxes.

The National Council shall have a chairman elected by its members. It shall have a Secretary.

There shall be an Executive Council elected by the National Council. The term of the Executive Council shall be five years and they were eligible for re-election at the expiry of their term of office. The Executive Council shall consist of five members. It shall be responsible for the preparation of the budget, for the appointment of officers selected by the Service Commission, police force and the Secretary of the Executive Council. It shall also be responsible for the fixation of the salaries of the officers and servants of the Government and arrange elections to the National Council. In addition to all these powers it shall have certain emergency powers.

The President. There shall be a President and Vice-President of the Garo Hills Union. The President shall be elected by adult franchise. He shall not be a member of the Union Council. He shall hold office for a term of five years. The next person who received the next highest vote shall be the Vice-President.

Finance bills shall be initiated by the Executive Council. All legislation shall receive the assent of the Executive Council. Normally this power is entrusted to the head of the State but the G.N.C. proposed that this power should be entrusted to the Executive Council. The Executive Council might or might not give its assent to the bills passed by the National Council. Thus, the convention followed in England, that the Head of the State shall give her assent to all the bills passed by Parliament, need not be observed. Normally, it shall be given but under exceptional circumstances it might be withheld. The Executive Council might return the bill to the National Council for reconsideration. Supposing the National Council passes the bill for a second time what should be done? The memorandum is silent on this point.

There shall be a Supreme Court for the trial of civil and criminal cases. Appeals might be taken to the High Court whose decisions shall be final.

The Memorandum also discussed the financial position of the Garo Hills Union. All the revenues derived from the Garo Hills Union shall be handed over to the Executive Council of the Garo Hills Union. The latter shall decide what contribution it should make to the Provincial Exchequer. Thus, the entire land revenue, revenues derived from forests, mines, excise, fines, stamp and court fees, amusement tax, customs duty, fishery, a proportion of the export and import duty, income tax, a proportion of the grant from the Government of India allotted to Assam, all income from the Hydro-electric power, income from the reserved forests and mines and other incomes therefrom, etc., shall be vested in the Executive Council of the Garo Hills Union.

As regards the relations between the Garo Hills Union and Assam, the Garo Hills Union shall send four representatives to the Provincial Legislative Assembly. It shall be represented in all the Provincial Services. Certain number of posts in the provincial services shall be reserved to the Garos

for a reasonable period. No legislation passed by the Assam Legislative Assembly shall apply to the Garo Hills without the consent of the Executive Council. The Garo Hills Union shall be represented in the Provincial Cabinet by at least one of its representatives in the Provincial legislature.

The Memorandum also laid down that foreigners should not be permitted to acquire landed property within the Garo Hills.

Further, all the powers and functions exercised by the D.C. shall be transferred to the Executive Council of the Garo Hills.

The Government of Assam shall exercise supervisory powers over the subjects in which it is connected with the Government of Assam.

The Garo Hills Union would guarantee protection to all the minority communities permanently residing in the Garo Hills.

North-East Frontier Area. The Kachins of Tirap Frontier Tract demanded educational facilities, roads, hospitals and all that so that they could make progress. At the same time they made it plain that they would not be able to pay any tax. So far as educational facilities were concerned they should be available to all. Further, they would not have female doctors. They would not permit non-Kachins living amongst themselves.

The Ulup Gohains and Ahoms of Lakhimpur Frontier Tract and the Konyaks made similar demands. The Khamptis, the Mishmis and the Abors went farther than the Kachins and demanded representation in the legislature. The Khamptis also demanded a separate State for themselves. All posts within the Khampti State shall be held only by Khamptis. Similarly, in the matter of trade and commerce the Khamptis must have the first preference.

The Galongs, the Minyongs and the Padams desired

separate representation in the Hill Council and also in the Legislative Assembly. They also wanted a separate Tribal Council for each tribe but there should be a joint Cabal of all the Councils.

The Abors demanded that no non-tribal should be allowed to settle in their territory. All the officers in the tribal areas must be from the tribals. They should be under the control of Kebang. The taxes and royalties collected within the Abor territory should belong to the Kebang. If there is any deficit in the budget it should be met either from the Central or provincial revenues.

The Mishmis demanded a separate council of their own; they also demanded schools, roads, and hospitals.

The Cacharis of Sadiya Frontier Tract demanded representation in the provincial legislature; fair representation in public services; a fair share in contracts, grant of land to the landless Cacharis for cultivation, establishment of lower primary schools and grant of scholarships.

The Bhutias and Buguns of Charduar demanded the continuance of posa. The Akas demanded not only posa but schools, roads and medical relief. The Yanos or Daflas alone did not make any demand.

Recommendations of the Bardoloi Committee. The Bardoloi Committee was assisted by a famous anthropologist, Dr. Guha, in the process of discussion of the proposals made by several tribes. The social anthropologists say that attempt should not be made at assimilation because it may result in the break-up of the existing tribal institutions. There should be evolution on the old foundations. But evolution should come from the tribe itself. At the same time, contact with the outside world should be maintained. Some of the tribal systems should be retained until there is change in the way of life of the tribesmen. The Bardoloi Committee accepted this view.

Second, as regards lands, the hill people demanded that there should be control of immigration and allocation of land to outsiders. Such control should be vested in tribals themselves. The Committee recommended that the District Council should have power of legislation over the occupation and use of land, other than land comprising reserved forests. "The only limitation," said the committee, "we would place upon this, is to provide that the Provincial Government need not pay for the occupation of vacant land for public purposes or prevent the acquisition of private land also for public purposes, on payment of compensation". But the Bardoloi Committee excluded the reserve forests from the purview of the local councils because there was need for centralised management of forests. At the same time the Committee emphasised that the actual management including the appointment of forest staff and the granting of contracts and leases must be according to the desires and needs of the people.

Third, the committee also recommended that the nature of cultivation of land should be left to the tribes themselves. While the committee felt that jhuming should be discouraged and stopped wherever possible, no legislative ban should be imposed without taking local circumstances into account because there was a feeling among the tribes that jhuming was a part of their life. Interference with jhuming might be considered that it was wantonly done away with an ulterior motive. Therefore the control of jhuming should be left to the local councils.

Fourth, the Committee also recommended that the people should have full powers of administering their own social laws, codifying and modifying them. The Code of Criminal Procedure and Civil Procedure should not be applicable to the hill districts though officials were expected to be guided by the spirit of these laws. Therefore the Committee recommended that except suits arising out of special

laws, all ordinary suits should be disposed of by the tribal councils or courts. Further, the local councils might be invested with full powers to deal with them, including appeals and revision. In respect of Civil and Criminal cases where non-tribals are involved, they should be tried under regular law and the provincial government should make special provision for the disposal of these cases.

Fifth, the committee recommended that primary schools and dispensaries and such other institutions should be managed by the District Councils.

Sixth, the committee recommended that the District Councils should be endowed with legislative powers over the use of land, village forests, agriculture and village and town management in addition to the administration of the tribal and local laws.

Seventh, as regards education, the committee recommended that primary education should be administered by the District Councils. As regards secondary education, the committee thought that the hill people in general would not be able to look after this subject. Therefore it should not be entrusted to them. But the District Council might be permitted to manage them wherever possible. The Committee thought that higher education should not be transferred to the District Councils.

Eighth, discussing the chairmanship of the District Councils, the Committee recommended that the chairman of the Mikir Hills and the North Cachar Hills should be the D.C. or the sub-divisional officer as the case might be, as the Ex-Officio President. The chairman of other District Councils should be elected by their members. The Mikir and North Cachar Hills were denied of this privilege on the ground that they were backward.

Ninth, as regards financial powers of the District Councils, the Committee did not accept the demand of the hill

people that all powers of taxation should be vested in the District Council because that would deprive the Provincial and the Central governments the powers of taxation in these areas. Further, the Plain districts also would make a similar claim and ultimately it would result in the disintegration of the State Government. Again, there would be no uniformity in the matter of taxation. Different principles would be adopted in different districts. Above all, the district councils like the local authorities might not levy taxes adequately, since they were subject to local pressures. Therefore, the Committee recommended the allocation of certain taxes and financial powers to the Councils. That is, they should have all the powers of taxation which the Plain districts had enjoyed.

As regards the financing of the hill areas, the committee did not accept the suggestion that a fixed proportion of the provincial revenues should be set apart for expenditure on the hill areas, because on what basis such a sum should be fixed, population, area or revenues derived from the hill district. The committee also thought that the provision of non-votable items in the budget would be distasteful to the legislature and contrary to the democratic spirit. Therefore, the Committee recommended that the Government of Assam should prepare a development programme for the hill areas and the scheme should be financed liberally both by the Central and Provincial governments.

Eleventh, the committee considered the problem of migration of the plains people into the hill areas. The hill people were particularly afraid of their exploitation by the non-tribals. Therefore, they demanded that they should have powers similar to those of the Chin Hills Regulation. Realising the depth of the feelings of the tribals in regard to this matter, the committee recommended that the District Council might by three-fourths vote introduce a system of licensing money-lenders and traders.

Twelfth, as regards minerals and mines, the tribals

demanded that revenues accruing from the exploitation of mines should not go entirely to the provincial Government and that the District Council should get a share of it. In order to ensure this, the tribals demanded that the control of mines and minerals should be vested in the district councils. "We have considered that the best policy is to centralise the management of minerals, in the hands of the Provincial Government subject to the sharing of revenues from minerals and mines. Further, no licence or lease shall be granted without consultation with the District Council concerned", said the Committee.

Thirteenth, the tribals demanded that no provincial or central legislation should be extended to the hill areas without the consent of the District Council concerned. The Committee rejected this demand.

Fourteenth, the committee recommended the establishment of regional councils in autonomous districts because there were a number of tribes with a distinct culture and civilization of their own.

Fifteenth, the Committee considered the vesting of emergency powers in the Provincial Government. That is, sometimes the district councils might misbehave. What should be done? The Committee thought that the Governor should have the power to declare an act or resolution of the District Council null and void should he come to the conclusion that the safety of the country was threatened by such act or resolution. The Committee went to the extent of saying that the Governor should have the power to dissolve the district council if necessary. It may be remembered that some of the Hill districts are on the frontier and therefore the Governor should have this power.

Sixteenth, the committee thought that there was no justification for the exclusion of any area either partially or

completely. Therefore, all these areas should be represented on the basis of adult franchise in the Legislative Assembly.

Seventeenth, as regards the basis of representation of the hill districts in the legislature, the Committee thought that there should not be any weightage but adequate representation for all the districts, not only in the Provincial legislature but also in the federal legislature. Again, representatives from the Hill districts must be tribals.

Eighteenth, the committee recommended the representation of the hill districts in the Provincial cabinet by at least one of the hill M.L.As. The Committee said, "It is our considered view that representation for the hills should be guaranteed by statutory provision if possible. If this is not possible we are of the view that a suitable instruction should be included in the Instrument of Instructions to the Governor". The Committee also recommended that there should be a special minister, who should, if possible, be from among the hill representatives.

Nineteenth, the Committee also recommended that provision should be made for the review of development work periodically by a Commission to be appointed by the Governor.

Twentieth, the tribals also demanded that the existing boundaries of the hill districts should be redrawn so that all tribals of the same stock might be brought together. The Committee did not accept this view except in the case of the Mikir Hills. In the case of Mikir Hills the Committee recommended that Sarupathar and Barpathar should be included in them.

Finally, the Committee considered the position of the non-tribals in the tribal areas and came to the conclusion that they should not be permitted to contest elections to the provincial legislature. At the same time, the Committee

recommended that they might be represented in the district councils.

The Bardoloi Committee and the Drafting Committee of the Constituent Assembly met in a conference and the Schedule was amended in some respect. The Schedule as amended by the Joint Conference was presented to the Constituent Assembly.

The Constituent Assembly and the Sixth Schedule

When the Sixth Schedule was taken up for discussion by the C.A., some of its members were opposed to the creation of the district and regional councils because they might ultimately lead to the establishment of another Pakistan in this country.

> "The responsibility of parliamentary life can be shouldered by those who are competent, wise, just, and literate. To vest wide political powers into the hands of tribals is the surest method of inviting chaos, anarchy and disorder throughout the length and breadth of this country.... I am not in favour of self-determination.... The principle of self-determination has worked havoc in Europe. It has been responsible for the two world wars in my lifetime. It led to the vivisection of India, arson, loot, murder, and the worst crimes upon women," said a member.

Another member said that while he had no objection for the establishment of the district councils and regional councils, provision should be made for the absorption of the areas by the Plains.

But Rohini Kumar Choudhury was totally opposed to the formation of the district councils. Mr. Choudhury said:

> "We want to assimilate the tribal people....If you want to educate the tribal people in the art of

self-Government, why not introduce the Municipal Act? If you want to keep them separate they will combine with Tibet, they will combine with Burma, they will never combine with the rest of India."

Lakshminarayan Sahu thought that the district councils and the regional councils would not benefit any one because they would develop a spirit of aloofness and there would be no opportunity for assimilation. Above all, they would fight among themselves. Therefore, he suggested a cautious approach to the problem.

But Jaipal Singh, a tribal himself, cautioned the members of the C.A. to be somewhat charitable in their approach to the tribal problems of North-East India.

Rev. Nichols-Roy contended that the hill tribes had a better culture than many in the plain areas.

From the above it is evident that there were some in North-East India who wanted to assimilate the hill areas even by force if necessary. They displayed an imperialist attitude and superiority complex. They did not make a distinction between integration and assimilation. This is unfortunate and it was responsible for the disintegration of Assam. For, assimilation involves a total loss of cultural identity of the group that is being assimilated and its absorption into the dominant group on latter's terms. This generates fear in the mind of the minorities. This leads to antagonism, tension, and increasing alienation each from the other. In a democratic society like India, the minorities develop defence mechanism to defend their rights and protect their identities. This seriously interferes with the building of a nation. There are certain minimum norms which must be accepted by all to build a strong stable state. For building a strong State cultural identities of the groups need not be eliminated. Instead of emphasising cultural differences economic interdependence should be encouraged.

Therefore, we should lay emphasis on integration and not on assimilation.

Dr. Ambedkar defended the creation of the District Councils. He said that there is a difference between the tribals in Assam and the tribals of other places. The tribals in places other than Assam were more or less Hinduised and assimilated with the culture and civilization of the people among whom they lived. This was not the case with regard to the tribals of Assam. They had their roots in their own culture and civilization. They did not adopt the mode of life and manners of their neighbours. Their laws of inheritance and marriage and their customs were different from those of others. In other words, the position of the tribals of Assam was somewhat analogous to the position of the Red Indians in the USA, as against the white immigrants there. What did the USA do for the Red Indians? They created reservations within which the Red Indians lived. They are a Republic by themselves. They are no doubt citizens of the United States. But actually they are a separate, independent people. The United States Government felt that their laws and modes of life, their habits and manners of life were so distinct that it would be dangerous to bring them immediately and at one time within the range of laws made by the white people for the whites and white civilization. This was the main reason why we have created regional councils and the district councils on the lines adopted by the USA for the Red Indians. Yet there are certain unifying factors in the District Council scheme which nullify any tendency towards isolation, segregation, or separation. What are they?

First, the executive authority of the Government of Assam would be exercised even in the autonomous districts. This is an improvement over the provisions contained in the Government of India Act, 1935. Under this Act, the administration of the Excluded Areas was carried on by the

Governor in his discretion. But under the Constitution, the administration of these areas would be carried on by the Governor on the advice of the Council of Ministers.

Second, the Assam Legislative Assembly and the Indian Parliament would have the power to legislate for these areas on all matters except on a few. Thus, all the laws made by the Assam Legislative Assembly and the Indian Parliament were binding on the district councils and the regional councils, unless the Governor thought that they ought not to apply. Thus, the burden is thrown upon the Governor to show why the law made by the Legislative Assembly or Parliament should not apply to these areas.

Third, these areas would be represented in the Indian Parliament and the Legislative Assembly and thereby enable their representatives to play their role in law making for the whole country including the tribal areas.

Fourth, the Hill areas would be represented in the provincial cabinet and thereby participate in decision making and in the formulation of policy.

Fifth, the Governor is authorised to suspend, annul, dissolve or supersede a district council. Thus, the district councils and the regional councils resemble municipal boards in some respects.

Sixth, the laws and regulations to be made by the district councils would be subject to the consent of the Governor.

Seventh, with regard to the application of the laws passed by Parliament and the Assam Legislative Assembly, the Governor must act according to the advice of the Council of Ministers. Originally, it was provided that the Governor must accept the decision of the district council provided the resolution was passed by a 3|4 majority. The C.A. thought that the district council or the regional coun-

cil might prevent the application of any legislation to these areas. To get over this difficulty the minister was authorised to extend any law passed by Parliament or the State Legislature to any area. This provision is intended to bring about the gradual integration of the tribal areas with the plains.

Therefore, the creation of the district councils would not result in the disintegration of Assam or of the country.

There were also other reasons why the district councils had to be created. First, the hill areas are on the frontier and if the frontier is to be well protected the political aspirations of the people of this area should be satisfied. Second, the hill people had their culture, their own civilization and political systems which were fundamentally different from those of the Plains. They wished to protect them and live under them. The only way by which this could be satisfied was by the creation of the district councils.

Thus there was justification for the creation of the district councils.

We shall now note the decision of the C.A on the various recommendations of the Bardoloi Committee.

Classification of the areas. The Bardoloi Committee recommended that the hill districts shall be classified into two, autonomous and non-autonomous areas. The autonomous district might be divided into autonomous regions if there are different scheduled tribes in it. The autonomous districts were the Khasi and Jaintia Hills district excluding the town of Shillong, the Garo Hills district, the Lushai Hills district, the Naga Hills district, the North Cachar sub-division of the Cachar district and the Mikir Hills portion of Nowgong and Sibsagar district excepting the Mouzas of Barpathar and Sarupathar.

The non-autonomous districts were, the Sadiya, Balipara

Frontier Tracts, the Tirap Frontier Tracts excluding the Lakhimpore Frontier Tract and the Naga Tribal Area.

The Drafting Committee and the C.A. accepted this suggestion.

Administrative Areas. The Bardoloi Committee recommended that the Government of Assam shall not exclude or modify the area of any existing autonomous district without its consent. The Drafting Committee modified this provision. It said that the Governor might by public notification include any area in the list of autonomous districts, create a new autonomous district, increase the area of any autonomous district, diminish the area of any autonomous district or exclude any area from the list of autonomous districts. But no new autonomous district shall be created and the area of an existing autonomous district shall not be increased without considering a report from a commission to be appointed by the Governor.

The Drafting Committee accepted the recommendation of the Bardoloi committee that no autonomous district should be excluded from the list of autonomous districts or diminish the area of an existing autonomous district without the consent of the district council concerned.

Originally, the draft constitution said that the tribal areas were those included in the table attached to the Sixth Schedule. The Governor was not authorised to define the boundaries of the areas included in the table. The C.A. authorised the Governor to do so.

Again, the C.A. thought that provision should be made to unite two or more autonomous districts or parts thereof. Further, it also thought that the Governor should have the power to define the boundaries of the tribal areas in case there was any conflict between the tribes.

Two different procedures were prescribed for the alter-

ation of the administrative areas of the district councils. For the creation of new autonomous districts and for increasing the area of any autonomous district, the Governor should act on the recommendation of a Commission. For the exclusion of any area from the list of autonomous districts and for diminishing the area of any autonomous district, the Governor must act only on a resolution passed by the district council concerned. The C.A. thought that this distinction in the procedure was not necessary. A uniform procedure should be prescribed. Therefore, C.A. provided that the Governor should act after considering the report of the Commission appointed for the purpose by the Governor.

There was some discussion in the C.A. on this subject. One of the members suggested that the Government should be authorised to create, alter or modify the administrative areas of the district councils instead of entrusting to a Commission. Another member said that this power should be exercised by the Governor in his discretion or as the Agent of the President. In other words, he wanted that the administration of the tribal areas should be entrusted to the Union Government because these areas are on the frontiers of India.

Dr. Ambedkar did not accept the suggestions on the ground that it would be difficult to leave a part of the Province to be administered by the Central Government and another part by the Provincial Government. Further, the frontier areas of Assam were included in Part II of the VI Schedule. Balipara, Sadiya, the Tirap and the Naga tribal areas would be administered by the Governor as the Agent of the President.

Thus, in the ultimate analysis the Governor may by public notification include any area in the list of Autonomous areas, create a new autonomous district, increase the area of any autonomous district, diminish the area of any

autonomous district, unite two or more autonomous districts or parts thereof, so as to form one autonomous district, define the boundaries of any autonomous district and finally exclude any area from the list of autonomous districts.

Strength of the District Council. The Bardoloi Committee recommended that the district council shall consist of not less than 20 and not moer than forty members, of whom three-fourths shall be elected on the basis of adult franchise. The Drafting Committee accepted the recommendation but the C.A. reduced the maximum from 40 to 24 because it was felt that the original number was too large and it might not be possible to find suitable persons for election.

Formation of Constituencies. The Bardoloi Committee recommended that each constituency shall consist of not less than 500 people and the constituencies shall be formed in such a manner that as far as possible, different scheduled tribes or non-tribals inhabiting the area shall elect a representative from among their own tribe or group. The Drafting Committee accepted the proposal but the C.A. thought that it should be dealt with by rule framed under the constitution than by the Constitution itself.

Regional Councils. The Bardoloi Committee recommended the establishment of regional councils if there were distinct sub-tribes within the autonomous district. The Drafting Committee while accepting the proposal said that the district councils and the regional councils shall be corporate bodies with perpetual succession, a common seal and legal personality to sue and be sued.

Chairmanship of the District Council. The Bardoloi committee recommended that the Deputy Commissioner or the sub-divisional officer, as the case might be, shall be the chairman ex-officio of the district councils of the Mikir and North Cachar Hills for a period of six years after the

constitution comes into force. The Drafting Committee and the C.A. accepted this recommendation.

Powers of the District Councils. The Bardoloi Committee recommended that the District Council and the regional council shall have the power to make laws for the area under their jurisdiction on the following matters, allotment, occupation or use of land for agricultural and non-agricultural purposes, other than land classed as reserved forests. The Committee also recommended that land required by the Government of Assam for public purposes shall be allotted free of cost or on the payment of compensation if the land is occupied.

Apart from this, the district councils and the Regional shall be responsible for the management of forests other than the reserved forests; the use of canal or water courses for the purpose of agriculture, control, prohibit or permit jhuming or other forms of shifting cultivation, the establishment of town councils or village councils, and determine their powers and functions and all other matters relating to village administration.

Apart from this, the District Councils and the Regional Councils shall have the power to make laws, regarding the appointment of Chiefs, or headmen, their succession, inheritance of property, marriage and all other social customs.

Again, the district councils and the regional councils may set up village councils or courts for the decision of disputes not involving punishment of five years or more with death or transportation for life under the Indian Penal Code or Criminal Procedure Code or suits in which one of the parties is a non-tribal. The decision of the village court or the district council court shall be final. The C.A. made certain changes, namely, that the High Court and the Supreme Court shall have jurisdiction over suits and cases specified by the Governor from time to time.

The Bardoloi Committee recommended that the district or the regional councils might frame rules regarding the conduct of future elections, the composition of the council, appointment of staff, etc. The Drafting Committee and the C.A. accepted the recommendation.

The Bardoloi Committee recommended that the district councils shall have the power to establish or manage primary schools, dispensaries, markets, cattle pounds, ferries, fisheries, roads and waterways and also determine the medium of instruction in the primary schools. They shall also have the power to regulate moneylending or trading by non-tribals. The rules framed for this purpose by the district councils must be approved by a three-fourths majority of the district council concerned. But the district council shall not refuse a licence to a moneylender or dealer carrying on business at the time of making rules. The Drafting Committee and the C.A. accepted this recommendation.

The Bardoloi Committee recommended that the district council and the regional council shall have the power to assess and collect revenue in respect of all lands within their jurisdiction in accordance with the principles for the time being in force. They shall also have the power to impose the following taxes, a tax on professions, trades, or callings and employment, a tax on animals and vehicles and carts, tolls, a tax on market dues, ferry dues, cesses for the maintenance of schools, dispensaries or roads. The Drafting Committee added that the district councils and the regional councils shall have the power to collect taxes on lands and buildings and tolls on persons residing within the jurisdiction of the district council, a tax on the entry of goods into the market for sale therein, tolls on passengers and goods carried in ferries.

The District Fdnu. The Bardoloi Committee recommended that there shall be a district fund or the regional

fund which shall be administered according to the rules framed by the district council and approved by the Comptroller of Assam. The Drafting Committee said that the rules framed by the district council must obtain the approval of the Governor and not of the Comptroller.

Mines and Minerals. The Bardoloi Committee recommended that the Government of Assam shall not grant any licence or lease to prospect or extract minerals within an autonomous district save in consultation with the district council concerned. The district councils shall be paid a share of the royalties accruing from licences or leases as may be agreed upon between the district council and the Government of Assam. In case of disagreement between the two in regard to the share of the royalties, the matter shall be decided by the Governor in his discretion and his decision shall be final. The Drafting Committee and the C.A. accepted the recommendation.

Representation in the Provincial Legislature. The Bardoloi Committee said that the representation of the tribal areas in the provincial legislature should not be based on population. All the hill tribes should get adequate representation in the Provincial Legislative Assembly.

Application of Union and State Legislation. The Bardoloi Committee recommended that provincial legislation relating to prohibition or the restriction of the consumption of any non-distilled alcoholic liquor shall not apply to an autonomous district. Similarly legislation relating to allotment of land and the management of forests, other than the reserved forests and the use of canal or water course, shall not apply to the autonomous districts. The district councils and the regional councils might apply such legislation to the area under their jurisdiction with or without modification. In other words the Provincial legislature shall not have the power to make laws on any subject allotted to the district councils and the regional councils.

The Drafting Committee, however, suggested that the Governor in his discretion might, by public notification, direct that any act of Parliament or of the State Legislature which did not affect the above provisions shall not apply or shall apply to the District Council of the Regional Council or any part thereof subject to such exceptions or modifications as he might think proper. But the C.A. authorised the Government to apply or not to apply any Act passed by Parliament or the Assam Legislative Assembly.

Financial Accounts. The Bardoloi Committee recommended that the revenues and expenditures pertaining to an autonomous district should be shown separately in the annual financial statement of the Government of Assam. This did not imply that they cannot be discussed in the legislature. They may be discussed and voted upon. Dr. Ambedkar however suggested that before the Assam Legislative Assembly discussed it, it is desirable that the District Councils were given an opportunity to express their opinion on it.

Appointment of the Commission. The Bardoloi Committee recommended that the Governor might appoint a commission to examine and report at such intervals as might be prescribed on the administration of the tribal areas. In other words, a commission should be appointed to find out the progress made particularly in respect of education, medicine and communication and also the need for any new legislation. The report of the Commission should be placed before the legislature together with a note by the Minister on the action taken or proposed to be taken on it.

Control of the District Councils. The Bardoloi Committee recommended that the district officer of the North Cachar Hills and Mikir Hills should have the power to annul or modify or suspend the resolutions passed by the District Councils so long he remained the ex-officio chairman of the District Council..

The Bardoloi Committee also recommended that the Governor of Assam, in his discretion, might amend, suspend an act or resolution of a Regional or District Council and take such action as might be necessary, if he should come to the conclusion that the act or resolution of the council concerned would endanger the safety and security of India. This recommendation did not permit the ministry to interfere with the discretion of the Governor. The Governor might or might not consult the minister concerned before taking action. Then the Governor would occupy a position similar to that of the Governor under the Government of India Act, 1935, The C.A. modified this recommendation by vesting this power in the Council of Ministers. Thus the Governor should act on the advice of the Council of Ministers.

Further, the Bardoloi Committee recommended that the Governor might dissolve the District Council and take over the administration. The Drafting Committee went a step further and said that the Governor might supersede the council and assume to himself all or any of the powers of the District Councils. The C.A. accepted this recommendation.

Again, the Bardoloi Committee said that the Governor should place the matter before the legislature as soon as possible and the legislature might confirm or set aside the order of the Governor. The Drafting Committee went a step further and said that the order unless revoked by the legislature shall be in force for a period of 12 months from the date on which it was issued. Again, if the legislature approved the action of the Governor, the order shall be in force for a further period of 12 months. Thus, the Government was endowed with power to dissolve or supersede the District Council on the recommendation of the Commission.

The idea behind the scheme contained in the Sixth Schedule was to provide the tribal people with simple and

inexpensive administration of their own which would safeguard their tribal customs and ways of life and assure them maximum autonomy in the management of their characteristically tribal affairs. The Bardoloi Committee felt that the tribal areas occupied a geopolitically important position and, therefore, the people living in these areas should be free from the fear of exploitation and domination by the more advanced section of the people from the Plains. The Committee was aware of the fact that the tribal people were sensitive about their lands, forests and systems of justice.

At the same time it was made abundantly clear that these areas were a part and parcel of the State of Assam. Their administration, according to the provisions of the Sixth Schedule, could in no way affect the unity and integrity of the State. Autonomy was to be exercised in matters pertaining to the peculiar customs and institutions of the tribal people, without affecting the unity of administration or the general responsibility of the State and the Union Government to secure to them the benefits of a progressive and liberal administration.

Tribal Advisory Councils. After the Constitution was brought into force, the immediate constitution of the District Councils in all the Hill districts was not a possibility. Therefore the Tribal Advisory Committees were constituted in all the hill districts. The Government desired that even during the interim period, pending the establishment of the District Councils, the representatives of the tribal people should be associated with the administration of these areas. Accordingly, the Government set up Advisory Councils in five of the six hill districts. Though the Advisory Councils had no statutory basis, they were treated as Provisional District Councils.

In 1952, the District Councils were constituted in all the districts excepting the Naga Hills district where the

Naga National Council demanded complete independence and boycotted all elections. The first general elections to all other District Councils were held in 1952. In 1966, a new District Council was established for the Jowai sub-division inhabited mainly by the Jaintias. Besides the District Councils, Regional Councils were established for the Pawi Lakhars, in the Mizo Hills. In 1972, by an amendment to the Constitution, District Councils were established for the Pawis, and Chakmas in the Mizoram and for other tribals in Manipur. Thus in all the tribal areas there are District Councils in North-East India except in Tripura.

CHAPTER VI

Constitutional Structure

Administrative Areas. The Autonomous District Councils may be classified as local authorities. Local Government invariably means the Government of a particular local unit. Is there any ideal size for such a unit? Plato and Aristotle speculated on the ideal size of the city. Plato said that so long as the city could grow without abandoning its unity, it might be allowed to grow but not beyond that. Evidently Plato was conscious of the dangers of large cities. His ideal city would consist of 5,040 citizens and not less and not more. To Aristotle a State is large when there is no personal contact between citizens and citizens. These ideal considerations had very little effect upon the growth of cities in the world after Plato and Aristotle. Local communities have never been built upon the speculations of political philosophers and it is idle to speculate on the ideal size of a local authority. Further, a size which was adequate one hundred years ago is not adequate in these days of automobile, airplane, and telephone. What is adequate today may not be adequate tomorrow. The flow of history and not the thoughts of philosophers determine the areas of the local authorities. The tendency in modern

times is towards larger units. Small and inadequate local units have not the slightest chance of survival.

What principles should be observed in the determination of the administrative areas of local authorities? It must be said that there is no single principle that may be adopted or has been adopted with any certainty of good results. But there are certain principles that must be kept in mind while fixing the boundaries of the local government institutions. The first is the catchment area. The second is population. This is of basic importance. If the number of residents in the area is few they will not be able to supply the required number of persons to hold office. Third, geographical adequacy is always an important factor in detremining the administrative area of local government institutions. Fourth, fiscal adequacy is of fundamental importance in determining the area of a unit. Local Government institutions depend largely on property tax which means that a local unit must have sufficient tax-base in term of real and personal property to produce the revenue required to run its government. Finally, such factors as community of interest, development or anticipated development, economic and industrial character of the locality, means of communications and accessibility to administrative centres and centres of business and social life, wishes of the people, local history and local traditions have to be taken into account. The weight to be given to the several factors will vary from case to case.

Let us consider the administrative area of the District Council. The Governor may create a new autonomous district, diminish the area of any autonomous district, unite two or more autonomous districts or parts thereof so as to form one autonomous district, define the boundaries of any autonomous district and alter the name of any autonomous district subject to the condition that this should be done after considering the report of a commission appointed

for the purpose. In the case of Manipur the Administrator must consult the Hill Areas Committee before issuing an order. Thus the Governor is the final authority for the creation, abolition or modification of the administrative areas of the autonomous District Councils.

In 1952, there were only five District Councils, in the Garo Hills, the Khasi and Jaintia Hills, the Mikir Hills, the North Cachar Hills and the Mizo Hills. A District Council was not constituted in the Naga Hills because the Nagas boycotted the general election to the District Council and, therefore, District Councils existed only in five hill districts. The administrative area of each District Council was the revenue district concerned, except in the case of North Cachar Hills and Mikir Hills where the administrative area was the sub-division.

Each administrative area was homogeneous, compact with sufficient population and area.

Later on in 1964, Jaintia Hills was separated from the Khasi Hills and constituted into a district with a separate District Council of its own. In 1972, the Mizo District Council was abolished and the Pawi-Lakher Regional Council was converted into a District Council. In the same year, by an Act of Parliament, the Governor of Manipur was authorised to constitute not more than six District Councils in the tribal areas of Manipur. At present there are two autonomous District Councils in Assam, two in Mizoram, three in Meghalaya, and six in Manipur, a total of thirteen District Councils, in North-East India.

The Chairmanship

Each District Council shall be presided over by a Chairman or by a Deputy Chairman in case the Chairman is absent. The Chairman and the Deputy Chairman shall be elected by the District Council except in the case of Mikir

Hills and North Cachar Hills. In these two places, the Sub-Divisional Officer was the Chairman. The framers of the Indian Constitution thought that an experienced nurse should control these two District Councils in their infancy. Therefore, the Deputy Commissioner or the Sub-Divisional Officer, as the case might be, of the Mikir Hills and North Cachar Hills was the ex-officio Chairman of the respective District Councils for the first six years of their life.

This is a peculiar provision. The Sixth Schedule permitted the District Council to elect its Chief Executive Member who performed more onerous duties than the Chairman. If the District Council could find a suitable person for the post of C.E.M., would it not be possible for it to find out another person to be the Chairman?

While the Chairman was the Deputy Commissioner or the Sub-Divisional Officer as the case might be, the Deputy Chairman of these two District Councils was elected.

Election of the Chairman: Mizoram. The District Council met on 25 June 1952 and elected a nominated member Dr. Rosiama as the Chairman and Tuikhurliana as the Deputy Chairman. Dr. Rosiama hailed from Lakhipur and Tuikhurliana from the southern end of the district. From this it is evident that regional factors were taken into account in the selection of the Chairman and the Deputy Chairman. Dr. Rosiama and Tuikhurliana continued to be the Chairman and Deputy Chairman until the next general election held in 1957.

The second District Council met on 24 June 1957 and elected V. L. Tlunnga as Chairman because Dr. Rosiama who was the Chairman of the first District Council wished to be a member of the Executive Council. Hrangaia who was a member of the Executive Council was elected Deputy Chairman on 27 June 1957. When Dr. Rosiama died in June 1959, Hrangaia resigned to become a member of the

Executive Council. In the vacancy caused by the resignation of the Deputy Chairman Hrangaia, C. Pahlira was elected Deputy Chairman. Tlunnga and Pahlira continued in office until the next general election held in 1962. On 25 June 1962, the third District Council met and elected H. K. Bawichhuaka who was Secretary to the District Council as Chairman and V. Rosiama as the Deputy Chairman. But Bawichhuaka resigned on 30 April 1965 to become the C.E.M. In the place of Bawichhuaka, Lalbuaia who was in the Cabinet of Saprawnga was elected Chairman of the District Council. Lalbuaia, stocky, well built with a long service in the M.U., was quite competent to occupy this office. Both Lalbuaia and Rosiama continued as Chairman and Deputy Chairman till the next general election, held in 1970. The fourth District Council met on 29 June 1970 and elected by a unanimous vote F.C. Nghina as the Chairman of the District Council. But he did not continue in office long. He resigned his office on 16 January 1971 to become the C.E.M. with the support of the M.U. It may be remembered that from 1952 to 1970, the office of Chairman was occupied by the M.U. In 1970, for the first time Congress candidate Nghina was elected Chairman. When Nghina was elected C.E.M. with the support of the M.U. the Mizo Union laid down two conditions. One of them was that the chairmanship of the District Council should go to its candidate. Nghina did not keep up his promise. Instead of electing a candidate of the M.U. a Congress candidate J. Thanghuama was elected Chairman on 6 February 1971. He remained in office until the abolition of the District Council in 1972. From the above it is clear that there were frequent changes in the office of the Chairman of the Mizo District Council.

The Garo Hills District Council. On 2 May 1952, the first District Council met to elect its Chairman. It elected by a unanimous vote Rangam G. Momin as the Chairman

of the District Council. Rangam G. Momin was formerly a teacher. Next day Mohan Sangma was elected Deputy Chairman by a unanimous vote. After the expiry of his five-year term, Rangam G. Momin was re-elected by a unanimous vote as Chairman of the District Council on 1 May 1957. Curiously enough no one offered the customary felicitations to the Chairman on his re-election. On the other hand, Momin thanked the members for electing him for a second term as their Chairman. As regards the Deputy Chairman, Mohan Sangma was re-elected for a second term. When Capt. Williamson Sangma joined the Chaliha Cabinet, there was reorganization of the Executive Council. The Deputy Chairman Mohan Sangma was appointed Deputy E.M. In the vacancy caused by the resignation of Mohan Sangma, Robert Momin was elected Deputy Chairman.

Elections to the District Council were not held in 1962 because of the Chinese aggression. They were held in 1964. On 29 April 1964, the third District Council met to elect its Chairman. The Council elected Mody K. Marak as its Chairman by a unanimous vote. It may be noted that Mody K. Marak was the C.E.M. since 1958 after Williamson Sangma joined the Chaliha Cabinet. On 1 May 1964 Bronson D. Momin was elected Deputy Chairman. When Williamson Sangma became the Chief Minister of Meghalaya in 1970, Mody K. Marak resigned the chairmanship to become the C.E.M. Bronson W. Momin, the Deputy Chairman, was elected Chairman and Marson Sangma was elected Deputy Chairman. Bronson W. Momin and Marson Sangma continued as Chairman and Deputy Chairman till the next general election held in 1972. On 25 March 1972, the fourth District Council met and elected Lohindra Sangma who was E.M. as its Chairman and Pipinson Momin as the Deputy Chairman. It may be noted that elections to the office of Chairman and Deputy Chairman to the Garo Hills

District Council were always by a unanimous vote. Again, there were no frequent changes in the office of Chairman. From 1952 to 1975, the office of Chairman was held by four persons. All the four came to the office after a good deal of experience either as E.M. or as Deputy Chairman.

North Cachar Hills. The Sixth Schedule laid down that the Chairman of the North Cachar Hills District Council shall be the Deputy Commissioner or the Sub-Divisional Officer as the case might be, for the first six years of its life. In 1958, after the expiry of the six-year period the office of Chairman was thrown open to election. But election was not held. Perhaps there was an understanding that the Deputy Chairman M.C. Daolagupu should be continued to function as Deputy Chairman without a Chairman. It was on 6 December 1960 that the election of the Chairman was held. There were two candidates—H.M. Haflangbar, a nominated member, who was defeated in the 1957 general election and the ever vigilant critic of the administration S.R. Thaosen. S.R. Thaosen, however, withdrew from the contest and Haflangbar was elected by a unanimous vote.

The third District Council met on 10 May 1962 to elect its Chairman. There were two candidates—Deisongba and Panindra Kumar Gorlosa. But the nomination paper of Deisongba was received in the afternoon instead of in the forenoon of 9 May 1962. Therefore it was considered as invalid. Panindra Kumar Gorlosa was declared elected as Chairman. On 16 May Thangtin Khrup who was a Member of the caretaker executive council was elected Deputy Chairman by a unanimous vote. In January 1967, Panindra Kumar Gorlosa submitted his resignation for political reasons. The Congress and the Union Party entered into an understanding as regards the distribution of spoils of office. Gorlosa had to resign to make way to P.C. Langthasa who had been without office since 1962. A meeting of the District Council

was called for on 16 January 1967 for the election of the Chairman. But the meeting could not be held because the Governor did not fix the date of the election. On 28 March 1967 a meeting of the District Council was held for the election of the Chairman. There were two candidates P.C. Langthasa and Thogen Thado. S.R. Thaosen who was responsible for the downfall of P.C. Langthasa in 1962 proposed the name of P.C. Langthasa. Thogen Thado's nomination was not in accordance with the rules laid down for the purpose. Therefore, it was rejected and P.C. Langthasa was elected Chairman by a unanimous vote. P.C. Langthasa was the leader of the opposition in the District Council and Chairman of the Union Party.

The general election to the District Council was held in 1968. The third District Council met on 7 August 1968 to elect the Chairman. This time the office went in search of a candidate. There was only one nomination in favour of a nominated member S.K. Dey. But Dey informed the Secretary of the District Council that his consent was not obtained before proposing his name. Therefore, the election of the Chairman could not be held. The Council met again on 2 August to elect a Chairman. There were two nominations and both of them were in favour of Lalvuoma Hmar who was a member of Thaosen Cabinet. He was elected Chairman. However, for the Deputy Chairmanship there were two candidates, N.K. Thaosen and Sarmalik. There was a contest. Sarmalik polled 13 votes and N.K. Thaosen seven. Sarmalik became the Deputy Chairman.

North Cachar Hill politics is notable in many respects. One of them was a no-confidence motion against the Chairman, the first of the kind in the history of any District Council in North-East India. On 21 February 1969, a no-confidence motion was moved against the Chairman on the ground that he did not call for meetings of the District Council at

regular intervals, that he interfered with the administration of the District Council, that he went on tour just to draw travelling allowance, that he was intolerant of criticism and that he was a traitor, a quisling and that his activities were prejudicial to the interests of the North Cachar Hills. The Chairman did not preside over the meeting called for the discussion of the no-confidence motion against him. The motion was defeated.

In June 1970, the two parties, the People's Democratic Party and the Congress, came to an understanding as regards the distribution of offices among themselves. L. Hmar the Chairman wanted to be a Member of the Executive Committee. He was shifted to the Executive Committee and S.R. Thaosen who was without a political job was elected Chairman.

From the above it is clear that there were frequent changes in the office of Chairman. During the period 1960 to 1972, there were as many as five changes.

Mikir Hills. The Sixth Schedule laid down that the Chairman of the Mikir Hills District Council should be the sub-divisional officer for the first six years of its life. But the Deputy Chairman was elected by the members of the District Council. The first Deputy Chairman was Janardhan Pathak, a nominated member. Pathak, an Assamese, migrated to the Mikir Hills, married a Mikir woman and involved himself in social work. In recognition of his social work in the Mikir Hills, he was nominated to the Mikir Hills District Council and the District Council elected him Deputy Chairman. He continued to be the Deputy Chairman till 1957. The second District Council elected Harsing Ingty who was in the Executive Committee formed by Khorsing Terang and Nihang Rongphar.

In 1958, the office of Chairman was thrown open to election. The District Council met on 25 November 1958

to elect the Chairman. Chatrasing Teron who was in the Bishnuram Medhi Ministry was dropped by Chaliha when he formed the Government. Chatrasing was therefore unemployed politically. He returned to district politics. Fortunately for him a seat was available. The Deputy Commissioner who was the ex-officio Chairman of the District Council ceased to be so. The District Council elected him as its Chairman. Chatrasing was elected by a unanimous vote. Thus, Chatrasing has the unique distinction of being the first elected Chairman of the District Council. Chatrasing unlike his successors was an able Chairman. The proceedings of the District Council indicate that he adhered to rule, regulation and relevancy. Chatrasing continued to be the Chairman until the next general elections.

The third District Council met on 25 June 1962 for the election of its Chairman. There was only one nomination. Chandrasing Teron the former C.E.M. was elected by a unanimous vote as Chairman. Chandrasing came to office with rich experience as an administrator, first as a E.M., then as C.E.M.

For the office of Deputy Chairman, there was contest. There were two candidates Lorgsing Tiso and Sar Be. Lorgsing Tiso polled nine votes as against four polled by Sar Be. Lorgsing Tiso was one of the oldest members of the District Council but had to wait for a decade and half for the Deputy Chairmanship.

Chandrasing Teron died while in office on 2 March 1965. Lorgsing Tiso, the Deputy Chairman, was elected Chairman in the vacancy caused by the death of Chandrasing Teron. Sar Be who contested unsuccessfully against Lorgsing Tiso for the Deputy Chairmanship was elected Deputy Chairman on 28 December 1965.

The general election to the District Council was not held in 1967. It was held in 1970. The new District Council

met on 23 March 1971 and elected Joysing Doloi who had been a member of Dhaniram Rongpi's Government as Chairman. Though considered as very fair in his dealings with his fellow countrymen, he was not an efficient administrator. Therefore he was shifted to the chairmanship of the District Council. It also elected Langtuk Terang, a step brother of Khorsing Terang, a new comer. He is a blood brother of Soi Soi Terang.

In 1974, there was discontent in the party. Dhaniram Rongpi therefore resigned and in his place Joysing Doloi who was the Chairman of the District Council was elected as the C.E.M. In the vacancy caused by the resignation of the Chairman Soi Soi Terang was elected Chairman.

Khasi and Jaintia Hills. The first District Council met on 27 June 1952 and elected by a unanimous vote Fredishon War. On 1 July 1952, it elected by a unanimous vote Humphrey Haden as Deputy Chairman. But Haden held office for less than two years and resigned it to become an E.M. In his place another Jaintia R. K. Tariang was elected by a unanimous vote as Deputy Chairman on 27 May 1954.

On 23 March 1955, a no-confidence motion was moved against the Chairman Fredishon War. The motion was defeated. On 31 August 1957, War resigned on health grounds. On 5 September, Rosaiah Nongram was elected Chairman by a unanimous vote. On 5 November, Tariang, the Deputy Chairman, resigned.

The second District Council met on 3 January 1958 and elected Wilson Reade as Chairman by a unanimous vote. But the election of the Deputy Chairman was not held immediately. It was held on 24 March when Oswald Lyngdoh was elected Deputy Chairman by a unanimous vote. On 13 August 1959, a no-confidence motion was tabled against the Chairman Reade but it was defeated.

After the death of Theodore Cajee, the C.E.M. in 1963, Reade resigned the chairmanship to become the C.E.M. But Edwingson Bareh also aspired for the post of C.E.M. Therefore Reade could not become the C.E.M. On 5 October 1963, the election of the Chairman was held. There were two candidates, Wilson Reade the former Chairman and H.E. Poshna. Both of them polled equal number of votes—eleven. Lots were drawn to decide the fate of election. Lot favoured Reade.

After the creation of a separate Jowai Autonomous District Council, the C.E.M. Edwingson Bareh and the Deputy Chairman Oswald Lyngdoh had to relinquish their respective offices as they belonged to the Jaintia Hills. After the departure of Bareh the election of the C.E.M. was held. Wilson Reade resigned the chairmanship for a second time to become the C.E.M. on 6 January 1966. In the place of Reade, Gilfred S. Giri was elected Chairman without contest. For the Deputy Chairmanship there was a contest. There were two candidates, Henry Cotton and Wordingson Blah. Blah was elected by a narrow majority of two.

The election to the third District Council was held in 1967. The A.P.H.L.C. won 23 of the 24 seats it contested. Rokendra Dkhar was elected Chairman on 23 March 1967. The election of the Deputy Chairman was not held immediately. It was held on the 18th April. S.H. Shangdiar was elected Deputy Chairman without contest. But on 27 November he was removed from office by a vote of no-confidence motion. He was the first Deputy Chairman of a District Council in North-East India to be removed by a vote of no-confidence motion. Normally, the office of the Deputy Chairman of a District Council was the least attractive. Shangdiar was not considered fit even for this post. The vacancy caused by the removal of Shangdiar was filled up by a unanimous vote by Emerson Thangkhiew.

The fourth District Council was elected in April 1972. On 23 May 1972, Bakstarwell Wanniang was elected Chairman. The election of the Deputy Chairman as usual was not held immediately. It was held two months and four days after the election of the Chairman, on 27 July. Markus Lyngdoh was elected Deputy Chairman by a unanimous vote. When Gilbert Shullai the C.E.M. resigned on 14 June 1975, the Chairman Bakstarwell also resigned to become the C.E.M. The Deputy Chairman Markos aspired the office of E.M. But Bakstarwell did not take him into the Executive Committee. In a fit of anger Markus Lyngdoh not only resigned the deputy chairmanship but also his membership of the party and contested the chairmanship of the District Council. But he was defeated by a slender majority of two by Jungai Khongjoh. On 26 July 1975, E. L. Sangriang was elected Deputy Chairman by a unanimous vote.

For the above it is clear that there were frequent changes in the office of chairmanship and the deputy chairmanship. On two occasions there was a neck to neck race. On two occasions no-confidence motions were moved against the Chairman. Except in the North Cachar Hills in no other District Council there were no-confidence motions. One of the Deputy Chairmen was removed from office. But except one all others were men of ability and character. One of them was an excellent teacher.

Jaintia Hills. The first Jowai Autonomous District Council met in early 1967 and elected Ohiwot Khonglah and Oswald Lyngdoh as Chairman and Deputy Chairman respectively by a unanimous vote. Early in 1970, the C.E.M. Edwingson Bareh joined the Sangma Ministry of the Autonomous State of Meghalaya. Ohiwot's day dreams swirled round the post of C.E.M. but the party selected John Deng Pohrmen to be the successor of Bareh. Ohiwot, it may be noted, was a member of the Legislative Assembly. In

1972, the party did not select him to contest the general election though he was a sitting member. Therefore he resigned the chairmanship of the District Council. The District Council elected Nihom Ksih as Chairman. Oswald Lyngdoh thought that the party would offer him the chairmanship of the District Council because he was the Deputy Chairman. Since he was not offered the chairmanship of the District Council, he felt insulted and therefore resigned the deputy chairmanship of the District Council. In his place Beryl Sutnga was elected Deputy Chairman.

The second District Council met in the middle of 1973 and re-elected Nihom Ksih and Beryl Sutnga as Chairman and Deputy Chairman respectively.

Unanimous election. It has been suggested that Government should pay a bonus to a District Council that elects its Chairman by a unanimous vote. The reasons that induced persons to make this suggestion are that District Councils should not be converted into playgrounds of politics, factionalism and groupism which are likely to come into existence in case of a bitter contest. We think that this is not desirable because it may create stalemate in the affairs of the District Councils. Further, the election of the Chairman in all the District Councils has been by a unanimous vote because the office of Chairman is like the speakership of a Legislature. Ambitious persons do not want to wither away in the office of speakership.

Procedure for the election of Chairman and Deputy Chairman. At the beginning of a new District Council or when the office of Chairman falls vacant, the Governor shall fix a date for holding the election. The Deputy Commissioner or the Secretary of the District Council, as the case may be, shall send every member, notice informing him of the date of meeting for the election of Chairman. Any member of the District Council may nominate another mem-

ber for election as Chairman. The nomination paper should be delivered at any time before noon on the day preceding the date of election to the Deputy Commissioner or the Secretary in person by the candidate himself, his seconder or proposer. The nomination paper should be signed by the proposer and seconder. It should state clearly the name of the member nominated.

The Deputy Commissioner or any officer authorised by him in his behalf shall preside over the first meeting of the District Council. He shall read out the names of the candidates nominated for election as Chairman. If only one member has been nominated he shall declare that member to have been elected. If more than one member has been nominated, the Council should proceed to elect a Chairman by ballot. When two or more candidates obtain equal number of votes, lots should be drawn for the selection of a Chairman. The candidates must first take the oath and then contest the election. A person who has not taken the prescribed oath shall not be allowed to contest. The election shall be by a simple majority. No special majority is necessary.

We think that simple majority is not sufficient. If there are three or four candidates, the successful candidate is likely to be elected by a minority vote. He will not be able to command the confidence of the majority. As a consequence, there may be constant attempt at no-confidence motions against him. It is therefore suggested that the successful candidate should be elected by an absolute majority of the total strength of the Council so that deadlocks may be avoided or reduced to the minimum.

As regards the Deputy Chairman, the procedure for the election of Chairman is adopted except that the meeting called for the election of the Deputy Chairman shall be presided over by the Chairman. The Chairman fixes the date of meeting.

The person elected as Chairman or Deputy Chairman need not receive the approval of the Governor. He enters the office immediately.

Term of office. The Chairman and the Deputy Chairman shall hold office as long as they command the confidence of the District Council. They may be removed at any time without assigning any reason by the District Council. But the Government has no power to remove them from office even if they violate the rules and regulations systematically. Any resolution to remove the Chairman or the Deputy Chairman from office must first obtain leave of the Council. If leave is not granted the resolution cannot be moved. That is at least one-fourth of the members present must support the resolution. If less than one-fourth of the members rise, leave is not granted and the resolution cannot be moved. If leave is granted the resolution must be supported by a majority of the members present and voting provided the quorum is present. The quorum is six or one-third of the total number of members of the Council, whichever is greater.

We think that the majority prescribed for the removal of the Chairman and the Deputy Chairman is not adequate. We suggest that it should not be less than 2|3 of the total strength of the Council concerned so that the Chairman may not be plagued by no-confidence motions. It is true that during the period 1952 to 1972, there were only two no-confidence motions. But the number may increase in future. Therefore, a special majority should be prescribed.

Now the question arises whether the Government should not be vested with the power to remove a recalcitrant Chairman? The District Councils are opposed to this proposal on the ground that provision has already been made for the removal of an undesirable Chairman by a resolution of the Council. Further, the Government may be tempted to mis-

use this power for political reasons. We think that there is no need for this provision because the Chairman has no executive powers. He is merely a presiding officer and has no scope for the misuse of powers because he has no powers.

Resignation. The Chairman and the Deputy Chairman may resign at any time in writing. The Chairman must submit his resignation to the Deputy Chairman and the Deputy Chairman to the Chairman. The resignation shall come into effect immediately.

Functions of the Chairman. The ex-officio Chairman of the North Cachar Hills and Mikir Hills had power, subject to the control of the Governor, to annul or modify any resolution or decision of the District Council or to issue such instructions to the District Council as he might consider appropriate and the District Council should comply with such instructions.

The Chairman has certain statutory functions. He is the presiding officer of the District Council. In his absence the Deputy Chairman presides. If he is a candidate for election to the office of Chairman he should not preside over the meetings called for the purpose. Nor should he preside over the meetings called for the discussion of a no-confidence motion against him.

Again, the Chairman should call for meetings at stated intervals. He may call for special meetings also but he must call meetings requisitioned by members.

Not only the Chairman has power to call for meetings he may also prorogue the Council.

As regards the powers of the Chairman, the Chairman may exercise all the powers vested in the members. But he should not act in opposition to or in contravention of any order of the Council. Nor should he exercise any powers which should be exercised by the Council. He may delegate his powers to the Vice-Chairman.

Besides this general rule, he is specially endowed with certain powers which he can exercise independently of any other authority. First, he has a casting vote, in case of equality of votes. Second, he may direct the member to discontinue his speech. He may order the withdrawal of members. Finally, he may allot time for official and non-official business. He decides all points of order which may arise and his decision is final. The Chairman also decides the admissibility of questions and motions. He also decides the method of taking votes by division. In short he regulates the proceedings of the District Council.

The Chairman shall vacate his office when he ceases to be a member of the District Council. A person who is not a member of the Council cannot be elected as its Chairman.

When the office of Chairman is vacant or during the absence of the Chairman, the Deputy Chairman shall perfrom his functions. If the Deputy Chairman also is absent a member of the Council nominated by the Chairman shall discharge his functions. At the commencement of every session the Chairman shall nominate two persons to preside over the session during the absence of the Chairman and the Deputy Chairman. If the office of the Deputy Chairman is also vacant one of the members of the Council appointed by the Governor shall preside.

We have so far reviewed the various aspects of the office of Chairman of the District Council. What are our conclusions ? First, practically, there was no contest for the office. Generally, disappointed and disgruntled politicians were dropped into it. Therefore, the Chairman and the Deputy Chairman were elected by a unanimous vote except in two cases.

Second, all the Chairmen and Deputy Chairmen except two held office for a single term. In the Garo Hills the first Chairman and the first Deputy Chairman were re-elected for

a second term. Thus, there was a strong tendency for a single term, a tendency based on the assumption that no one is indispensable in a democracy and that every one must have a chance of serving his community.

Third, normally, nominated members were not elected as Chairman or Deputy Chairman. There are exceptions to this general rule, the first Chairman of the Lushai Hills District Council, the first Chairman of the North Cachar Hills District Council and the first Deputy Chairman of the Mikir Hills were nominated members.

Fourth, of the 46 Chairmen and the Deputy Chairmen, not even one was a member of the fair sex. This is a surprising thing because in the tribal areas, there is absolute equality between the two sexes in social and economic activities. There is also more literacy among women of the tribal areas and yet women do not take active part in politics.

Finally, a close study of the Chairmen and the Deputy Chairmen indicates that several of them have had sound education and experience in public affairs. They did not involve themselves in any controversy. There are exceptions to this general rule. One in North Cachar Hills and another in the Khasi Hills incurred the displeasure of the members of the District Council concerned. There was also a third in the Lushai Hills who was criticised for adopting dilatory tactics. But most Chairmen adopted strictly impartial attitude in the conduct of proceedings.

CHAPTER VII

District Council

The District Council is a corporate body, having perpetual succession and a common seal with the right to sue and be sued. The Council consists of representatives elected by adult franchise to administer the functions, and exercise the powers entrusted to it.

Strength and composition. The District Council shall consist of elected and nominated members. It was as follows:

Year	*K&J Hills*		*Garo Hills*		*Mizo Hills*		*Mikir Hills*		*North Cachar*	
	Ele	Nom	Ele	Nom	Ele	Nom	Ele	Nom	Ele	Nom
1952	18	6	18	6	18	6	12	4	12	4
1957	24	—	22	2	22	2	14	2	14	2
1962	24	—	22	2	22	2	14	2	14	2
1970	27	—	27	3	27	3	20	4	20	4

From the above it is clear that in 1952, the Khasi and Jaintia Hills District Council, the Garo Hills District Council and the Mizo Hills District Council had a strength of 24 each, of whom 18 were elected and six nominated. In 1957, the nominated element was eliminated completely in the Khasi Hills District Council because the Government nominated a non-tribal to the District Council. But the

nominated element was retained in other District Councils though the number was reduced to 2. In 1970, it was increased to three in the Garo Hills District Council, Mizo Hills District Council and to four in the Mikir Hills and North Cachar Hills.

The Jowai District Council which was constituted in 1965 consisted of elected members and nominated members.

Nominated Element. The nominated element existed in all the District Councils throughout the period except in the Khasi and Jaintia Hills District Council from 1957. In 1952, it was one-fourth of the total strength but later on it was reduced everywhere. Thus, except the Khasi Hills District Council, all others were partly elected and partly nominated.

Rules provided that the Governor shall nominate certain number of persons to represent the minorities and the unrepresented communities. Later on the North Cachar Hills District Council thought that the Government might nominate any one not liked by the District Council or non-tribals. So in 1958, the North Cachar Hills District Council resolved that the nominated members shall be appointed by the Governor in consultation with the elected members of the District Council and that the suggestion of the majority shall prevail. The vacancies among the nominated members shall be filled up in the same manner.

This provision created certain difficulties. In case the District Council recommended an undesirable person the Governor might not accept him. Further, it would deprive the Governor of exercising his discretion in the matter. He was reduced to the position of a rubber stamp. So the Act was amended in 1967. Act 2 of 1967 laid down that the nominated members shall be appointed by the Governor and the members so appointed shall hold office during the pleasure of the Governor. Formerly, the nominated members

held office during the life of the Council. While nominating members, the Governor should bear in mind the paramount importance of ensuring stability of the District Council and also the need to give representation to important interests which failed to secure representation by election. Although the Act laid down that the nominated member held office during the pleasure of the Governor, actually he held office for a single term of five years and if necessary he could be nominated again by the Governor for another term of five years.

As regards the procedure for the nomination of members, no single procedure was followed. It depended upon the whim and fancies of the Minister for Tribal Affairs. At first, the C.E.M. recommended certain names which the minister accepted, provided the relations betwen the C.E.M. and the Minister for Tribal Affairs were cordial. If the relations were strained, the Minister might not accept the recommendations of the C.E.M. We shall make a case study in this connection. Singdom K. Sangma, one of the members of the Garo Hills District Council, died. The C.E.M. recommended Henry W. Momin, a Garo Christian and Jefferson Areng, another Garo Christian, for the seat on the ground that they were residents of the Community Development Project Area of Resu Belpara and that their nomination would ensure efficient coordination of the various self-help activities in this area. Later on the C.E.M. changed his mind and recommended, at the instance of his colleague Harrison W. Momin, Nandaram K. Sangma from the same area on the ground that Nandaram was a reliable social worker. After sometime again, the C.E.M. changed his mind once again at the instance of his colleague Harrison W. Momin and recommended Sudhindra Marak on the ground that Nandaram was unsuitable for the job. The Government did not accept the recommendation on the ground that Sudhindra was a school teacher, a government

servant and therefore not eligible for nomination. Since the Government raised the objection that an employee of the Government should not be nominated the C.E.M. advised Sudhindra Marak to resign his job. Sudhindra sent a telegram to the C.E.M. saying that he had resigned though he did not do that. On the basis of this telegram the C.E.M. requested the Chief Minister who was incharge of the Tribal Affairs, to nominate Sudhindra Marak. The Government was informed through its own agency that Sudhindra Marak did not resign. Therefore it informed the C.E.M. that since Sudhindra Marak did not resign he would not be nominated. The C.E.M. was requested to state the actual position. The C.E.M. sent a telegram informing the Government, "Sudhindra Marak resigned previously, but rejoined the post temporarily due to delay in the finalization of nomination at the request of the School Committee. Ready to resign post as soon as nomination is finalised."

From the above it is clear that the whole matter was fishy. The Government did not take any action on the recommendation because it was interested in its own candidate. The C.E.M. met the C.M. in this connection. According to C.E.M. the C.M. assured him that Government would consider only the recommendation made by the District Council. Therefore, the C.E.M. wrote to the C.M., "If....the Government cannot approve the nomination of Shri Sudhindra Marak, I would request you to kindly let me know immediately in order to enable the Executive Committee to recommend some one else in his place." The C.M. replied that he did not assure the C.E.M. that only the names recommended by the Executive Committee would be considered. Further he also stated that "Sudhindra Marak is still serving in an educational institution and no arrangement has yet been made to replace him in the school which is likely to suffer for want of a teacher. Besides there are certain allegations against Sudhindra Marak and the

Government is making certain enquiries into these allegations".

Then the C.E.M. replied, "Kindly permit me to observe that in this district, it is only the G.N.C. which commands the confidence of the people. As such it claims....that it speaks for the people and represents the majority of the people's view and opinions in the entire district. The Government is requested to kindly take this fact into consideration in deciding the question of the nomination of Sudhindra Marak".

The C.E.M. did not keep quiet. He sent a petition signed by 15 members of the Garo District Council to the Chief Minister saying that if the name recommended by the Executive Committee could not be approved by the Government, "We desire that the vacant nominated seat in the Council should not be filled up at all."

The Congress anxious to weaken the hold of the G.N.C. in the Garo Hills brought about pressure on the C.M. to nominate a Congress M.L.A. Emonsing Sangma to the vacant seat. The C.M. vacillated for next six months and sent a telegram to the C.E.M. two years after the vacancy had occurred that Emonsing Sangma was nominated in the vacancy caused by the death of Sangdon Sangma on 24 August 1953. The C.M. could have simply kept quiet instead of filling up the vacancy.

The C.E.M. replied, "We are deeply disappointed and express our misgivings with regard to the real intention of the Government." I think that this incident was partly responsible for change in the attitude of Sangma towards the Assam Government. It may be remembered that the relations between the Garo Hills District Council and the Government of Assam were cordial to begin with. On May 3, 1952, while thanking the members of the District Council for electing him as the C.E.M., Sangma said, "We must

feel ourselves as one with the rest of Assam and of India. Let us all of us be guided by the saying, 'Do unto others as you yourself would like others to do unto you'." On 7 May 1952, the Gallant Captain moved a motion "Recording the great confidence in his (Chief Minister Medhi's) capacity, sincerity and able leadership". But in 1954, the same Sangma said that the Autonomous districts in Assam must have a separate State of their own. The personal conflict between Sangma and the C.M. Bishnuram Medhi in regard to the nomination of Sudhindra Sangma was responsible for the change.

In 1957, the names recommended by the C.E.M. were accepted by the Government. In 1964, when the third District Council was formed the G.N.C. Parliamentary Party suggested two names, Dalbir Lohar and Srimathi Bishadini Sangma and they were sent to the Minister for approval. The Government said that the advice of the District Council in session should be obtained for nomination. All these years, from 1952 to 1964, the Government acted on the recommendation of the C.E.M. But in 1964, it insisted that the approval of the District Council in session should be obtained. Accordingly, the District Council met and promptly approved the names. In the meanwhile the District Congress Committee recommended Srimathi Roneswari R. Marak and the All India Ghurkha League recommended Chatra Bahadur Nepali for the two nominated seats but the Governor accepted the recommendation of the District Council and the nominated members assumed office on 28 October 1964.

Mikir Hills. Some of the nominations made to the Mikir Hills District Council were notable. Janardhan Pathak, an Assamese migrated to Mikir Hills, married a Mikir woman and involved himself in social work. In recognition of his social work to the people he was nominated to the District Council and the District Council elected him

as the Deputy Chairman. He was nominated for a second time. Another notable nomination was that of Dhaniram Rongpi. Although he belonged to the majority community, he was nominated because he was educated and had the qualities of leadership. The District Council elected him as its C.E.M. A third significant nomination was that of Fulsing Lalung. He was nominated successively for three terms to represent the Lalung Tribe in the District Council which is now demanding a separate district for itself.

There were also significant nominations to the North Cachar Hills District Council. Jay Bhadra Hagjer who subsequently became Minister was nominated in 1952 and again in 1957. Jay Bhadra Hagjer was appointed as a member of the Executive Committee. Haflongbar was another significant nomination. It may be noted that Haflongbar was defeated at the 1957 general election. He was nominated to the District Council and the District Council elected him as its Chairman in 1958. In the Mizo Hills, Dr. Rosiama was nominated. He was elected Chairman of the District Council. He was nominated for a second time in 1957 and this time he was selected as a member of the Executive Committee.

What were the principles to be observed in nominating persons? First, persons defeated at the general election should not be nominated. Second, communities which were already represented in the District Council should not be nominated. But these principles were not observed while nominating persons. Political factors were taken into account while nominating persons to the District Council. At all times the nominated persons were expected to support the party in power.

The principle of nominating may be objected on the ground that it offends the democratic principle; that the nominated persons do not represent any one but themselves; that nomination is the backdoor method adopted by the

Government to get into the District Council persons not wanted by the electorate; that it facilitates the conversion of a political minority into a political majority, because the nominated members have the right to elect the Chairman of the Council and its C.E.M. Further, although the Governor is authorised to nominate members, in actual practice, the Minister for Tribal Affairs exercised this power. The Ministers are politicians and they take into account political considerations while nominating persons to the District Council.

All this is true. It must be admitted that in the hill areas, there are not enough men and women to participate in public affairs. In the North Cachar Hills and in the Mikir Hills particularly very few persons are available for public service. Further, each autonomous district is not homogeneous. It is heterogeneous. There are distinct tribes with their language and social customs and they may not be able to secure representation by democratic process. Again, the majority community in each district did not develop the spirit of tolerance. Nor do they have adequate knowledge of the needs of the minorities. In these circumstances the only alternative is to provide for the principle of nomination even at the risk of offending the democratic theory.

By and large the principle of nomination was not abused by the Government. Except on rare occasions, the persons recommended by the District Council were nominated by the Government. Second, the nominated members did not exceed ten per cent of the sanctioned strength. To safeguard the democratic principle, a rule should be laid down that nominated persons shall not be entitled to elective offices such as the chairmanship or the C.E.M. of the District Council.

Double Membership. The legal opinion was that the

Executive Member of the District Council was considered to be holding office of profit under a corporate body and that the State Government of Assam and|or the Government of India did have some financial interest in the District Councils. The State Government was not competent enough to remove the disqualification. As the elections to the Autonomous District Councils and the State Assembly and Parliament were held simultaneously with the general election, the disqualification imposed by section 7(e) of the Representation of the People's Act, 1931, did not arise. Therefore, the same person sought election to both the District Council as well as to the State Legislative Assembly or Parliament. In order to enable certain members of the Assam Autonomous District Councils who were also elected to the State Legislative Assembly to continue as members of both the District Council and the State Legislative Assembly, the Assam Legislative Assembly passed legislation though it was not competent enough to do this.

Sangma aspired to be a member of the State Legislative Assembly as well as the C.E.M. of the Garo Hills. Therefore, he wrote to the Home Minister, requesting him to remove the disqualification. Accordingly the People's Representation Act was amended in 1956. Sangma thought that the C.E.M.s and the E.M.s also must be members of the Legislative Assembly so that a better understanding between the State Government and the District Council might be promoted. The C.E.M.s and the E.M.s would be in a better position to acquaint the Government of Assam of the various problems with which they were concerned. Thus, Clause 3 of the Representation of People's Act (Amendment 1956) says that an elected member of the Autonomous District Council as well as the Members of the Executive Committee of these councils can stand for election to either House of Parliament or to the State Legislative Assembly.

Is it desirable to permit one and the same person to be a member of the Legislative Assembly and at the same time, a member of the District Council? We think that this is not desirable for obvious reasons. First, such persons receive salary and allowances in two places. It is true that their number is small. Nevertheless it is undesirable for obvious reasons. If a member of the District Council is also an MLA, and if he belongs to the party in power, he would try to control the administration of the District Council. If he happens to be a member of the State Cabinet the control would be greater. If he happens to hold the portfolio of Tribal Affairs Department, the control would be complete. If the Member of the Assembly is also the C.E.M. or the E.M. then he might abuse the powers vested in him. Because, for political reasons the Government would not interfere with his administration of the District Council. We do not permit the members of the State Legislative Assembly to be a member of Parliament. Recently, the G.N.C. itself laid down the rule that no member of the party should hold two offices—membership of the District Council and membership of the Legislative Assembly.

Elections to the District Council

Garo Hills. In 1952, the general election to the Garo Hills District Council was held. Of the 18 seats available for contest, there were six uncontested returns. There was contest in the remaining 12 constituencies which were all single member constituencies. In one constituency there were three candidates; in two constituencies there were four candidates in each; in the remaining nine constituencies there was straight contest. There were 29 candidates for the 12 seats. The G.N.C. set up its candidates in all the 18 constituencies. It captured 15 of the 18 seats available for contest. Only one candidate of the G.N.C. was elected by a minority vote. Sangma had to contest against three rivals but all of them

forfeited their deposit. In a house of 24 members there were two ladies, Surjamoti Momin, an Independent who defeated her male rival Jogesh Marak by 614 votes, and Roneswari Marak who was nominated by the Governor.

In 1957, there was the second general election to the District Council. There was an increase in the number of seats available for contest because there was a decrease in the number of nominated seats. There were 22 seats for contest. In 1957, there were more candidates than in 1952. Again, there was a decrease in the number of uncontested returns. There were only two uncontested returns. In seven constituencies there were three candidates in each. In all other 13 constituencies the contest was straight. Thus, for 20 seats there were 47 candidates. Of the 47 there was only one lady candidate, that redoubtable Surjamoti Momin who contested in 1952 as an independent candidate. In 1957, she had to contest against two male rivals. Of the 2,263 votes polled in her constituency, she polled an absolute majority of the votes polled, 1,349. Sangma had to contest against his lifelong political rival Emonsing Sangma. But Sangma beat Emonsing Sangma very badly by polling 1,534 votes as against 534 votes polled by Emonsing Sangma. Emonsing Sangma was, however, elected in the 12th constituency by defeating Koneri Marak, a G.N.C. candidate. All the successful candidates except one, were elected by an absolute majority of the votes polled. Six candidates forfeited the deposit. Of the 22 candidates elected as may as 13 were elected for a second term. In 1952, there were two ladies, one was elected and the other nominated. In 1957 there was only one Surjamoti Momin elected as an elected in independent candidate.

The life of the District Council was over in 1962 but general election was not held because of the Chinese invasion of India. It was held in 1964. The number of seats available for contest was 22 and the number of nominated

seats was 2. There was only one uncontested return. In seven constituencies there were three candidates in each, in four constituencies four candidates in each, and in the remaining 10 constituencies there was straight contest. Thus, there were 58 candidates for 22 seats.

There were two notable defeats, Emerson Momin and Nallindra Sangma. Both of them were elected to the Assam Legislative Assembly on behalf of the G.N.C. on the definite understanding that they should resign if Hill State was not granted. They did not resign when they were asked to resign by the G.N.C. Therefore they were rejected by the voters in the 1964 General Election to the District Council. Emerson Momin was elected in 1957 to the District Council by 1,298 votes. In 1964 he polled just 163 votes and forfeited his deposit. Similarly, Nallindra Sangma polled 439 votes.

Of the 58 candidates that contested the election in 1964, only four forfeited the deposit. Of the 22 successful candidates seven were elected for a third term, five were elected for a second term and the remaining ten were elected for the first time. In a house of 24 members there was only one lady member nominated by the Governor — Bisadini Sangma. For all practical purposes, the Garo Hills District Council was an all male assembly.

The term of the third District Council was over on 28 April 1969. But in view of the constitutional changes likely to take place in the hill areas, the term of the District Council was extended and election was held for the fourth District Council three years after the expiry of the term in 1972. The strength of the District Council was increased from 24 to 30, 27 elected and three nominated.

In 1972, the G.N.C. adopted the policy of one man one office and no double membership. That is, no member of the G.N.C. should hold two offices, MDC and MLA, at

one and the same time. Some of the members of the party did not agree with this policy and defied the party directive and contested as Independent candidates for both the offices. Bronson Momin was one of them but he was defeated in both the places. Mohan Sangma was another who met with the same fate. In 1972, it was not the G.N.C. but the APHLC that contested the election with the G.N.C. was a constituent part of the APHLC.

Of the 27 seats available for contest five were uncontested and all of them were APHLC candidates. The APHLC set up 27 candidates and won 21 seats. Three were won by Congress and three by Independents. All the nominated members belonged to the APHLC.

For the 27 seats there were 64 candidates. Never before there were so many candidates. In one constituency there were five candidates, in five constituencies there were four in each, in six constituencies, three in each, and in the remaining ten constituencies there was straight contest. In five constituencies there was no contest. Of the 64 candidates eight lost the deposit. The notable defeats were Mohan Sangma, Bronson Momin and Akra Muzzaman.

Of the 27 elected to the Garo Hills District Council, two were elected for the fourth term, Lohindra Sangma and Mody K. Marak, two were elected for a third term, four for a second term and the remaining 19 were new horses. It appears that the younger element in the party wanted to get rid of the old horses.

Of the 22 elected members nine were elected by a minority vote.

A significant feature of the elections to the Garo Hills District Council is that fair sex was not adequately represented. In 1964 no woman was elected. Only one woman Ewinee Marak contested the election but she had three male rivals who mauled her. As a consequence she polled 17

per cent of the votes polled. Since no woman was elected to the District Council Bishadini Sangma was nominated by the Governor to represent women. In 1972, also only one woman contested the general election to the District Council—Evangeline Shiro—as an independent candidate but she was beaten by the APHLC candidate.

Mikir Hills. We shall now consider the elections to the Mikir Hills District Council. Figures relating to 1952 general elections are not available in the office of the Deputy Commissioner, Diphu. It appears that all those that served as members of the Advisory Committee during the interim period contested the general election and were elected. Elections to the Second District Council were held in 1957. There were 12 seats for contest. In three constituencies there was no contest. In seven constituencies there was straight contest and in the remaining two there were four candidates in each. These two constituencies returned candidates who were elected by a minority vote. Of the 22 candidates that contested the nine seats only one lost the deposit.

The third District Council was elected in 1962. Of the 12 elected members four were old horses who had already served the District Council for two terms. Four were elected for a second term and the remaining four were elected for the first term. Of the 16 members seven were new and remaining nine were old horses. Four of the nine were elected for a third term and the remaining five for a second term.

The general election to the District Council was not held in 1967 but in 1971. The strength of the District Council was increased to 24, twenty elected and four nominated. All the elected members were returned by single member constituencies. There were two uncontested returns and one of them was Chatrasing Teron, the Minister for Tribal Affairs. There was straight contest in three constituencies. In 15 constituencies there were more than two candidates. Sometimes it

was six. Thus, there were 64 candidates for the 18 seats. Of the 64 as many as 18 lost their deposits. Ten were elected by a minority vote. The four nominated members represented four distinct communities, tea garden labour, the Lalung Tribe, the Dimasa Kacharis, and Nagas, Fulsing Lalung was nominated for a third consecutive term. The notable victors were Chatrasing Teron, Soi Soi Terang and Dhaniram Rongpi and the notable defeats were Raidang Ingty and Sibakant Tiso.

The fourth District Council contained four members who had been elected for a fourth term—Lorsing Tiso, Soi Soi Terang, Sar Rongpi and Chatrasing Teron. There were three members who had been elected for a third term and five others for a second term. The remaining eight for the first term.

North Cachar Hills. The first general election to the North Cachar Hills District Council was held in 1952. The total strength of the Council was 16, 12 elective and four nominated. In 1952, four seats were not contested. For the remaining 8 seats there were 18 candidates. All the constituencies were single member constituencies. Excepting in the Halflong constituency, where there were four candidates, in all others there was straight contest. One candidate D.B. Thaosen contested two seats and he was elected in both the constituencies. In one of the two constituencies S.R. Thaosen was defeated. Since D.B. Thaosen was elected from two constituencies, he had to resign one of the seats and S.R. Thaosen was elected from it.

The second general election to the District Council was held in 1957. This time there were no uncontested returns. In all the 12 single member constituencies there was straight contest. Therefore, all the successful candidates were elected by an absolute majority of the votes polled. Of the 12 members elected, fifty per cent were

elected for a second term and two of the six had also served as E.Ms.

The third general election to the District Council was held in February 1962. For the 12 elective seats there were 25 candidates. It was in the 12th constituency that there were three candidates. In all others the contest was straight. Of the 25 candidates 8 had already served the District Council for more than one term. All the successful candidates except Thogen Thado were elected by an absolute majority of the votes polled.

The fourth general election was held in 1968. The strength of the District Council was increased from 16 to 24, twenty elected and four nominated. There were three uncontested returns. For the remaining 17 seats there were 35 candidates. In all the constituencies, excepting in Constituency No. 2, there were two candidates in each. Therefore the contest was straight. All the successful candidates were elected by an absolute majority of the votes polled. But it must also be said that some of the candidates were elected by a slender majority—say five votes. Only one candidate lost his deposit because he polled just three votes.

One noteworthy feature of this election was that for the first time in the history of North Cachar Hills politics, a lady Nirupama Hagjer was elected by a thumping majority defeating her male rival.

Of the 24 members of the District Council eight were old horses. Of them S.R. Thaosen is the oldest who has been in the service of the District Council for more than two decades.

The 1968 general election was contested by two political parties, the People's Democratic Party and the Congress. The PDP won eleven seats and the Congress nine. Two of the four nominated members joined the Congress and thereby

brought equality between the two contending parties. Two defected from the PDP and thereby increased the strength of Congress to 13 and the PDP became a minority party. It may be noted that in North Cachar Hills, loyalty to the party is a matter of secondary importance. Most of the politicians appear to be opportunistic, without intellectual convictions, interested in promoting their particular interest at the expense of general interest. There were no leftists nor rightists because there are no capitalists nor the proletariat. Again the number of persons qualified to take part in politics or in public activity is severely limited. Many of the North Cachar Hills district politicians began their political career at a very early age without effective training in practical politics. The present C.E.M., G.C. Langthasa, spent forty-five summers and the leader of the opposition forty-two summers.

Mizo Hills. The first general election to the Lushai Hills District Council was held in June 1952. The total strength of the District Council was 24. Of them 18 were elected and six were nominated. All the constituencies were single member constituencies.

The election figures for the District Council are not available in the office of the D.C. Aizawl and therefore it is not possible to say the number of candidates that contested the election.

There were two parties, the M.U. and the U.M.F.O. The U.M.F.O. was badly beaten by the M.U. The M.U. won 17 of the 18 seats contested by it. Only one seat was won by Pachhunga, the former President of the M.U. It was all a male assembly. No lady seems to have contested the election to the District Council. To represent the fair sex Pi Lalziki was nominated. One of the notable persons nominated by the Governor was Dr. Rosiama who took a leading part in organising political activity in the Mizo Hills. To represent the Chakmas Medhia Chakma was nominated.

In 1957, general election to the District Council was held. This time the number of nominated members was reduced from six to two. The number of parties that contested the election was four, the M.U., the U.M.F.O., the Tribal Union and Congress. The number of seats available for election was 22. The M.U. which dominated the scene from 1952 lost the ground and there were deadlocks. The M.U. won 11 seats in a house of 24. Two seats were won by the Tribal Union, one by Congress and eight by U.M.F.O. and two were nominated.

Of the 22 elected members eight were elected for a second term. Of the nominated members only one was nominated for a second term. Thus, of the 24 members as many as 15 were elected for the first term. Medhia Chakma who was nominated to the first District Council in 1952 was elected in 1957. Dr. Rosiama who was nominated to the first District Council was again nominated for a second term but died while in office. R. Thanhlira elected to the District Council in 1952 was replaced by his wife Pi Hmingliani by nomination. Pi Lalkiki who was nominated in 1952 was not nominated again. There were two bi-elections and the candidates elected in them were new to the Council.

The third District Council was elected in June 1962. This time besides the three parties that contested the election of 1957, a new party came into existence, the M.N.F. The M.U. entered into an electoral alliance with the E.I.T.U. so far as the Assembly election was concerned but there was no such alliance for the District Council elections. The total strength of the Council was 24, two of the 24 were nominated seats. For the 22 seats available for contest, there were 67 candidates. In every constituency there were more than two candidates. The M.U. won 16 seats, E.I.T.U. 2, P.L.R. 2, and Independents 2. Thus the Congress and the

M.N.F. were badly beaten. The leader of the M.N.F. was defeated. Of the 24 members, the two nominated members were new, two were elected for a third consecutive term, Saprawnga and Hrangaia; seven were elected for a second term and the remaining 15 were elected for the first term.

The next election to the District Council could not be held in 1967 because of the outbreak of violence in the Mizo Hills. The life of the District Council was extended up to 1970. In 1970, two well organised parties contested the election to the District Council. The Congress obtained 10 seats, the M.U. nine seats and Independents 3.

Of the 24 members including the two nominated members, two were elected for the fourth consecutive term, Hrangaia and Saprawnga, three for a third term, four for a second term and the remaining 15 for the first term. From this it is evident that in 1957, 1962 and 1970, the number of persons elected for the first time is greater. That is, the younger element in the party are insisting that the older element must retire and give place to the new blood.

Mizoram was converted into a Union Territory and the District Council was abolished in April 1972.

CHAPTER VIII

Membership

Members of the District Councils are representatives. They are not delegates because they do not receive definite instructions from any quarter as to the line they should adopt on any particular issue. They need not speak and need not vote in accordance with the directions given to them by their constituencies. They are expected to use their discretion while considering any matter placed before them.

The members of the District Council ought to remember certain principles. They should not promote particular good at the expense of general good. They should not try to satisfy the unreasonable demands of their constituencies. Should not a member carry out the promises he made at the time of election? If there is no change in the circumstances in which promises are made, promises must be carried out. If circumstances change, a reconsideration of the position is imperative. This does not mean that the members of the District Councils need not keep promises. The principle is that they have an overriding obligation to the community. It follows that the members are not delegates. If a constituency does not like the way in which its representative is using his discretion and judgment, it may unseat

him at the next election to the District Council. It has no authority to recall him to give fresh instructions.

The second principle that a member of the District Council should remember is that he represents all persons in his constituency, irrespective of the party to which he belongs. It follows that he must help everyone within his constituency irrespective of the fact whether they supported him or not.

The members of the District Councils must possess certain qualities. Every member must be able to study a bewildering variety of subjects so that he may be able to find out the information on all subjects with which District Council is concerned in order to act upon them intelligently. A conscientious member must put to himself three questions constantly, if he is to discharge his functions effectively. What needs to be done? What do people want? What is the best way to do it? Some things must be done. It is possible to do them. But the people do not want them. For instance the construction of roads. It requires money which necessarily involves taxation. But taxation is repugnant to the people. So they do not want roads though it is an absolute necessity. Sometimes people want something although it is not an absolute necessity. Under these circumstances, the members must use their discretion. Even before his election, a member might have an idea of the needs of his constituency or of the district. After his election he should study the situation carefully and determine its needs.

There is another source from which a member receives ideas unsolicited, on what ought to be done by him. This is in the form of complaints, suggestions and ideas submitted by interests, groups, and individuals. The complaints and suggestions deserve the courteous and careful attention

of every member. They are a valuable source of understanding the needs of the localities.

There is a third source from which members may receive information. The Principal Secretary to the District Council and his assistants may tell the executive what should be done. They are professionals and their advice is likely to be more disinterested than that of a councillor.

After studying the information thus received, the member must decide the course of action to be taken by the District Council. But he must also see whether the people are in favour of the policy of the District Council. Because in democracy consent is the basis of all political activity. A member must also be aware of the existence of pressure groups which often represent only a small part of the entire community.

Again, if a member is to function effectively, he must educate the citizens in the programmes and policies of the District Council. If he considers that a proposal is good it is his duty to take a stand on it and do all that he can to secure its adoption. It is also true that a member may be able to insure his re-election by constantly keeping his ear to the ground and supporting only those things that are popular but this will not necessarily make him a good member. He must not be afraid of the voters.

Term of office. The term of office of the members of the District Council was five years, which is reasonable. A five-year term enables a member to prepare and execute a programme before laying down office. It is not desirable to have elections in quick succession. The five-year term will enable the Government to hold elections at one and the same time for all representative institutions.

The five-year term commences from the date appointed for its first meeting. Provision has been made for the

extension of the term of the members. But such extensions shall be for a period of one year at a time.

A member elected in a casual vacancy shall hold office for the remainder of the term of office of the member whom he replaced.

We think that there ought not to be any extension of the term of members except under exceptional circumstances because extension of the term has become almost a normal affairs. If extension is necessary it should not be for more than one year.

Qualifications and Disqualifications. The Sixth Schedule and the Rules framed thereunder prescribed the qualifications and disqualifications of the members of the District Councils. The qualifications are three in number, must be a citizen of India, is not less than twenty-five years of age and is entitled to vote at the election of members of the District Council of the autonomous district.

The disqualifications of members are several. First, no person shall be a member of two District Councils. If he is elected to two District Councils, he must resign one of them before the prescribed date. Second, he should not be elected by more than one constituency in the same autonomous district. If he is elected, he must resign one of the seats before the prescribed date. Third, if a member is absent continuously for a period of thirty days he forfeits his seat in the Council. Fourth, Government servants, State or Central, employees of the District Council or Regional Council, lunatics, uncertified bankrupts, undischarged insolvents, persons not citizens of India or citizens of India who have acquired the citizenship of a foreign country or owe allegiance to a foreign State, persons convicted by a criminal court involving punishment of imprisonment of two years, persons who resorted to corrupt practices in the previous election, Government servants or

servants of the District Councils or Regional Councils, persons dismissed from service, for corruption and disloyalty to the State, are excluded from membership of the District Council.

From the above it is clear that the disqualifications prescribed are not comprehensive. It is necessary that the member should be a resident of the autonomous district. Otherwise he will not be able to understand the needs of the district. Again, members who did not pay their dues to the District Council or the Regional Council should be excluded. We may go to the extent of saying that all those who defaulted in the payment of loans taken from the Cooperative societies should be excluded from membership. Again, members of the District Council must be prohibited from interesting themselves in a subsisting contract with the District or Regional Council. If any member evinces interest in any contract with the District Council he should be removed from the membership immediately. Further, persons who had been removed from membership of the District Council or Regional Council for misconduct should not be allowed to contest for membership for a fixed period. We also suggest that double membership, membership of the Legislative Assembly and of the District Council, should be prohibited, for obvious reasons. Again, a member who has been surcharged for a sum of Rs. 500 should be disqualified for a period of five years, so that it may prevent members from practising fraud or embezzlement of public funds. Another disqualification which we do not find in the list of disqualifications is that an official subordinate or an official superior of a sitting member should not be a member of the District Council. This is necessary to prevent the formation of cliques and factions in the District Council. Finally, legal practitioners who appear on behalf of or against the District Council should also be excluded from its membership.

Rights and Obligations. The rights and obligations of the members of the District Councils are more or less those of the members of any legislature. A member of a District Council has the right of access to records, right to put questions, and supplementary questions, right to move resolutions, right to introduce bills, right to participate in the deliberations and the right to vote according to his own convictions. But these rights are subject to certain limitations. For instance, no question should be asked on any matter which is under adjudication by a court of law having jurisdiction in any part of the Union of India and any matter relating to the conduct of any judge or any magistrate. Besides these two limitations there are also other limitations which the member must observe while putting questions.

The member has also the right to call the attention of the Executive Committee to the wants of any locality, to waste of public funds and to visit the institutions maintained by the District Council.

One of the obligations of the members is oath taking. If a member does not take the oath before the prescribed date he ceases to be a member. The form in which the oath must be taken has been prescribed.

Another obligation of the members is that they should attend the meetings of the District Council regularly. If a member finds that at any time he is unable to attend the meetings of the District Council for a period of 30 consecutive days, he should apply to the Chairman of the District Council for permission to be so absent. If the member is absent without permission for thirty consecutive days or more the Chairman should inform the Council which may declare the seat vacant. We think that the penalty attached for non-attendance should be automatic. That is, if a member did not attend three consecutive meetings, he automatically ceases to be a member of the District Council. If a member

is not able to attend the prescribed number of meetings, for unavoidable reasons, the District Council should have the power to restore such persons to membership.

Another obligation of the members ought to be that they should pay the dues to the District Council or the Government or the Cooperative Societies in due time. We think that it is absolutely necessary that the members should set an example to the people in the payment of dues.

Again, every member of the District Council must be liable for the loss, waste, or wilful misapplication of money or property of the District Council. Such losses must be recovered from the members concerned. This obligation was not imposed on the members and as a consequence there is misapplication of funds, misuse of funds and loss and waste of funds.

The final obligation of the members must be that they should not evince interest in any contract made with the District Council. At present such an obligation is not imposed on members. However, shareholders of a corporation or members of a registered company should not be deemed to be interested in any contract entered into between such companies and the District Council. But such members who are shareholders should not participate in the disposal of such contracts. Again, interest in any newspaper in which an advertisement relating to the affairs of the District Council is inserted does not mean that the members concerned evinced interest in a contract. If a member is engaged on behalf of the District Council as a legal practitioner or medical practitioner and received payment for such services it was not considered as evincing interest in a contract but the member concerned should not participate in the proceedings when such matters were discussed. At present the members of the District Councils are not subject to this

obligation. It is therefore suggested that this obligation should be imposed on them.

Payment of Salaries and Allowances. Now the problem is whether the members should be paid for the services they render. The British tradition has been that a member should not be paid. This system worked well in a community essentially rural and having a way of life that changed little over centuries. The British introduced this tradition in this country in a limited way. There were two suggestions, payment of travelling allowance or salary. Unless some payment was made there were a number of people who would not be able to be members, since membership of a District Council involved travelling long distances at considerable expenditure of time and money. Again, it was not reasonable to expect people to do things for nothing. It was therefore argued that public business is after all public business and it must be paid for if you want to get things done. Now the question is what payment should be made, travelling allowance or salary or both?

Before considering the payment of salary or allowance or both, it is better to know the nature of work and the qualities required to do it. A member of a District Council is not expected to possess expert knowledge about matters with which the District Council is concerned. The special skill necessary to administer a service is provided by the paid staff. The elected member is there to represent the public view—the non-specialist view. His main business is to see how things appear to ordinary people, how the common man looks at things administered by the District Councils. That is, he must be a good representative. This quality is found in all people. It is not developed by any particular kind of education or training. A common man without much education may prove himself a good representative as a man with high professional qualifications or

a most successful business man. So if we decide to pay a salary, what is the basis on which it should be paid? If each member is to be paid according to his qualifications, or at the rate at which he is paid in his private life, then there will be great difference in payment. So a standard rate of pay may have to be adopted but again the question arises on what basis it should be determined. The usual way is to fix it at a figure which will attract competent persons. But then the question is what is that figure. If a certain amount is fixed it may be attractive to some, whilst others may consider that as an average pay and still others may consider that as below the average.

There is also another problem. If a salary is fixed people at the lower rung in the social ladder may be encouraged to enter the District Councils. The middle classes and the aristocracy may not touch it even with a barge pole. So there is a risk of persons without any sense of responsibility becoming members and looking upon the District Councils as a **kamadenuvu** (a milch cow whose udders contain unlimited quantity of milk). Since becoming a member depends on success in elections, elections will be fought not on principles but with a view to get a job. It logically follows that there should be no payment of salary. But then there is the practical question. Members of the District Councils should not be taxed beyond a certain limit. If this is accepted the members of the District Councils must be paid travelling allowance so that they may be able to meet the incidental expenditures connected with their attending the meetings of the District Councils. If this principle is accepted the members of the District Councils should not be paid a salary. But they are paid a salary. It varies from District Council to District Council. It is sometimes Rs. 300 per month. This we consider as an exorbitant sum.

Recall of Members. The Sixth Schedule and the rules made thereunder did not provide for the recall of members.

Removal of Members. The Sixth Schedule and the rules made thereunder did not provide for the removal of members of the district either by the District Council or by Government. If a question arises whether a member acquired any disqualification, the matter is referred to the Governor and his decision is final.

Any member may resign his seat in the District Council at any time without assigning any reason.

Elections to the District Councils. Elections to the District Councils are direct. Direct election has certain advantages. The essence of democratic government is that the elected members will feel that they are responsible to the people. This feeling of responsibility exists only when the members are elected directly. This feeling does not exist if he is indirectly elected. An indirectly elected member thinks that he is not a representative of the people but delegate of the board that elected him. He is likely to seek its counsel on all important questions that are likely to come up for discussion in the District Council. There is also another reason why indirect election is not desirable. The village council is more likely to view the election of members as a sort of patronage and may exercise it in favour of their own number instead of searching for an outsider. Or the village council is likely to elect a dark horse who is not likely to give trouble to any one. Further, it may facilitate corruption because the number of electors will be small. It is therefore doubtful that the system of indirect election will produce the result that is expected of it by its founders. Because of this, it was given up in the United States, where senators were elected by an indirect vote.

Electoral Divisions. For the election of members, each autonomous district is divided into single member constituencies by the Deputy Commissioner. The D.C. must see that each constituency is equal to the other. This is important because on it depends the effectiveness of representation.

Each constituency must contain as nearly as possible, equal number of voters. In that case each voter has potentially the same weight. If one constituency has fewer electors, then each elector in the constituency will carry more weight than an elector in a constituency with more voters. Let us take an extreme example. If one constituency has 100 electors, 51 of them are certain of returning a member. If another constituency has 1,000 voters, 501 voters are required to return a member. It is true that some concession must be made to geography. However, equality is the principle that should be followed as a guide and be followed as far as it is practicable.

The Khasi-Jaintia Hills district, the Garo Hills district, the Lushai Hills district, the Naga Hills district contained in each 18 single member constituencies, the North Cachar and the Mikir Hills contained in each 12 single member constituencies. Each constituency was more or less equal to the other. The disparity between constituencies was not pronounced.

Franchise. The word franchise originally meant a privilege. He who had a franchise possessed something which others did not. For example, in the early days, the right to vote, at parliamentary elections, was restricted to relatively few people and, therefore, when it came to be regarded as a privilege, it was called a franchise. There was agitation for turning the privilege of a few into a right common to every one. The advance towards adult franchise took various forms. One of them was tax-paying. Later on franchise was restricted to literates. Still later on, franchise was restricted to adult males and ultimately to all adults, irrespective of sex. The real justification for adult franchise is not that it is a perfect solution but anything else is worse.

Adult franchise must, however, be subject to certain limitations. The most important limitation is that the names of the voters must be registered. The implication of this rule

is that only those persons whose names are on the register may vote.

There are also other limitations imposed on all adults. He must be a citizen of India. He must be a resident in a constituency for not less than 180 days. He must have spent 21 summers. He must not be of unsound mind. He must not have been disqualified from voting under the provisions of election law. He must belong to a Scheduled Tribe. In the case of non-tribals, one must have resided permanently within the autonomous district concerned. That is, he must have resided for not less than 12 years on the qualifying date.

Preparation of the Electoral Roll. The procedure for the preparation of the electoral roll is very simple. The electoral roll of a constituency of the Assam Legislative Assembly relating to the areas comprised within a constituency of the District Council of an autonomous district is adopted as the electoral roll for the District Council elections.

The electoral roll is prepared in the chief vernacular of the region and arranged alphabetically and numbered in one series for each constituency, giving particulars of each elector.

Since the preparation of the electoral roll is entrusted to the District Magistrate and not to politicians, there was no manipulation of the roll deliberately. There were no doubt omissions and commissions but they were not of such a magnitude as to affect the results of election.

Procedure for the election of Members. The first step in he election of members of the District Councils was the publication of a notice, at least three weeks before the date fixed for the poll, stating the number of vacancies to be filled, the constituencies in which the election would be held, the dates on which and the place at which the nomination papers should be presented and the date on which they would be

taken up for scrutiny, and the date on which poll would be held.

The second step is the filing of nomination papers by the candidates. Each candidate has to be proposed and seconded by two electors. The nomination has to be signed by the proposer and the seconder. The candidate must sign a declaration that he had agreed to be nominated. He must also declare that he has selected one of the symbols mentioned in the list of symbols. The nomination paper must be presented to the returning officer on or before the prescribed date. Along with the nomination the candidate must deposit a sum of Rs. 150. If a candidate polls less than one-eighth of the total number of votes polled he shall forfeit his deposit.

While accepting the nomination paper, the Returning Officer must see that the candidate did not suffer from any of the disqualifications prescribed in the Act. As a matter of fact the Returning Officer must assist the candidate in the presentation of the nomination paper.

Scrutiny of Nomination Papers. Nomination papers are scrutinised by the Returning Officer on the prescribed date. The candidates and their agents may be present at the time of scrutiny. The Returning Officer should provide all facilities to the candidates or their agents to raise any objection and reject the nomination of any candidate who is suffering from any one of the disqualifications. He should not reject the nomination paper on technical grounds. The reasons for rejection must be substantial. The decision of the Returning Officer is final.

Immediately after the scrutiny of nominations, the Returning Officer should assign a symbol to the candidate and publish a list of contesting candidates in the language of the region.

Any candidate may withdraw before the prescribed

date. A candidate who has withdrawn from contest shall not be permitted to cancel the withdrawal.

Unopposed returns. When offices were unpaid and unattractive it was difficult enough for men to file nominations for membership. Therefore many candidates were returned unopposed. But that is not the case today. However, if the number of candidates nominated is not more than the number of vacancies to be filled up, no poll is held and all such persons are declared to have been elected. If, however, the number of candidates nominated is less than the number of vacancies to be filled up, the Returning Officer must declare such candidates to have been elected and start the election proceedings again for filling up the remaining vacancies. This must go on until all the vacancies are filled up.

Poll. Although sometimes some seats are not contested, contest is common. The main reason for contested elections is the existence of a great diversity and conflict of interests. Further, elections are the means by which one can enlarge his acquaintance profitably even though the chances of being elected may be remote. Again, in order to maintain its standing and prestige, each party puts forward a fairly complete slate of candidates for each election. Whatever may be the reason there was contest for almost all the seats in the District Councils. If the number of candidates is greater than the number of seats available, poll must be held.

Impersonation. Provision has been made for challenging the identity of voters. Any candidate or his agent may challenge a person who claims to be a particular voter. But whenever a challenge is made, the candidate or his agent making the challenge must make a deposit which is intended to check frivolous challenging. The Presiding officer should make a summary enquiry and decide the

matter. The voter is permitted to vote after he has been informed of the penalty for personation.

Assistance to Voters. One of the problems of voting is assistance to voter who by reason of infirmity or ignorance is unable to vote in the manner prescribed. The simplest method of assistance is a whispering ballot. Under this system the Presiding Officer sits by the side of the ballot box and as each voter comes in, he is asked whether he would himself fill up his ballot paper or whether he would like to be assisted. In case assistance is sought the officer should ascertain from the voter as to whom he wished to vote and mark the ballot paper according to his wishes. It is very quick and a very easy way of disposing of the illiterate voters. It is satisfactory provided there is a sufficient supply of officials who are honest and trustworthy. If the presiding officer is unscrupulous he might mark the ballot according to his whims and fancies and not according to the wishes of the voter. If the presiding officer is interested in a particular candidate he may not mark according to the wishes of the voter.

Apart from this fact the existence of this provision may encourage unscrupulous candidates to practice intimidation and violence. They may compel the voter to seek the assistance of the polling officer. Voters who are literate outside the polling booth become illiterate inside it. Thus the provision for assistance to voters not only frustrated the secrecy of ballot but also provided opportunities to practice fraud and violence. Of course, so far, this did not happen in the hill areas. In order to get over this difficulty and maintain secrecy of ballot, each candidate was asked to adopt a pictorial symbol, a particular animal, bird, tree or anything that can be reproduced. In his election campaign he must get the symbol associated with himself in the minds of the electorate. The illiterate voter is able to recognise the symbol of the candidate that he favours and puts a mark on

the ballot paper against the symbol. If it is thought that putting a mark will create difficulties, then instead of having one ballot box, there can be as many as there are candidates, each bearing the symbol of one of the candidates. The illiterate voter simply deposits the ballot in the box that bears the picture of the symbol. But then there is one danger. The voter may not deposit the ballot paper in the ballot box. He may bring it and sell it to the highest bidder and thereby facilitate chain voting. This can be avoided by the appointment of watchers.

If the proceedings of election at any polling are interrupted by riot, open violence, or by a natural calamity, the Presiding Officer should adjourn the poll and report immediately to the magistrate, the circumstances in which he was compelled to adjourn the poll.

Immediately after the receipt of the ballot boxes the Presiding Officer should count the votes and declare the result. In case of equality of votes, the matter must be decided by tossing the coin.

Settlement of Election Disputes. At all times, provision is made for the settlement of disputes. Any one interested in the election may file an election petition against a successful candidate before the Governor who may appoint a Commissioner to hear and report on the election to the Governor. The decision of the Governor is final.

The percentage of poll was not bad. It was generally above fifty per cent of the total electorate.

Were elections free and fair? The answer to this question was in the affirmative. The present writer consulted the proceedings of the District Councils of the Mizo Hills, the Mikir Hills, the North Cachar Hills, the Garo Hills and the Khasi Hills. There was no reference to any corrupt practice at the time of elections to the District Councils. We may therefore presume that there was no

systematic impersonation, no deliberate manipulation of the voters list on a large scale and no illegal practices which materially affected the elections. The tribals seemed to have contested the election in a sportsman-like manner. Further the administrative machinery for the conduct of elections was well devised. The preparation of the electoral roll and the conduct of election was in the hands of the D.C. Above all, the rules framed for the conduct of elections are comprehensive. As a matter of fact, the rules framed under the Representation of People's Act were adopted.

Meetings. The first duty of a newly elected District Council is to meet, to be sworn into office and to organize. The date of the first meeting is fixed by the Governor. The first meeting shall be presided over by the D.C. Thereafter, regular meetings shall be held every three months. Special meetings may be called for by the Governor or by a requisition signed by the specified number of members.

The quorum to constitute a meeting of the District Council is six members or one-third of the total strength of the Council whichever is greater. If at any time during a meeting of the District Council, there is no quorum, the Chairman shall adjourn or suspend the meeting until there is quorum.

The medium used for the transaction of business is the regional language. Any member may speak in any language recognised by the State, Assamese, Hindi and English.

The attendance of the members of the District Councils was generally good. In some places like Mizoram, the attendance was even 75 per cent on the average, more than 80 per cent in North Cachar Hills.

The proceedings of the District Councils were generally

orderly but in North Cachar Hills there were disorders sometimes. On 7 September 1960, the Deputy Chairman M.C. Doalgupu threatened to adjourn the House if order was not restored because most of the members were on their feet. On 17 April 1968, there were frequent exchanges between the Government members and the opposition. "In the din and confusion that followed nothing could be heard distinctly. It became impossible to record the proceedings and the Chairman was compelled to prorogue the Council and left the hall". On 24 August 1968, some of the members of the People's Democratic Party entered the meeting hall at 8-30 a.m. and bolted the door from inside with a view to prevent the election of the C.E.M. The Congress which had a majority in the District Council came a little later and found the doors of the meeting hall closed from inside. The Secretary of the District Council repeatedly requested the members of the People's Democratic Party to open the doors but they would not. The police had to be summoned to break open the doors. The police requested the Chairman for permission to arrest the members responsible for the disorderly behaviour. When the delinquent members heard of their being arrested and prosecuted for their disorderly behaviour, they meekly submitted an unconditional apology to the Chairman.

CHAPTER IX

The Political Executive

The Rules framed under the Sixth Schedule provided for a cabinet system of Government. The Rules said that there shall be an Executive Committee of the District Council with the Chief Executive Member at the head and two members to execute the laws passed by the District Council. The C.E.M. shall be elected by the District Council and the other members of the Committee shall be appointed by the Governor on the recommendation of the C.E.M. from amongst the members of the District Council. The Chairman and the Deputy Chairman of the District Council are not eligible to hold the office of the C.E.M. or the E.M. When the C.E.M. ceases to hold office, the other members of the Executive Committee automatically cease to be members of the Committee. Thus, the Executive Committee shall be collectively responsible to the District Council. The Executive Committee may be removed at any time by the District Council. But the District Council must elect a C.E.M. within forty-eight hours from the date of removal of the Committee. If the District Council fails to elect a C.E.M. within the prescribed period, the Governor may appoint any member of the District Council to be the C.E.M. and two other members of the Council to be the members

of the Executive Committee. The Executive Committee so constituted shall continue until it is replaced by a Committee elected by the District Council.

The Election of the C.E.M. We shall now consider the actual working of the provisions. We shall begin with the actual Hills District Council. On 3 May 1952 the first District Council met for the election of the C.E.M. Sangma was elected C.E.M. by a unanimous vote. While thanking the members of the District Council for electing him as the C.E.M., Sangma said, "We must feel ourselves as one with the rest of Assam and of India. Let us all be guided by the saying 'Do unto others as you yourself would like others to do unto you'. On 7 May 1952, Sangma moved a motion, "Recording the great confidence in his (Chief Minister Bishnuram Medhi) capacity, sincerity and able leadership and that the Autonomous Districts of Assam would march rapidly to progress and prosperity".

Sangma took Harrison W. Momin and Mody K. Marak as his colleagues. Thus, the first Executive Committee was a homogeneous body consisting of like-minded persons with experience and ability. After the expiry of his first term, Sangma was re-elected C.E.M. for a second term on 3 May 1957. Sangma again selected his old colleagues Harrison W. Momin and Mody K. Marak as members of the Executive Committee.

When Sangma joined the Chaliha Cabinet in 1958, his colleague Mody K. Marak was elected C.E.M. In the meanwhile Harrison W. Momin died while in office. Therefore, Mody K. Marak had to reconstitute the entire cabinet. He took Simison Sangma and Emerson Ch. Momin as members of the Executive Committee. This did not satisfy all. There were others who aspired the membership of the Executive Committee. But the C.E.M. had no freedom to

take any number as E.M.s. The rules laid down that the Executive Committee shall consist of three members including the C.E.M. To overcome this difficulty, Mody K. Marak created the post of Deputy Executive Member, two in number and selected Lohindra Sangma and Mohan Sangma who was the Deputy Chairman of the District Council for these two posts.

Sangma, after a brief honey-moon in the Chaliha cabinet, resigned the ministership on the language issue and returned to Garo politics. Mody K. Marak, however, continued to be the C.E.M. until the next general election held in 1964. On 1 May 1964, Sangma was elected as C.E.M. for a third non-consecutive term. He took Lohindra N. Sangma who was the Deputy Executive Member in the Mody K. Marak Cabinet and Lt. K. R. Marak as Executive Members and Albinston Sangma and Grohonsing Marak as Deputy Executive Members.

The term of the District Council expired on 28-4-1969. The District Council resolved that in view of the constitutional changes likely to take place, the term of the District Council be extended. The general election to the District Council was held in 1972. In the meanwhile there was a change in the personnel of the Executive Committee. Sangma was appointed Chief Minister of the Autonomous State of Meghalaya. He resigned the office of C.E.M. In his place Mody K. Marak who was the Chairman of the District Council resigned his office on 18-3-1970 and on the same day he was elected C.E.M. for a second non-consecutive term. Mody K. Marak retained Lohindra N. Sangma as E.M., dropped Lt. K. R. Marak and promoted Albinston Sangma who was the Deputy E.M. as E.M., retained Grohonsing Marak as Deputy E.M. and in the place of Albinston Sangma selected a dark horse Binsing Marak as Deputy E.M.

In 1972, the general election to the District Council was held. The G.N.C. again captured power. Mody K. Marak was elected for a third term as the C.E.M. on 25 March 1972. The C.E.M. made certain changes in the composition of the cabinet. Lohindra N. Sangma was shunted to the chairmanship of the District Council while retaining Albinston Sangma as E.M. In the place of Lohindra Sangma, Brinsing Marak, the Deputy E.M., was promoted as E.M. Grohonsing Marak was dropped and two new Deputy E.M.s Levinson Marak and Arshit Marak were taken into the cabinet.

Thus, of all the members of the G.N.C., Mody K. Marak held office, first as E.M., then as C.E.M. and then as Chairman and then again as C.E.M. of the District Council for more than two decades. Next to him Sangma held the office of C.E.M. for a longer period than any one else. Lohindra N. Sangma got up the political ladder gradually, first as Deputy E.M., then as E.M. and finally as the Chairman of the District Council. Mody K. Marak who is more than seventy is a sickman. He is very slow in the disposal of business.

One remarkable feature of the Garo Hills District Council is there was no attempt to move a no-confidence motion against the C.E.M. It is true that on one occasion fourteen members of the party demanded the resignation of the C.E.M. on the ground that he did not attend office regularly and that there was accumulation of business. Sangma promptly interfered in the matter. Mody K. Marak may continue as C.E.M. till the end of his present term and retire.

Another notable feature of the Garo politics is that elections to political offices such as C.E.M., Chairmanship and the Deputy Chairmanship, were uncontested. Struggle for power was conspicuously absent. There was no horse

trading and defection. There were some—very few in number—who left the party when they did not get what they wanted. But they were disowned by the electorate. By and large loyalty to the party was observed scrupulously. There were no doubt differences of opinion but they were subordinated to party loyalty.

The Executive Committee was at all times a competent body, consisting of persons drawn from the same party and therefore there were no deadlocks in administration.

During the two decades commencing from 1952 to 1974, there were seven political offices: Chairmanship and Deputy Chairmanship of the District Council, one C.E.M., two E.M.s and two Dy. E.M.s. These seven offices were held during the period by 16 persons. Not even one of them was a member of the fair sex though highly educated ladies were available. This is surprising in the Garo Hills where ladies play a significant part in social and economic life of the community. Of the 16 only one held office from 1952 to 1976 without any break. Mody K. Marak has this unique distinction. Sangma held office for 12 years and Lohindra Sangma for 16 years.

Finally, there was political stability in the Garo Hills because there was a single party with an absolute majority and a recognised leader who commanded the confidence of the people and who had the qualities of a leader.

. **Mikir Hills.** The first District Council elected by a unanimous vote Khorsing Terang as the C.E.M. Khorsing Terang came to office with 15 years' experience as a member of the Assam Legislative Assembly. Khorsing Terang selected Soi Soi Terang, his step brother and Harsing Ingty as members of the Executive Committee. Khorsing's administration was the subject of some criticism. It was said that he showed favouritism in the disposal of contracts and in the making of appointments. Khorsing admitted

this but pointed out that no rule prohibited him from doing so. He however promised that rules would be framed governing the disposal of contracts and the making of appointments.

Khorsing died on 28 November 1955. In his place Nihang Rongphar was elected C.E.M. Nihang Rongphar retained the two members of the Khorsing Cabinet, Soi Soi Terang and Harsing Ingty. But Nihang Rongphar was, according to Soi Soi Terang, incompetent. Therefore, he was compelled to resign. In the place of Nihang Rongphar, Chatrasing Teron was elected by a unanimous vote as the C.E.M. Chatrasing Teron married the daughter of Khorsing Terang, the first C.E.M. While forming his government, Chatrasing Teron dropped Harsing Ingty, one of the E.M.s of the Khorsing and the Nihang Rongphar Government. In the place of Harsing Ingty, he included his predecessor Nihang Rongphar and continued his step father-in-law Soi Soi Terang. But Chatrasing Teron remained as C.E.M. for a short time. In 1957, he was included in the Medhi Cabinet. The District Council met to elect the C.E.M. Mikir politics is somewhat peculiar. Nihang Rongphar was removed from the office of C.E.M. on the ground that he was inefficient. In 1957 he was found efficient and was elected C.E.M. by a unanimous vote. On 24 June 1957, Nihang Rongphar selected Chandrasing Teron and Joysing Dolloi as members of his government. He left out Soi Soi Terang. Soi Soi Terang, an ambitious politician, would not forgive him for dropping him from the Executive Committee. Further, Nihang Rongphar himself was not competent for the job. Therefore, on 29 November 1957, five months after he assumed office, a motion of no-confidence was tabled against Nihang Rongphar by Devendra Syam. It was signed by eight members. When leave for the introduction of the motion was sought, six got up in support of the motion. In the meanwhile the situation

became somewhat complex. When Nihang Rongphar realised that he had no majority in the District Council and that a no-confidence motion had been tabled against him, he submitted his resignation. The Deputy Commissioner C.S. Booth who was the ex-officio Chairman of the District Council thought that since Nihang Rongphar had already resigned, the confidence motion need not be taken up for consideration. This was also the view of Chandrasing Teron who was one of the members of the Nihang Rongphar's Government. But Soi Soi Terang did not agree with the view of the Chairman. He threatened that if the Nihang Rongphar's government was not immediately removed by a vote of no-confidence, he and his supporters would stage a walkout. Since a majority of the members were in favour of a discussion and disposal of the motion, the ex-officio Chairman Booth adopted a diplomatic attitude and fixed 2 December for the discussion of the motion. Booth thought that in the meanwhile the Governor would accept the resignation of Nihang Rongphar and that the Government of Nihang Rongphar would go out of office automatically and therefore there would be no need for the discussion of the motion and thereby avoid all unpleasantness in the District Council. The plan materialised accordingly. The Governor accepted the resignation of Nihang Rongphar before the Council met for the discussion of the motion and the Nihang Rongphar's Government melted away like the morning mist before the rising sun before 2 December 1957. When Soi Soi Terang and his supporters came to the District Council on 2 December to belabour the dead horse the ex-officio Chairman C. S. Booth politely informed the Council that since there was no Executive Committee, the motion of no-confidence would not be taken up and thus saved a delicate situation. Soi Soi Terang's intention to humiliate Nihang Rongphar for dropping him from his government was frustrated. The District Council was

informed by the ex-officio Chairman that it would meet the next day for the election of the C.E.M.

The District Council met on 3 December 1957 for the election of the C.E.M. There were two candidates, Chandrasing Teron, who was a member of the Nihang Rongphar cabinet and Harsing Ingty, the Deputy Chairman of the District Council. Ingty, however, withdrew from contest and Chandrasing Teron was elected by a unanimous vote. Chandrasing Teron was an Assistant Secretary in the District Council for sometime. He married the daughter of Khorsing Terang, the first C.E.M. of the Mikir Hills District Council. Chandrasing Teron took Joysing Dolloi and Sar Rongpi as his colleagues in the Executive.

The third District Council met in June 1962 for the election of the C.E.M. Dhaniram Rongpi, a nominated member of the District Council, was elected. So long only elected members were elected as C.E.M. When Dhaniram Rongpi became the C.E.M. he had no political and administrative experience though he was the General Secretary of the Karbi-A-Darbar. Dhaniram Rongpi continued in office Joysing Dolloi and Sar Rongpi who were in the previous cabinet.

The next general election to the District Council was held in 1971 and not in 1967. On 24 March 1971 the District Council met and re-elected Dhaniram Rongpi as the C.E.M. for a second term. Dhaniram Rongpi is the first C.E.M. to be elected for a second term and to hold office for more than a decade. He took Sar Be who was the Deputy Chairman of the District Council, Mohan Teron, the brother of Chandrasing Teron, the second C.E.M. of the Mikir Hills District Council, Sar Rongpi and D.S. Terang.

In 1974, some of the members were dissatisfied with the leadership of Dhaniram Rongpi. Dhaniram resigned and in his place Joysing Dolloi was elected as the C.E.M.

He retained Sar Rongpi, Mohansing Teron, and Darsing Terang of the previous Executive Committee, dropped Sar Be and took Hanuram Mech and D. Hanse. Thus Joysing Dolloi's cabinet consists of six members including the C.E.M.

The Mikir Hills is one of the two Autonomous Districts where there is political stability because of the dominance of a single party—the Congress—and effective leadership by four or five families. It is also due to the fact that it is not zoological at the feeding time with aspirants for political offices. This may also be attributed to the fact that some of the members of the District Council are also holding key positions in the State Cabinet. Chatrasing Teron is a Minister. Dhaniram Rongpi and Soi Soi Terang were also members of the Assam Legislative Assembly. Therefore, there is political stability.

A keen observer of Mikir politics will find that in the Mikir Hills power is concentrated in a few families although there is political rivalry between them. Khorsing Terang, the first C.E.M. and the first M.L.A. elected under the Government of India Act, 1935, constituted the Executive Committee consisting of his step brother, Soi Soi Terang. Khorsing had two daughters and two sons. One of his daughters was married to Chatrasing Teron who was the C.E.M. from 1955 to 1957, Chairman of the District Council from 1958 to 1962 and a Cabinet minister in the State Cabinet. Khorsing's second daughter was married to Chandrasing Teron who was a member of the Nihang Rongphar's cabinet, and after the dethronement of Nihang Rongphar he became the C.E.M. and then the Chairman of the District Council. After his death, his brother Mohansing Teron became a member of Dhaniram Rongpi's cabinet in 1971. Dhaniram Rongpi married the sister of Mohansing Teron. Again, Joysing Dolloi, the present C.E.M., gave his daughter in marriage to the brother of Dhaniram Rongpi. Again, Sarathesing

Terang, the son of Khorsing Terang, one of the richest persons in the Mikir Hills, is the Chairman of the Diphu Town Committee and a prospective C.E.M. Soi Soi Terang, stocky, well-built and vigorous, was a member of the Executive Committee of Khorsing Terang, Member of the District Council for more than two decades, M.L.A. for three terms, and a member of the Chaliha and Choudhury ministries, is the step-brother of Khorsing Terang. Langtuk Terang, the second step-brother of Khorsing Terang, was the Deputy Chairman of the District Council.

Although power and wealth are concentrated in the hands of a few families, there is rivalry between them and it may continue as long as there is no challenge to the monopoly of power by them. If a rival group comes up and claims a share in the spoils of office, all these families related to one another may sink their differences and gang up against the group. But the fact remains that there is no possibility of any such group coming into existence in the foreseeable future.

Mikir Hills. We shall now consider the formation of the Executive Committee in the Mizo Hills. The District Council met on 26 June 1952 for the election of the C.E.M. There was only one nomination in favour of Lalsawia. Although he was elected by a unanimous vote, Lalsawia felt that there was some dissatisfaction with his leadership. To get over this difficulty, Lalsawia followed an unusual procedure. He requested the Members of the District Council belonging to the M.U. to elect by secret ballot two members to be the members of the Executive Committee. They elected Sangkhunga and Hrangaia. The M.U. was not satisfied with his performance as the C.E.M. Therefore, he was asked to resign. What were the reasons for this dissatisfaction? The evidence collected by the present writer at Aijal is rather conflicting. Hrangaia, one of the members of the Lalsawia cabinet, informed the present writer

that Lalsawia showed favouritism to the sub-tribe Lushai to which he belonged. The members of other tribes resented it. .Therefore, they demanded his resignation. Lalbuaia, one of the senior members of the M.U., does not agree with Hrangaia. He informed the present writer that Lalsawia was removed because he was inefficient. This was corroborated by Lalhungha. Whatever might have been the reason for the exit of Lalsawia, he was straightforward and showed no favouritism. Lalsawia left the office after being in it for 2 years, three months and 20 days. The members of the M.U. thought that only one man—Saprawnga—would be able to face the problem. The District Council met on 16 November 1954 for the election of the C.E.M. Saprawnga, who returned from State politics after resigning his Parliamentary Secretaryship, was elected by a unanimous vote as the C.E.M. Saprawnga demanded complete freedom in the selection of his colleagues. He therefore dropped Hrangaia and Sangkunga and took Lalsawia and Lalbuaia. Saprawnga remained in office till the end of the first term of the District Council.

The second District Council met in June 1957 and re-elected Saprawnga as the C.E.M. This time Saprawnga took a nominated member Dr. Rosiama who was the Chairman of the first District Council and Tuikhurliana, the Deputy Chairman of the District Council, as his colleagues. When Dr. Rosiama died in June 1959, Harangaia who was the Deputy Chairman of the District Council was selected as a Member of the Executive Committee.

In the second District Council, the M.U. had no commanding majority and therefore there was political instability. On 2 June 1958, a no-confidence motion, the first of the kind, was moved against the Saprawnga Government by a member of the U.M.F.O., Lalvunga. Lalvunga levelled a number of charges, rather serious charges, against the Executive Council. They were that the old village council

of Sairang did not hand over charge to the new village council; that the C.E.M. showed favouritism in the disposal of contracts and appointments; that the Executive Committee did not respect the decisions of the District Council; that the teachers of the primary schools were dismissed without sufficient cause; that instead of promoting the happiness of man, the Executive was mainly concerned with the distribution of house sites; that in the allotment of land for the construction of shops and houses some were given more land than was absolutely necessary and so on.

Lalthankima, another member of the U.M.F.O., while supporting the motion said that the Executive Committee almost always adopted a partisan attitude in the allotment of house-sites; that the C.E.M. exercised powers without sanction; that he spent public money for the entertainment of private persons and that the Finance Member Dr. Rosiama collected money from the stall holders without proper authority and without issuing receipts.

Lalmawia, a third member of the U.M.F.O., while supporting the motion said that the Executive was not able to utilise the funds placed at its disposal by the Government; that it had not planned the economic development of the district; that it appropriated 15 per cent of the bills payable to the contractors for party funds. Finally it did not introduce private ownership of land in the district.

The C.E.M. while refuting all these allegations as baseless threw a challenge to the opposition, "If you really consider that you have earned the support of the people, let us all resign our membership and hold fresh elections giving the people an opportunity to pass a new verdict". The opposition retorted, "We have no objection. That is what we desire". Eight members voted in favour of the no-confidence motion and 12 against it. One of the nominated members Pi Hmingliani and two members of the Tribal Union from the Pawi-Lakher Region remained

neutral. Thus, both the main parties in the District Council, the M.U. and the U.M.F.O., agreed for the dissolution of the District Council and holding of fresh elections. Accordingly, Lalthankima, the person who moved the no-confidence motion, tabled a motion that the District Council be dissolved and that fresh elections be held. The M.U. did not honour its word. It opposed the motion and it was defeated.

Immediately after this event, there was a conference of the leaders of both the contending parties. The conference agreed that Lalthankima, whose motion for the dissolution of the District Council was defeated, should again introduce a similar resolution at a special meeting of the District Council. Sixteen members requisitioned a meeting for the purpose and the meeting was held on 14 January 1959, to consider two motions, one tabled by the M.U. and the other by the U.M.F.O. They were substantially identical. Both of them dealt with the dissolution and the reconstitution of the District Council. Lalthankima's resolution was exactly the same as the one rejected by the District Council in October 1958. Here is a drama. The M.U. did not accept the motion moved by Lalthankima on the ground that it would amount to a vote of no-confidence in the Executive Council. So the M.U. introduced its own motion requesting the Government of Assam to dissolve the District Council and thereby give an opportunity to the electorate to elect the real representatives of the people not only to the District Council but also to the Legislative Assembly. It may be noted that the M.U. had a majority in the District Council and the U.M.F.O. in the Legislative Assembly so far as the Mizo Hills district was concerned. The Chairman admitted the official motion on the ground that the Executive Committee had an absolute majority in the District Council. But the U.M.F.O. insisted that the Lalthankima's motion should be taken up first for discussion as previously agreed to at the joint conference of

the leaders of the main political parties in the District Council. Lalthankima said that the opposition would not participate in the discussion on the official motion. The C.E.M. said that if the opposition was not going to participate in the discussion on his motion, he would not move it and withdrew it. Thus the status quo was restored. Evidently, the M.U. and the U.M.F.O. were playing the hide and seek game. When the dissolution of the District Council became imminent, both the parties shied away from it. Perhaps better counsel prevailed, and prestige and political morals were put in cold storage. .

Election to the third District Council was held in June 1962. On 26 June the new District Council met and re-elected for a third term Saprawnga as the C.E.M. Saprawnga desired to announce the names of his colleagues immediately after his election but the Chairman did not permit him to do so on the ground that he did not obtain the consent of the candidates concerned. Later on, Saprawnga selected Hrangaia and Lalbuaia as members of the Executive Committee. Both of them had already served in the Executive for some years and both of them have had experience in administration. Saprawnga held office till 30 April 1965. He was the only C.E.M. who held office continuously for more than a decade. What was the secret of his being in office for ten years, five months and four days? The present writer met Saprawnga twice and had long discussion with him on Mizo politics. He impressed me that he is a moderator, mediator, and conciliator with humility in behaviour and realistic in outlook. There was, however, dissatisfaction with his administration. What were the reasons? There are two accounts. Hrangaia says that Ch. Chhunga and Palhira accused Saprawnga of being an ardent advocate of a Hill State and not for a separate Statehood for Mizoram; that he was weak-kneed and threatened to resign from the party if Saprawnga should continue to be the C.E.M.

Saprawnga did not wish to bring about a split in the party and therefore gracefully resigned. Lalbuaia does not agree with Hrangaia. There was no doubt dissatisfaction with the leadership of Saprawnga because he was not in favour of direct action for the achievement of separate statehood for Mizoram. It was also believed that he was not dynamic. When Saprawnga heard all these things he did not wish to continue in office. Therefore, the resignation of Saprawnga was not the result of a threat by Chhunga and Palhira.

After sifting the evidence, I have come to the conclusion that Hrangaia was not far from being correct. There is no material difference between the accounts given above. Further, the account given by Hrangaia was corroborated by others in Aijal.

The District Council met on 30 April 1965 to elect a new C.E.M. to succeed Saprawnga. The Chairman of the District Council, H.K. Bawichhuaka was elected as the C.E.M. by a unanimous vote. Bawichhuaka's election as the C.E.M. was agreed to by the M.U. Bawichhuaka took C. Pahlira and Hrangaia. Hrangaia appears to be a Rupnath Brahma of Assam who has the infinite capacity to work under any C.E.M. He was in the first cabinet formed by Lalsawia, in the second Cabinet formed by Saprawnga, and then in the Bawichhuaka Cabinet. Lalbuaia was shifted from the Executive Committee to Chairmanship of the District Council which was vacated by Bawichhuaka. Stocky, well-built with a long service in the M.U., Lalbuaia was quite competent for the office. In his place, C. Pahlira who was the Deputy Chairman from 1959 to 1962 and was without a political job was appointed. H.K. Bawichhuaka has a youngish look, decently dressed, speaks lucidly like a Cambridge graduate though he did not pass even the matriculation examination. He was the draftman of all important documents of the M.U. Lalbuaia and Bawichhuaka were the

Chairman and the C.E.M. during the critical period in the history of the Mizo Hills.

The fourth District Council met on 2 July 1970 for the election of the C.E.M. There was contest for the office. All these 18 years the C.E.M. was elected by a unanimous vote. There were two candidates, Zalawma of the Congress and Vaivenga of the M.U. The Congress candidate obtained 13 votes and the M.U. candidate 10. After 18 years and seven days in office the M.U. was ousted from it. Zalawma selected R. Lalhuzauva and Z.V. Lalmawia as his colleagues.

But the Congress Party was like a zoological garden at the feeding time. The number of aspirants for the E.M.'s post was greater than the number of posts available. There was pressure on the C.E.M. to increase the number of posts in the Executive Committee. On 2 November 1970, the C.E.M. proposed that the strength of the Executive Committee be increased from three to six. It was also proposed that one of the six should be designated Deputy C.E.M. to be appointed by the C.E.M. The proposal was opposed by the M.U. When the party in power insisted on passing the proposal, the opposition walked out—the first of the kind in the history of the Mizo Hills District Council. On 4 November 1970, the strength of the Executive Committee was increased to six and on 16 November 1970, three more members, Thanghuama, Mylai Hlychho and Sapnela were appointed as Members.

Even after the increase of the strength of the Executive Committee, the Congress was not united. It split up into two, Dengthuama Congress and Hrangchhuana Congress. It was the Dengthuama Congress that controlled the District Council. So one of the members of the Hrangchhuana Congress, P.C. Saprema sought leave of the House on 12 January 1971 for the removal of the Executive

Committee. Leave was granted by 11 votes to ten. The M.U. which was dethroned from power was trying to fish in the troubled waters of Mizo politics.

While moving the motion of no-confidence in the Zalawma cabinet, the mover P.C. Saprema gave reasons. They were 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 Dengthuama Congress boycotted the Chief Minister 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 the M.N.F. as promised at the time of elections. The C.E.M. Zalawma refuted all these charges.

It appears that the Mizo Union was anxious to topple down the Zalawma Government and took full advantage of the split in the Congress. The no-confidence motion was carried by 13 votes to 9. The nominated members did not participate in the voting. Zalawma's Government fell.

The District Council met on 16 January 1971 to elect a new C.E.M. F.C. Nghina, who was the Chairman of the District Council, was elected C.E.M. with the support of the M.U. The M.U., however, did not join the Nghina government. Nghina rewarded the defectors. Saprema who moved the motion and Thanchungnunga who supported the motion were taken into the cabinet. The M.U. was disappointed with Nghina. When the two colleagues of the Zalawma approached the M.U. for support to bring about the downfall of the Zalawma Government, the M.U. laid down two conditions, namely, a resolution demanding

Statehood for Mizoram should be passed by the District Council and, second, the Chairman of the District Council should go to the M.U. Nghina did not keep these promises. He did not prefer the M.U. candidate for Chairmanship of the District Council. Instead, J. Thanguama was elected Chairman on 6 February 1971. The M.U. was angry with the Hrangchhuana Congress. Just at this psychological moment, the Dengthuama Congress approached the M.U. for support to topple down the Nghina Government. The M.U. readily agreed to the proposal. The philosophy of the M.U. at this time appears to be: "If we cannot get what we want, you shall not have what you want". On 17 March 1971, one of the members of Dengthuama Congress moved a motion of no-confidence in the Nghina Government. When Nghina realised that his supporters had already defected, he resigned before the motion of no-confidence was taken up for discussion. Then he sent a letter to the Chairman of the District Council that he would not be able to attend the meeting as he was ill. Politicians fall ill suddenly whenever they are called upon to face a political crisis. What should be done? Here is a complex situation. Should the motion be taken up for discussion? The District Council decided that the motion should be discussed and decided. On 18 March 1971 Nghina's Government was removed by 18 votes to one. The M.U. supported the motion subject to the condition that the office of C.E.M. should go to it. The infight in the Congress was like the one between two cats for a piece of cheese and the monkey being the beneficiary of this fight.

The District Council met on 20 March 1971 and elected Ch. Chhunga as the C.E.M. The Dengthuama Congress and the Mizo Union entered into an agreement and formed the United Mizo Parliamentary Party. Zalawma was chosen as the Deputy C.E.M. Of the six members of the Chhunga Cabinet, two were from the M.U., two from Dengthuama Congress, one Independent of the nominated bloc. Chhunga

selected Thansiama and Vaivenga from the M.U., Zalawma and Sapnela from Dengthuama Congress and one from the nominated bloc, Ruala.

After the formation of the Chhunga Government a delicate situation arose. It may be noted that Nghina sent his resignation. Before it was accepted he was removed by a vote of no-confidence. Now the question is whether the removal of the C.E.M. who had already resigned, by a vote of no-confidence was legal. The Government of Assam directed the District Council to submit all relevant papers relating to resignation and removal by a vote of no-confidence for the consideration of the Government and until the orders of the Government were issued, status quo should be maintained. Here is a delicate situation. The old Executive was replaced by a new one. But the Government of Assam directed that the status quo should be maintained. There was great excitement in the District Council at the directive of the Government. On 23 March the District Council disapproved the action of the Government. The Deputy Commissioner, in the meanwhile, informed the District Council that the election of Ch. Chhunga as the C.E.M. would be notified in the Gazette.

Here is an interesting situation. Chhunga was the leader of a minority group, the M.U., but he was the head of the Government. The Congress which won a majority of the seats in the 1970 elections to the District Council, occupied the position of a second place lover in Mizo politics because of temperamental differences among the leaders of the party. To heal the breach between the two sections of the Congress, Herculean efforts were made by those who had the good of the party at heart. But it took one full year to bring the leaders of the contending factions together. The unification of the two wings of the Congress, however, resulted in the break-up of the United Mizo Parliamentary Party. The Congress members deserted Chhunga, and with indecent haste,

the Congress moved a no-confidence motion even though the District Council would be dissolved within a few days, and removed Chhunga from office. Political decency ought to have induced the Congress to wait till the next general election. But the members of the Congress were greedy of power and position. On 22 March 1972, the District Council met and elected Zalawma, the Deputy C.E.M. in the Chhunga Cabinet, as the C.E.M. He was the last C.E.M. of the Mizo District Council. Zalawma selected F.C. Nghina, a former C.E.M., C.L. Ruala, Sapnela, Thanchungnunga and Saprema as Members of the Executive Committee.

From the above it is clear that there was political instability in Mizoram, particularly from 1970. From 1952 to 1970 there were only three C.E.Ms. One of them held office for ten years, the second for six years and the third for two years. But from 1970 to 1972, there were four C.E.Ms. Therefore, political instability was chronic for a short period of two years. Again, while there was no frequent change in the Chairmanship of the District Council, there was frequent changes in the C.E.M.

There were seven political offices during the period 1952 to 1972. These offices were occupied by about ten persons.

North Cachar Hills. We shall now consider the formation of the Executive Committee in the North Cachar Hills. The District Council met in June 1952 and elected C.H. Khotland, a Hmar, as the first C.E.M. Khotland selected S.R. Thaosen and Joy Bhadra Hagjer as his colleagues. Joy Bhadra Hagjer was a nominated member. When Joy Bhadra was appointed Parliamentary Secretary in 1954, he resigned his membership of the Executive Committee and in his place D.B. Thaosen was selected.

The second District Council electel P.C. Langthasa as the C.E.M. Langthasa selected H.M. Das Burman and

Haulung Hmar as his colleagues. There was no change in the composition of the Executive Committee till 1962. That is, from 1952 to 1962 there was no political upheaval in the North Cachar Hills. In the next decade, however, there was struggle for power and the number of persons involved were S.R. Thaosen, M.C. Daolgupu, T.R. Changsen, P.C. Langthasa, G.C. Langthasa and S.R. Langthasa.

A few months before the date of general election to the District Council, S.R. Thaosen tabled a motion of no-confidence against the Executive headed by P.C. Langthasa. S.R. Thaosen gave a number of reasons for moving the motion. They were that it failed to utilise the loans taken from the Government for the construction of quarters for the Executive Members and staff; that it failed to utilise the grants for rural housing, rural communications, provision of drinking water; that it fixed a high rate of land tax in the newly-opened settlements; that it levied taxes for the entry of goods into the markets for sale without caring to note the economic condition of the people.

All these reasons were not valid. The Langthasa Government did all these things with the consent and approval of the District Council of which S.R. Thaosen was a distinguished member. S.R. Thaosen had to find a stick to beat Langthasa and his government. So S.R. Thaosen, M.C. Daolgupu and T.R. Changsen put their heads together to bring about the downfall of the Langthasa Government. P.C. Langthasa realised that his government would be defeated because his supporters had already defected. Here is a delicate situation. The Chairman and the Deputy Chairman belonged to the rival groups in the District Council. Both the groups were more or less evenly balanced. The Chairman and the Deputy Chairman were not on speaking terms. The Deputy Chairman M.C. Daolgupu aspired the membership of the Executive Committee. In order to strengthen the group in the District Council to which he belonged,

M.C. Daolgupu resigned the Deputy Chairmanship and submitted his resignation not to the Chairman but the Secretary of the District Council. When the Chairman Halflongbar heard that his colleague, the Deputy Chairman, had already resigned, he thought that his group would become weaker should he continue to be the Chairman. Therefore, he too handed over the resignation to the Secretary. So there was no Chairman and no Vice-Chairman to preside over the meeting called for on 1 January, 1962 to consider the no-confidence motion. The situation was further complicated by the C.E.M. Instead of facing the no-confidence motion, he also resigned. Thus, there was neither the Chairman, nor the Deputy Chairman nor the Executive Committee to carry on the administration. There was complete deadlock in the administration of the North Cachar Hills District Council. Fortunately, rules framed under the Sixth Schedule provided the means to meet such situations. The Governor appointed Inggimba Jame as the Chairman and S.R. Thaosen, M.C. Daolgupu and T.K. Changsen as Members of the caretaker Executive.

The third general election was held in February 1962. On 12 May 1962, the new District Council met to elect the C.E.M. There were two candidates, S.R. Thaosen and Longthu. Longthu withdrew and S.R. Thaosen was declared elected as the C.E.M. Thaosen formed a coalition Government consisting of representatives from the Union Party and the Congress—Lalvuoma from the Union Party and G. C. Langthasa from the Congress. During the next five years there were no political upheavals in North Cachar Hills politics. In 1967 began the struggle for power. S.R. Thaosen held office for five years eleven months and three days with G.C. Langthasa and L. Hmar as his colleagues. It appears that the relations between the C.E.M. and the E.Ms. were not cordial. The C.E.M. desired to get rid of them. How to do that? Should he suggest their dismissal, political complications might arise. Should he take

away their portfolios, it might not prove very effective. Therefore, he appears to have adopted an underhand method. It is alleged that he requested one of his confidants Thogen Thado to move a motion of no-confidence against the Executive and remove the C.E.M. from office and then elect him again at a subsequent meeting. Removal of the C.E.M. meant the automatic dismissal of the Executive. The plan materialised accordingly. Thaosen's Government fell on 7 November 1967. On 9 November a meeting of the District Council was held. The same Thogen Thado who moved the no-confidence motion against S.R. Thaosen and condemned him in unmistakable terms showered encomiums on him. Thogen Thado said that S.R. Thaosen was the fittest person to be the C.E.M. Thus ended the drama of the no-confidence motion against S.R. Thaosen.

After getting rid of G.C. Langthasa and L. Hmar, S.R. Thaosen rewarded his friends and comrades Thogen Thado, K.N. Thaosen and P.K. Gorlosa by their inclusion in the Executive. From November 1967 till the next general election to the District Council several attempts were made to dislodge S.R. Thaosen but P.C. Langthasa, the Chairman, protected him by adjourning the meetings at the critical times.

After the general elections to the District Council held in 1968, the new District Council met on 24 August 1968 for the election of the C.E.M. Here is an interesting incident. Some of the members of the People's Democratic Party came to the meeting hall at 8-30 a.m. and bolted the door from inside. The Congress which had a majority in the District Council came a little later and found the doors bolted from inside. The Secretary of the District Council repeatedly requested the members of the People's Democratic Party to open the doors of the meeting hall. But of no avail. The police was summoned to break open the doors of the meeting hall. Since police assistance was sought it went to the logical extent of requesting the Chairman for permission

to prosecute the delinquent members for their disorderly behaviour. When the delinquent members heard of their being arrested and prosecuted, they meekly submitted an unconditional apology. After the doors were opened, the meeting was held for the election of the C.E.M. There were two candidates, R.C. Langthasa and S.R. Thaosen. S.R. Thaosen did not poll even one vote. Even the proposer and the seconder did not vote for him. R.C. Langthasa who had been contesting unsuccessfully since 1957 was elected C.E.M. by a unanimous vote. R.C. Langthasa selected G.C. Langthasa and N.K. Bathari and Semian Jeme, a Naga, as his colleagues.

In June 1970, L. Hmar was shifted to the Executive Committee from the Chairmanship of the District Council.

On 26 November 1971, there was a further change in the composition of the Executive Committee. R.C. Langthasa resigned the office of C.E.M. and G.C. Langthasa was elected by a unanimous vote on 26 November 1971. G.C. Langthasa did not make any change in the composition of the Executive Committee of his predecessor. He, however, added G.C. Hojoi. This indicates that R.C. Langthasa might have been compelled to resign by his colleagues. They might have told him that they would not serve under him any longer. The new District Council which met in 1973 re-elected G.C. Langthasa as the C.E.M.

From the above we come to the conclusion that there was chronic political instability in the North Cachar Hills District Council during the period 1962 to 1972. The number of persons involved in this musical chair competition was about six. One of the notable features of North Cachar Hills politics is the sacrcity of good human material. Those who held political offices came to power without any previous experience at a very early age.

The Khasi and Jaintia Hills. Let us now consider the

constitution of the Executive Committee in the Khasi and Jaintia Hills. Of all the autonomous districts, the Khasi and Jaintia Hills is the most advanced in the matter of political education and therefore there was always contest for office. The first District Council met on 3 July 1952 for the election of the C.E.M. There were two candidates, J. Rynjah and B.M. Roy. Both of them were retired civil servants and came to office with vast administrative experience but had no political education. Rynjah polled 16 votes and B.M. Roy 5. Rynjah took a Khasi and a Jaintia—Rostanwell War and Enowell Poshna. Exactly six months after his election Rynjah had to face a no-confidence motion. On 4 December a motion of no-confidence in the Rynjah cabinet was tabled. It was supported by nine members. The motion was admitted by the Chairman who fixed 5 December for the consideration of the motion. When the mover was called upon to move the motion he refused to do so.

On 9 July 1953, J. Rynjah the C.E.M. resigned for reasons of health. The District Council met on 13 July for the election of the C.E.M. There were two candidates, B.M. Roy and Hobell Rynjah. B.M. Roy walked out on a point of order. Hobell Rynjah polled 17 votes and B.M. Roy polled no vote. Hobell Rynjah, while forming his cabinet, retained Enowell Poshna and removed Rostanwell War and in his place J.E. Tariang was taken.

On 24 February 1954, Bormanik Siem tabled a motion of no-confidence in the Executive Committee. Leave was granted as seven members supported the motion. Bormanik Siem said that the Executive Committee suspended Jormanik Siem hastily; appointed 23 electors for the Myllium Siemship which was improper and so on. The motion was carried by 11 to 10 votes and Hobell Rynjah was removed from the office of C.E.M. The District Council met on 27 February for the election of the C.E.M. There were two candidates B.M. Roy and R. Nongrem. B.M. Roy polled 12 votes,

He selected H. Cotton and H. Haden as members of the Executive Committee. It appears that while selecting members of the Executive Committee one was invariably selected from the Jaintia Hills. B.M. Roy had to listen to the same music in May 1956 with which he treated Hobell Rynjah in February 1954. On 21 May 1956, Hobell Rynjah sought leave for the introduction of a motion of no-confidence in the B.M. Roy's Government. Hobell Rynjah said that the District Council did not cooperate with the Government; that it did not utilise the house construction loans given at a low rate of interest; that it did not accept Rs. one lakh from the Government for distribution to the people in the border areas for rehabilitation and that it did not take over primary education.

All these charges were no doubt true. But the real reason for the no-confidence motion was the greediness for power. One of the members of the Executive Committee was not present when the motion was taken up for discussion. Thus, B.M. Roy was removed from office on 23 May by a vote of no-confidence.

The District Council met on 25 May 1956 for the election of the C.E.M. The old rivals B.M. Roy and Joysing Rynjah again contested. It may be remembered that Joysing Rynjah resigned in 1953 for reasons of health. Joysing Rynjah polled 15 votes and B.M. Roy polled no vote. Even those who proposed and seconded his name did not vote for him. Rynjah continued in office till the next general election to the District Council.

The second District Council met on 7 January 1958 and elected B.M. Pugh as the C.E.M., for the first time by a unanimous vote. Pugh took Henry Cotton and T. Cajee as members of the Executive Committee. B.M. Pugh was compelled to resign in 1960. He was succeeded by T. Cajee. Cajee took Edwingson Bareh and Rokendro as members of the Executive Committee. After the death of Cajee, Edwingson Bareh

was elected as C.E.M. after a contest. But he and his rival H. Haden polled equal number of votes and Bareh was elected by the casting vote of the Chairman. Bareh took Hopingstone Lyngdoh and retained Rokendro Dkhar who was in the Cajee Cabinet. In 1964 when the Jowai sub-division was made a district, Bareh resigned the office to take up the C.E.M. office of the Jowai District Council. Wilson Reade was elected as the C.E.M. Reade did not make any change in the composition of the Executive Committee of Bareh. Wilson Reade was succeeded by Justman Swer. Swer was the only C.E.M. who remained in office for a longer period of five years. He selected Humphrey Nongrum and Darwin D. Pugh as members of the Executive Committee. When Darwin D. Pugh resigned, Snomick Kalwing was appointed as a Member.

Justman Swer's term was over in 1972. In the elections held in 1972 to the District Council, A.P.H.L.C. was not able to get an absolute majority of the seats. Therefore Hill People's Democratic Party was called upon to form the Government. L. Gilbert Shullai was elected C.E.M. Shullai selected Miss Luisiana Brosila Lamin and Syrtok Sing Nongrun as members of the Executive. The inclusion of a woman as member of the Executive Committee is significant. The Khasi Hills District Council is the first of all the District Councils in the North-East India to have a lady as a member of the Executive Committee.

On 14 June, 1975, Gilbert Shullai resigned without assigning any reason. The main reason for his resignation was that an honest man cannot fit himself in Khasi politics. He was bombarded by various interests. He was bullied by the parties that supported him in his election to the office of the C.E.M. He was assailed by his own partymen. The chronic instability with which Khasi politics was permeated threatened him. Since Gilbert Shullai was a fairly honest man he got out of the office. The Hill State People's Demo-

cratic Party selected Bakstarwell Wanniang to be the C.E.M. and Blingstador Diengdoh and Marcus Lyngdoh to be the E.Ms. But the sitting member of the Executive Committee Syrtok Singh Nongram was not willing to vacate the office. The C.E.M. therefore retained Nongram, dropped the lady member Luisiana Brosila Lamin and in her place took Blingstodar Diengdoh. The disappointed candidates Marcus Lyngdoh and Luisiana Brosila Lamin left the party.

Jaintia Hills. The first election to the Jowai Autonomous District Council was held in 1967. The A.P.H.L.C. won an absolute majority in the District Council. Edwingson Bareh was elected C.E.M. by a unanimous vote. Since Bareh came from the northern part he took one of his two colleagues from the central part and the other from the border area — S. K. Shilla and John Deng Pohrmen. Shilla aspired the membership of the Meghalaya Legislative Assembly. Therefore he resigned the executive membership. In his place B.B. Shallam was elected as E.M. When the Autonomous State of Meghalaya was formed Bareh himself resigned to join the Sangma cabinet. In his place John Deng Pohrmen the E.M. was selected by a unanimous vote as C.E.M. John Deng retained B. B. Shallam and took C. Swear as E.M.

The general election to the second District Council was held in 1973. The A.P.H.L.C. again came to power. John Deng was re-elected C.E.M. for a second term by a unanimous vote. This time the C.E.M. retained C. Swer and dropped B.B. Shallam on the ground that Shallam, an M.L.A., should not combine in himself two elective offices, M.D.C. and M.L.A. Shallam would not forgive John Deng for dropping him from the Executive and created critical situations for John Deng. To get over the trouble Sangma was persuaded by John Deng to include him in his ministry. Shallam was appointed as a Minister of State.

CHAPTER X

Functions of the District Council

The powers and functions of the District Council are, broadly speaking, four—Legislative, Executive, Financial and Judicial.

Legislative Powers. The District Council has power to make laws on the allotment, occupation or use or the setting apart of land, other than reserved forests, for the purpose of agricultural or grazing or for residential or other non-agricultural purposes likely to promote the interests of the inhabitants of any village or town; the management of any forest not being a State Reserved forest; the use of any canal or water course for agricultural purposes; the regulation of the practice of Jhum or other forms of shifting cultivation; the establishment of town or village councils and the determination of their powers and functions; any other matter relating to village or town administration including town or village police, public health and sanitation, the appointment or succession of chief or headman, the inheritance of property, marriage and divorce, social customs, money-lending and trading by persons other than the scheduled tribes.

Executive Powers. As regards the executive powers, the District Council has the power to establish, construct or manage primary schools, dispensaries, markets, cattle

pounds, ferries, fisheries, roads, and waterways. It has also power to determine the language and the manner in which primary education should be imparted in the primary schools within its jurisdiction.

Taxation Powers. The District Councils have also powers of taxation. The District Council has power to assess and collect land revenue, levy a tax on lands and buildings, tolls on persons residing within the district, tax on professions, trades, callings and employment, tax on the entry of goods into the market for sale, tolls on passengers and goods carried in ferries, taxes for the maintenance of schools, dispensaries and roads, licences or leases for the purpose of prospecting or for extracting minerals.

The District Council has also the right for a share in the royalties derived by the State Government from licences or leases granted for the purpose of prospecting or for the extraction of minerals. The rate of sharing is determined by mutual agreement by the parties concerned.

Judicial Powers. The District Council has power to constitute village courts for the trial of suits and cases in which both the parties are tribals. It may appoint suitable persons to be the members of the village courts. It may also appoint such officers as may be necessary for the execution of laws made by the District Council.

The District Council is a Court of Appeal in respect of all suits and cases triable by the village council. No other court except the High Court and the Supreme Court of India has jurisdiction over such suits and cases.

Rule Making Power. Another power that the District Council has is the power to make rules. The District Council may, with the prior approval of the Government, make rules and regulations on the constitution of village councils, village courts and the powers to be exercised by them, the

procedure to be followed by them for the trial of cases, and the procedure to be followed by the District Councils or the courts constituted by it in appeals and other proceedings, the enforcements of decisions and orders of such Councils and courts and all other matters ancillary for the carrying out of the provisions mentioned above.

At present, the District Council has no such power. The Governor has been authorised to make rules on the subjects mentioned above.

The District Council also exercises certain delegated functions. For instance, the Governor may authorise the District Council or any court constituted by it to try cases punishable with death, transportation for life, imprisonment for a term of five years under the I.P.C. or any other law for the time being in force.

Functions Entrusted. When Meghalaya was created on 2 April 1970, the Mikir Hills and the North Cachar Hills were given the option either to remain in the State of Assam or join the Autonomous State of Meghalaya. To retain them in Assam, the Government of Assam made several costly promises. One of them was the transfer of more functions and powers together with necessary finance and personnel. In pursuance of this policy all the district development departments together with their personnel and finance were placed under the administrative control of the District Councils with effect from 1 June 1970. It should be noted that these functions were entrusted to the District Councils. They were not delegated to the District Councils. If a District Council fails to discharge its duties, they may be taken away at any time by the State Government.

It may also be noted that the District Council has no power to legislate on these subjects. While performing these functions, the District Council simply acts as an agent of the State Government. The Agent is not free to act as he likes.

The conditions imposed indicate the subordinate position occupied by the District Council in regard to these matters.

But it should also be noted that the State has no right to entrust these functions to the District Councils against their wish. The District Council was at liberty to take over all the development functions transferred, or some or no functions. In the final analysis it was with the consent of the District Councils that the development functions were entrusted to them.

The Development Departments, transferred to the control of the District Councils, are agriculture, public works, flood control and irrigation, soil conservation, animal husbandry, veterinary services, fisheries, forests, Panchayat Raj and community development, cottage industries, roads and buildings, education, primary to middle school, health and family planning and planning and development.

The officers and staff of the transferred departments are under the immediate administrative control of the District Councils though they are the servants of the State Government, appointed and disciplined by the State Government.

The District level officers are responsible to the State Government for implementing schemes which were transferred to the control of the District Council.

Committee System. The District Council has power to constitute committees, both ad hoc and Standing. But the composition, powers and functions and other matters are determined by the District Council itself.

In the Mikir Hills, the District Council constituted three committees, the Land Settlement Advisory Board, the Construction Settlement Committee and the Karbi Text Book Committee. All the three Committees are Standing Committees.

The Land Settlement Advisory Board consists of 12

members. The 12 members include five members of the Executive Committee including the C.E.M., six members of the District Council and the Secretary in charge of the Revenue Department, who is the ex-officio Secretary of the Board. The C.E.M. is the Chairman of the Board. The Board is constituted to determine the Revenue policy in relation to settlement of land and to advise the Executive Committee in the matter of settlement of land to the people.

The second Standing Committee in the Mikir Hills is the Construction Settlement Committee. It consists of nine members, four members of the Executive Committee, three members of the District Council, the Executive Engineer and the Principal Secretary who is the ex-officio Secretary of the Committee. The Committee has power to dispose of all contracts whose value is more than Rs. 10,000.

The third Standing Committee is the Karbi Text Book Committee. It consists of eight members. It is responsible for the production of text books in Karbi language. The members of the Committee are the C.E.M. who is the chairman, the Secretary of the Mikir Hills Primary Education Board, Principal Secretary, the Inspector of Schools, the Deputy Inspector of Schools and two non-officials. The Assistant Sub-Inspector of Schools is the Secretary of the committee.

District Council Finances. The District Councils derived their income from various sources, land revenue, forests, administration of justice, taxes on animals, vehicles and boats, taxes on professions, trades, callings and employment, tolls on persons, grants in aid from the Government, loans, advances and subventions from the Government, market taxes, miscellaneous receipts and receipts on account of transfer of schemes.

The major source of income of the District Council is from forests which is more than 65 per cent of the total in-

come. Another major source of income is from tax on entry of goods into the market for sale.

Grants were given for specific purposes such as the development of roads and communications, development of rural water supply, rural communications, rural health and sanitation, maintenance of elementary schools, improvement of transport facilities, improvement of tribal culture and maintenance of forest development schemes and so on.

Let us consider the expenditures. Since the audit reports were not published and not made available to research workers, it is difficult to note the infructuous expenditures. Yet a close study of the budget of the District Councils enables us to know something of wasteful expenditures. One of the items of expenditures which attracted my attention is the administration of justice. The judges have no work and entire expenditure is an absolute waste of money. Similarly the amount allotted in the budget towards the travelling allowance of the members of the Executive Committee is enormous. Similarly the salaries attached to the office of Executive Committees were also great.

CHAPTER XI

The Working of the District Councils

The District Councils existed for nearly quarter of a century. How did they function all these years?

The composition of the District Councils was not satisfactory. They were not completely democratic in the accepted sense of the term. They contained nominated members. The authority to nominate members was the Minister for Tribal Affairs. Very often he nominated persons who would support the party in power. As a consequence, sometimes a majority was reduced to a minority and vice-versa. Sometimes nominations were made with a view to enable a particular person to become the C.E.M. or the Chairman of the District Council. It is also true that in some District Councils the nominated members did not involve themselves in controversial matters. They remained neutral. It is also true that in some cases they actively participated in controversial matters. At first, all the District Councils consisted of one-fourth of the members as nominated members. The Minister nominated non-tribals to the District Councils. The tribals resented the presence of non-tribals in the District Councils. Therefore, the Khasi Hills District Council eliminated the nominated element completely. The other District Councils reduced the number of nominated members. We

think that there is no need to have nominated members in a democratically elected body. In a country wedded to democracy based on adult franchise, this is an anachronism. But then, how to secure the representation of the minorities? We suggest that the District Councils may be permitted to coopt certain number of persons. Rules may be framed prescribing the number of persons that may be coopted, the persons that may be coopted and the period during which they may be coopted. Cooption is a half-way house between simple nomination and election. The principle of cooption should be abolished after a period of ten years. Ultimately all the members of the District Council should be elected directly by adult franchise.

Double Membership. At first, a member of the Executive Committee was not permitted to be a member of the Legislative Assembly or Parliament because it was held that the Executive Council membership of a District Council was an office of profit and that the Government of Assam and the Government of India did have some financial interest in the District Councils. Some of the members of the Executive Committee of some District Councils desired to be members of the Legislative Assembly. One of them was Capt. Sangma. He thought that all the members of the Executive Committee should also be members of the Legislative Assembly so that there might be better understanding between the Government and the District Council. Therefore, he requested the Home Minister, Government of India, to remove the disqualification imposed by Section 7(e) of the Representation of the People's Act. Accordingly, the Act was amended in 1956, and members of the District Councils and of the Executive Committee were permitted to be members of the Legislative Assembly and Parliament.

We think that this provision is undesirable for obvious reasons. If a M.D.C. is also a M.L.A., he would draw salary and allowances in two places. Further, in a demo-

cracy greater number of persons should have an opportunity to participate in decision making. If all the E.M.s are also members of the Legislatures, at least 12 per cent of the total strength of the District Council are denied of this opportunity. Second, if a M.D.C. is also a M.L.A. he may be able to influence the Minister for tribal affairs and see that the misdeeds of the District Council are not noticed. If a E.M. is also a member of the State Cabinet, he may control the District Council completely and fully. He may instruct the Secretaries to the District Council who are State Government officers, to render absolute obedience to the orders of the C.E.M. or E.M.s even though they are illegal and thereby perpetuate the mismanagement of the Council.

It is, therefore, suggested that one and the same person should not be a M.D.C. and a M.L.A. We do not permit M.L.A.s to be M.P.s nor do we permit one and the same person to be a member of both the Houses of Parliament. The G.N.C. adopted this principle recently. It does not permit its members to hold office in two legislative bodies at one and the same time.

Qualifications of Members. The qualifications and disqualifications prescribed for the membership of the District Council were not comprehensive. First, residential qualification is not insisted upon. We think that the members of the District Councils must be residents of the Autonomous district concerned. Otherwise, he will not be able to understand the needs of the district. Second, all members who did not pay their dues to the Government, to the District Council or to any local authority within the prescribed time, should be excluded from the membership of the District Council. We may go to the extent of saying that all those who had taken loans from a Cooperative Society or Government and defaulted in the repayment of the principal and the payment of interest, should also be disqualified from the

membership of the District Council. Third, members who interest themselves in a subsisting contract with the District Council should be excluded. Fourth, persons who had been removed by Government from membership of the District Council should be disqualified from contesting for a seat in the Council for a period of five years. Fifth, an official superior or an official subordinate to a sitting member should not be permitted to be a member of the District Council so that cliques may not be formed. Sixth, legal practitioners who appear on behalf of or against the District Council should also be excluded from its membership. Finally, members who did not attend three consecutive meetings should be liable to automatic removal. But the District Council, for valid reasons, may restore them to their membership.

General elections to the District Councils were not held at regular intervals. The first and the second general election to the District Councils were held in 1952 and 1957. After that, on some pretext or other, elections were not held at regular intervals. Sometimes elections were held once in nine years instead of five years. The extension of the life of the Council should have been under extraordinary circumstances. When elections to Lok Sabha and Legislative Assembly were held at regular intervals, elections to the District Councils also should have been held at regular intervals.

But elections to the District Councils were free and fair. There was no gerrymandering; there was no manipulation of the electoral roll nor the manipulation of the result. There was also no impersonation which affected the result of election. The election machinery devised was effective because elections to the District Councils were conducted by the Deputy Commissioner.

The number of candidates contesting a general election was always greater than the number of seats available for

contest. Very often a single seat was contested by more than two candidates. As a consequence, several candidates were elected by a minority vote. A good number of candidates lost their security deposit.

The number of persons elected for more than a single term was less than fifty per cent of the total strength of the District Council. In other words, the number of persons elected for a single term was more than one half of the total strength. Thus, at every election, many who held office for more than one term were not re-elected.

The number of independent candidates at elections was always greater. But the number of independent candidates elected was always small.

There were a number of regional political parties in North-East India. Several of them existed for a short time. Four of them existed for a long time. They were the G.N.C., the A.P.H.L.C., the E.I.T.U. and the M.U. Some of the regional political parties provided political stability in certain areas. The G.N.C. is a notable example. Next to the G.N.C., the M.U. was able to provide political stability to some extent in the Mizo Hills. We suggest the induction of the national political parties in North-East India so that political integration may take place at a rapid rate.

At first, the Sixth Schedule did not prescribe the term of office of the District Council. It was left to the District Council itself to prescribe its own term of office by a simple majority. The result was that each District Council went on extending the term of office. Therefore, in July 1969 the Sixth Schedule was amended and the term of office of the District Council was fixed at five years. The elected members held office for five years and the nominated members during the pleasure of the Governor. Persons elected

in casual vacancies held office for the remainder of the term of the vacancy.

The District Councils were entrusted with a variety of functions, legislative, executive, judicial, delegated and transferred functions. We shall now consider the first. How many District Councils have made laws on subjects assigned to them by the Sixth Schedule.

The District Councils have power to make laws on the transfer of land. Except the North Cachar Hills, all other District Councils have enacted laws on the subject. The content of legislation, however, differed from district to district. In the Khasi Hills and Jaintia Hills, no land shall be sold, mortgaged, leased, bartered, gifted or otherwise transferred by a tribal to a non-tribal or by a non-tribal to another non-tribal without the permission of the District Council. But the sanction of the District Council is not necessary in the case of lease of a building on rent. If a non-tribal is in illegal possession of any land, the C.E.M. may require the person concerned to vacate the land within a period of three months from the date of service of notice or till the crops grown on such land are ripe for harvest. In the Garo Hills, a ceiling is placed on land, 30 bighas as the minimum and 50 bighas as the maximum for each family of six members. But the transfer of land by a non-tribal to another non-tribal is not prohibited. In the Mizo Hills, legislation on transfer of land followed that of the Khasi Hills.

The District Councils have power to make laws on land and land revenue. All the District Councils have enacted laws on land and land revenue. In the Khasi and the Garo Hills, any person who held land for a period of ten years continuously and paid revenue due to the State Government or acquired any land under lease granted by the State for a period of ten years, automatically became a land-holder in respect of the land. In the Mizo Hills, the ownership of

land was transferred from the Chiefs to the State, free from all encumberances. The District Council or the Regional Council, as the case may be, shall take over the charge of the **Ram** (land possessed by the Chief).

The District Councils have also power to make laws on agricultural land. Only the Mizo District Council has enacted a law on the subject. Under the Act, the Executive Committee may allot any vacant land for the purpose of cultivation, by the issue of a Patta. No person shall occupy and take possession of any land unless allotted and Patta obtained in accordance with the provisions of the Act. The Patta holder has a heritable and transferable right to land. The Executive Committee may impose reasonable conditions on the Patta holders. Only Patta holders who had been registered, shall have the right to own land. Others not.

Legislation on the allotment of land for the construction of houses was enacted by the Mizo Hills District Council. The village council has been authorised to allot land within its jurisdiction for the construction of houses and for other non-agricultural purposes. The Executive Committee has power to allot lands for the construction of houses in the urban areas of Aizawl and Lunglei, Demagiri, Sairang, Kolasib, Champai and Vanlaiphai. No other District Council has enacted legislation on the subject.

Legislation on Fisheries was enacted by the Mizo Hills, the Garo Hills, the North Cachar Hills and the Khasi Hills and the Jaintia Hills. The District Councils simply adopted the Act on the subject in force in Assam. Under this law any person who seeks to destroy fish either by dynamite or by poisoning is liable to punishment.

The Mikir Hills and the Garo Hills have framed regulations relating to grazing. They simply adopted the regulations on the subject in force in the State of Assam. The other District Councils have not enacted any law on the subject.

The Mikir Hills, the Mizo Hills, the Khasi Hills and the Jaintia Hills District Councils have framed regulations for the management and control of markets. Under these regulations, all markets shall be under the control of the District Councils. No person shall establish a market without the previous permission of the District Council. The Executive Committee may close any market at any time in public interest.

Legislation on trading by non-tribals has been enacted by all the District Councils. It laid down that no non-tribal shall carry on whole-sale or retail trade without a licence from the Executive Committee of the District Council. But licence shall not be refused to a person who has been carrying on trade before the commencement of the Act. In case refusal is necessary the grounds on which it is refused shall be stated in writing.

While all the District Councils have enacted laws regulating trading by non-tribals, only two District Councils, the Mizo Hills and the Mikir Hills, have enacted legislation on money-lending by non-tribals. Perhaps the need for such legislation was not felt by the other District Councils.

Three District Councils, the Garo, the Mizo and the Pawi Lakner Regional Council, attempted at the codification of customs and usages. Even they had not completed the task . Other District Councils made no attempt in this direction. It may be noted that social customs play a vital part in tribal life. But they are complex and therefore their codification is absolutely necessary. In the Mizo and Garo Hills some of the social customs had been abolished.

All the District Councils either framed regulations or enacted laws determining the salary and allowances of the political officers of the District Council. But there was no uniformity in the payment of salaries. In the Khasi, the Jaintia and the Garo Hills the C.E.M. is paid a modest salary. But in the Mikir Hills and the North Cachar Hills the C.E.M.

and the E.M.s are paid a handsome salary. It is therefore suggested that a uniform salary and allowances should be determined by the Government for all political officers of the District Councils.

Excepting the Mizo Hills District Council, all other District Councils have enacted laws on Christian Marriage Act and not on other marriages. In this regard, the District Councils have simply adopted the Indian Christian Marriage Act, 1872. With the adoption of the Indian Christian Marriage Act, uniformity was established in this matter. But the District Councils should have undertaken legislation on other marriages also which vary from place to place.

For the introduction of self-government in the villages, the Garo Hills and the Mizo Hills District Councils and the Pawi Lakher Regional Council have enacted Laws. By these Acts adult franchise has been introduced. The village administration has been entrusted to the village council elected by the villagers. The President of the village council is elected by the members of the village council. The village councils have been entrusted with some municipal functions. The need for such a legislation was not felt by the Khasi and Mikir Hills District Councils and also the North Cachar Hills District Council because they have already indigenous institutions for the purpose. In the Mizo Hills and the Garo Hills, there were no such institutions. The village administration was carried on by an autocratic chief.

While two District Councils and one Regional Council have enacted laws relating to the village self-government, all the District Councils have made laws for the establishment of town committees in the semi-urban areas. The legislation relating to the town committees resembles the legislation in the Plains of Assam.

The Assam Enbankment and Drainage Act has been adopted by the Mikir Hills and the Garo Hills District Councils.

The Mikir Hills District Council also adopted the Town and Country Planning Act of Assam.

The District Councils have also been authorised to make laws on the administration of justice. Except the Mikir Hills District Council, all others have enacted legislation in regard to this matter. They set up their own courts at three levels, the village courts, the subordinate District Council courts and the District Council court. The North Cachar Hills District Council alone has set up a subordinate District Council court and a District Council court but no village courts. The Mikir Hills District Council thought that there was no need for a court system of its own because it would involve a heavy expenditure and that too an infructuous one. Further, the existing system of administration of justice was found to be suitable and effective. The D.C.'s Court is able to dispose of major cases and the minor ones are settled by the traditional councils of village elders to the satisfaction of all.

We think that there is no need for the establishment of a separate system of courts for the District Councils for obvious reasons. First, there is not enough work. Second, the District Council courts adopted the procedure adopted in the courts in the Plains. Third, the District Council Courts did not observe the local customary law. The North Cachar Hills District Council realised the futility of its court system but what should be done with the existing incumbents? Finally, the Courts in the Plains have at least one advantage that justice is administered by trained judicial officers. But in the Mizo Hills, the District Council courts were placed under the control of untrained presiding officers.

In all the autonomous districts, there is shifting cultivation, popularly known as juming. The District Councils are authorised to make laws regulating juming. But only three District Councils, the Hikir Hills, the Mizo Hills, the

Garo Hills District Councils and the Pawi Lakher Regional Council alone enacted legislation. Others did not take any action on this important matter. It may be noted that jumming is an important way of life for the tribals. It is the backbone of their economy and yet no legislation was undertaken in all the autonomous districts.

All the District Councils have extensive and rich forests. To regulate and control forest administration, all the District Councils have enacted legislation. The Khasi Hills District Council has framed rules for the regulation of private forests.

All the District Councils have enacted legislation and framed rules on the constitution of the District Councils. They were also amended very frequently. The Mikir Hills District Council amended the constitutional rules 12 times within a period of 20 years. The frequent amendment of legislation indicates that the District Councils bestowed no forethought on legislation. They did not anticipate the result of such legislation.

The District Councils are also authorised to enact legislation on the inheritance of property—a very important subject. But only one District Council, the Mizo Hills District Council, enacted legislation on this subject.

The District Councils have power to make laws on the appointment and succession of chiefs. But only two District Councils have made laws on this subject. The Mizo Hills District Council abolished the Chieftainship. The Khasi Hills and the Garo Hills District Councils have recognised the institution of chiefs and made laws as regards their election and appointment. The Khasi Hills District Council has made a number of laws on this subject.

The District Councils have power to make laws regulating the use of canal water courses for the purpose of agriculture. But no District Council has passed a law on the subject.

Let us now consider the extent to which the powers of taxation were exercised by the District Councils. The record of the District Councils in this matter was not uniformly good. All the District Councils did not utilise all the taxation powers. Only three District Councils, the Mizo, the Khasi and the Jaintia Hills District Councils, levied a tax on professions, trades, callings and employment.

The Cart, Boat, and Cycle Tax was levied only by two District Councils—the Mikir and the Garo Hills District Councils.

The Garo Hills District Council alone levied a tax on cotton trade, local rates, a tax on cattle and residence toll.

The North Cachar Hills District Council alone levied a tax on goods that entered into the markets for sale.

No District Council levied a tax for the maintenance of schools, roads, dispensaries, on passengers and goods carried in ferries. Thus, most of the District Councils did not make full use of their powers of taxation.

In the Khasi Hills, the Siems continued to function as independent rulers and realised revenues from markets, fines from the administration of justice and occasional cesses levied for State purposes. They also received fifty per cent of the rents realised from exploitation of the natural resources.

Again, the people in the Khasi Hills did not pay land revenue or house tax whereas in the Jaintia Hills, they were assessed to house tax and land tax. With a view to establish uniformity in this matter, the K. and J. Hills District Council decided in 1954 to levy house tax in the whole subdivision of the Khasi Hills. There was opposition to this and therefore the decision was not implemented. In 1961, it was decided that no house tax should be levied in the Jowai sub-division and in the former British villages of the

Shillong sub-division. Thus, the attempt to impose house tax in the Khasi Hills having proved abortive, the only way by which uniformity could be established was by the abolition of the house tax in the Jaintia Hills and in the former British villages in the Shillong sub-division.

As regards revenues from private markets, they should be shared equally between the District Councils and their owners. Further, half of the revenues from markets owned by Siems, Dollois, and Sardars should be deposited to the District Council fund. But the District Council was not able to exercise any control over the Siemship markets, as there was no machinery to know the actual amount derived by the Siems from their markets. Although there were many markets, the District Council derived only a small amount. But in the Jaintia Hills where the control was effective the District Council derived a substantial amount. The same is the case with regards to fisheries.

Thus, the Khasi Hills District Council is not a vigorous body. It failed to exercise practically any control over the chiefs. Instead of occupying a subordinate position under the changed circumstances, the chiefs in the Khasi Hills continued to levy and collect taxes which is the primary function of the District Council. As a consequence, the K. and J. Hills District Council did not command the respect of the people.

The main sources of income of the District Councils were land revenue, forests and markets. But there was leakage in land revenue in the Garo Hills. The Garo Hills have more permanent paddy fields than any other hill district and therefore more revenue from land ought to be expected from this head than from any other. The Council did full justice so far as forest revenue was concerned. But revenues from markets had fallen into arrears. Arrears on several items were mounting. The Council's income from taxes on trade, callings, professions and employment was practically nil,

This is rather surprising because there were a number of non-tribals and non-Government employees and contractors in the Garo Hills. Their income must be substantial. It appears that vast lands under cultivation in the Garo Hills escaped assessment. No attempt was made to assess revenue on the cash crops.

The expenditures were excessive on staff and on the political executive in all the District Councils. The District Councils' office resembled the Secretariat of the State Government. The amount spent by the members of the Executive Committee on T.A. was sometimes excessive. In the North Cachar Hills the average T.A. drawn by each member of the Executive Committee was Rs. 634 per month. The amount provided in the budget towards T.A. of the C.E.M. and the E.M.s was Rs. 33,600 in 1970. In the same year the amount provided for agricultural development in the district was a small sum of Rs. 12,880.

The administration of the District Councils was not effective. Provision was not made for the coordination of the activities of the various District Councils on the one side and the State Government on the other. As a matter of fact the State Government was not in a position to review and assess the working of the District Council. The only relationship between the Government of Assam and the various District Councils was the approval of their legislation by the Governor, sanctioning of loans and grants, to meet the normal cost of their administration or the expenditure for certain development works. Thus, the District Councils were functioning, more or less, independently of the State Government and the Union 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 S.R.C. was surprised that the District Councils were not making use of the experience of the D.C. in the administration of the district. It observed, "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 the 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 help of the district officers would help the District Councils in their various day to day problems so as to remove difficulties speedily".

Again, there were deadlocks in the administration of the District Councils when the parties in the Council were evenly balanced. At one time the Mizo Hills District Council went to the extent of saying that all the members of the District Council should resign because no party had a working majority. To meet such situations no specific provision was made in the Sixth Schedule. The provision made in para 16 of the Sixth Schedule read with para 14 was cumbersome and delaying because a commission must be appointed under para 14 to judge the various acts of the District Council and on the basis of the report of the Commission, action must be taken by the Governor. This entailed a long procedure and, therefore, the District Councils functioned in their own way. During the period under review only once a Commission was appointed to enquire and report on the working of the District Councils. What action was taken on the report submitted by the Commission is not known.

The Governor has sledge hammer type of powers. He may, at any time, annul or suspend any act or resolution of the District Council which is likely to endanger the safety of the country or prejudicial to public order and take such steps as he considers necessary including the suspension of the Council. He may assume to himself all or some of the powers of the Council for a period of six months and extend the period of suspension by another period of six months at a time. But he has no power to dissolve the Council without

the recommendation of the Commission to be appointed under para 14 of the Sixth Schedule and hold fresh elections.

The Governor never exercised these powers at any time. Further, the procedure prescribed for the dissolution of the District Council is dilatory and delaying. So far as the Legislative Assembly is concerned, the President has power to dissolve or suspend it without the recommendation of the Governor though normally he acts on the recommendation of the Governor. But under extra-ordinary circumstances, he may act unilaterally. Similarly, the Governor should have the power to supersede or dissolve the District Council with or without the recommendation of the Commission. Supersession is a serious punishment than dissolution. In case of dissolution, elections to the District Councils must be held immediately after dissolution. In case of supersession, the Council is dismissed and the administration is taken over and entrusted to an administrator for a period of one year or so and then elections are held and administration is handed over to the new Council. Thus, there is a vital difference between supersession and dissolution. Provision has been made for dissolution only and not for supersession. It is true that provision has been made for suspension of the Council for a period of 12 months. After the period of suspension, the old Council comes into existence, which may carry on administration in its own way. Therefore provision ought to be made for the supersession of the Council. After all, it may be remembered that a District Council will not be superseded except when there is total failure on the part of the Council. It is a political poison that will be administered only when the District Council is diseased. Gangrene cannot be cured with lavender water.

Will not supersession undermine the autonomy of the District Council? What is meant by autonomy? Does it imply the right to mismanage public affairs? A District

Council which is efficient need not be afraid of supersession just as a good citizen need not be afraid of the Criminal Procedure Code. No objection has been raised against the provision for the dissolution and supersession of the State Legislative Assembly. Why an objection should be raised against such provision so far as the District Council is concerned?

At first, there was no provision for auditing the accounts of the District Council by the Accountant General. Further, the audited accounts were not placed before the District Council even though the State Government advised them to do so. No provision was made in the rules framed by Government for auditing the accounts of the District Council. These accounts were not placed before the Public Accounts Committee of the State Legislature. It was in 1969 that provision was made for auditing the accounts of the Councils. Even then, no provision has been made for surcharging infructuous expenditures. At present, the Comptroller and the Auditor General is held responsible for auditing the accounts of the District Councils. He must submit a report on the audit of the District Council accounts to the Governor who shall place it before the District Council. The absence of surcharge resulted in infructuous expenditures. We therefore suggest that a person who has been surcharged for Rs. 1,000 and more should be debarred from the membership of the Council. Audit without surcharge is like a gun without ammunition.

Para six of the Sixth Schedule authorised the District Council to prescribe the language and the medium of instruction in the primary schools under their control. The Regional Councils have no such powers. If an autonomous district contains more than one tribe and if each tribe has a distinct language of its own, the language of the tribe must be the medium of instruction in the primary schools. But the major tribes were imposing their language upon the minor

ones. Therefore, there was language conflict in some of the autonomous districts.

While a District Council has power to impose a tax on professions, trades, callings and employment, a tax on animals, vehicles and goats, a tax on the entry of goods into the market for sale therein and tolls on passengers and goods carried in ferries and a tax for the maintenance of schools, dispensaries or roads, the Regional Council has no such power. As a consequence, the proceeds from such taxes even from the areas falling within the jurisdiction of the Regional Council were appropriated by the District Council. This was neither fair nor just.

Under para 9 of the Sixth Schedule, the royalties accruing from licence or leases for prospecting or extraction of minerals, granted by the Government in respect of any area within the autonomous district are shared between the Government and the District Council in a certain ratio. The District Council appropriated its share. The Regional Council had no right to a share in it even though the area in respect of which licence has been granted is within the Regional Council.

There were frequent changes in the leadership of the Executive, particularly in the Khasi Hills. Rarely a person held office of the C.E.M. for more than one term. In the Garo Hills alone there was political stability. In the Khasi Hills again, there were frequent changes in the office of C.E.M. This may be attributed to the fact that the first three C.E.M.s were retired civil servants with no political experience. This was not the case in some of the District Councils. Saprawnga in the Mizo Hills, Mody Marak and Sangma in the Garo Hills, Dhaniram Rongpi in the Mikir Hills and G. C. Langthasa in the North Cachar Hills held office for more than one term. But it must also be admitted that in the Mizo Hills, the District Council did not function

effectively because there was a split in the leadership of the party. In the Mikir Hills and North Cachar Hills there were group rivalries and frequent breakdowns in administration. Yet it must be said that there were model executives, Sangma in the Garo Hills, Dhaniram Rongpi in the Mikir Hills, and Saprawnga in the Mizo Hills.

In some of the autonomous districts there was acute shortage of competent human material to take up the work of the executive. In some of the districts the members of the Executive Committee came to office at a very early age without adequate political experience and intellectual equipment. Since they had to learn by doing the job, they committed costly mistakes.

Again, in some of the autonomous districts, power is concentrated in certain families, particularly in the Mikir Hills and North Cachar Hills. These families have monopolised everything for their own benefit. The common man is not benefited to the extent to which he ought to be benefited.

There was no frequent change in the chairmanship of the District Council. No Chairman was removed by a vote of no-confidence. Sometimes a Chairman resigned the chairmanship to become an E.M. or C.E.M. Sometimes an E.M. was shunted to chairmanship to accommodate an aggressive member of the party as E.M. It appears that disappointed politicians are dropped into this oblivion. Practically, there was no contest for this office. Except two persons; all others held this office for a single term. No member of the fair sex was elected to this office. All the Chairmen and Deputy Chairmen were decently educated. Excepting one, all others were non-controversial. They were not accused, by and large, of partiality in their rulings.

But the Chairman was elected by a simple majority which we consider as not desirable. If there are more than two candidates, the successful candidate is likely to be elec-

ted by a minority vote. Such a Chairman will not be able to command the confidence of the House. There may be constant attempts at no-confidence motions against him. It is, therefore, suggested that the successful candidate should be elected by an absolute majority of the total strength of the Council. We also suggest that if a no-confidence motion against him is defeated, another motion of no-confidence should not be introduced for a period of six months.

It has been suggested that the Government should have the power to remove a recalcitrant Chairman. We do not agree with this view. The Government need not be vested with this power because the chairmanship of the District Council is not an attractive one. He has no powers of patronage. If he abuses the powers vested in him, he may be removed by the Council itself.

There was no liberal use of the committee system. There were no standing committees for many subjects. There were few ad hoc committees which did not function effectively. This is due to the fact that the District Councils were very jealous of their powers just as a husband is jealous of his beautiful wife. They did not wish to delegate their powers and functions to the committees. They did not realise that committee system is a part, rather an essential part, of democracy. Where committees were constituted, persons adequately qualified were not appointed as members. Again, there was no restraint on the number of committees on which a member could serve. Some influential members of the Council monopolised the membership of the important committees like land settlement and tender committees. As a consequence, they were not able to attend all the meetings of all the committees of which they were members. It may be noted that the members have their own professions to look after. It is, therefore, desirable that some restriction is imposed on the number of committees on which one may serve. Such a restriction will not

only secure regular attendance of the members, it would also provide opportunities to others to serve on the committees.

Again, there was no committee to co-ordinate the actions of the several committees. Every committee should know what other committees are doing on cognate subjects. The absence of co-ordination may result in waste of public funds.

Again, the joint committee system was not used freely. The joint committe system would have enabled the District Councils and the contiguous local authorities to plan the provision of social services in greater number to their respective inhabitants. Water supply, electricity, roads, maternity and child welfare services are some of them in which the local authorities are vitally interested. But for financial reasons, they are not in a position to supply them. If they had come together, there could have been joint investigation, joint planning and joint execution of schemes economically and efficiently.

It appears that the principle of cooption was not used at all. The membership of the committees was confined to the members of the District Councils. The reservoir of knowledge and talent that is available was not used at all.

Further, where the District Councils constituted committees, they did not delegate enough powers to the committees. The general rule is that the proceedings of the committees should be placed before the District Councils for its approval. Sometimes the recommendations of the committees were set aside by the District Council. No committee will function effectively and responsibly if powers and functions are not delegated to it.

Finally, many committees were paper committees, to use the familiar phrase. They did not play a significant part in the administration of the District Councils.

Functions. Adequate powers, functions, personnel and finance were placed at the disposal of the District Councils. But some of them for some reason or other did not

wish to undertake all the functions assigned to them. As a consequence the State Government continued to carry on the functions which were clearly those of the District Council. Further, functions were not classified into two—mandatory and permissive.

State Government and the District Councils. The State Government did not exercise effective control over the District Councils. It allowed the District Councils to function as independent political units. As a consequence, the District Councils did not surrender the unspent grants to the State Government. They transferred amounts from one major head to another without proper sanction. They violated somewhat frequently financial rules.

The administrative machinery brought into existence for the implementation of the decisions of the District Councils was adequate.

By and large there was sobriety in the proceedings of the District Councils. Of all the District Councils, the Garo Hills District Council and the Mikir Hills District Council transacted business systematically.. There was no heat in discussions. Even humour was absent. Sangma was sober and realistic. He gave detailed replies to all the points raised by the members of the District Council. After the reply was given by the leader of the House, Chairman Mody K. Marak would say, "Certain points in question raised by the Hon'ble members of the house have been clarified by the leader of the House. It appears that the House is unanimous in accepting the motion. So I put the resolution for voting." Then the Chairman would pause for a second, and would announce 'unanimously adopted'. Thus, there was no division, no acrimony and the relations between the party in power and the opposition were very cordial. This was not the case in North Cachar Hills, the Mizo Hills and the Khasi Hills. In these places the proceedings were lively and there was display of distemper which is sometimes necessary to relieve boredom and even tenor.

PART III

STATE POLITICS

CHAPTER XII

Formation of States

In this part we shall deal with State politics. We shall begin with the formation of States. Before 1962, there was only the State of Assam and the Union territories of Manipur and Tripura, in North-East India. By 1974, Assam was split up into five political units, Assam, Arunaçhal Pradesh, Meghalaya, Mizoram and Nagaland. Assam, Meghalaya and Nagaland are States and Arunaçhal Pradesh and Mizoram are Union territories. The formation of Nagaland (1962), Meghalaya, Mizoram and Arunachal Pradesh (1972) will be dealt with in this chapter. The formation of Meghalaya has been dealt with exhaustively because there is plenty of material available for consultation.

The Formation of Nagaland

In June 1947, there was a demand for the separation of the Naga Hills district from India. The demand for separation was by no means unanimous. There were three main groups. One favoured the immediate severance of ties from India and the declaration of Independence for the Naga Hills; the second desired the continuance of the Government of India in the Naga Hills till it was in a position to take over the administration of the country; the third

group wanted Nagaland to be a mandatory territory under the British for a period of ten years.

There was also the proposal that the tribal areas should be formed into a Crown Colony. But the Nagas rejected the idea. They did not like to be ruled, any longer, by the British. When the Nagas heard that the Naga Hills might be formed into a Crown Colony, they said 'the British must quit.'

Sir Reginald Coupland proposed that the tribal areas should be a condominium. That is, the Government of Burma and the Government of India might enter into a treaty with Britain guaranteeing the territorial integrity of Nagaland. The idea was ridiculed by Sir Andrew Clow in 1945 and the Nagas themselves were opposed to the idea.

In 1947, the N.N.C. sent a memorandum to Lord Mountbatten suggesting that the Government of India might act as the guardian power of the Naga Hills for a period of ten years after which they would decide about their future whether they would be in the Indian Union or get out of it. This view was reiterated when the Bardoloi Committee visited Kohima on 20 May 1947.

On 27 June 1947, Sir Akbar Hydari, the Governor of Assam, held consultations with the N.N.C. on the future of the Naga Hills district and concluded a **Nine Point Agreement.**

The Preamble to the Agreement recognised the right of the Nagas to develop themselves according to their freely developed wishes.

1. **Judicial.** All cases, whether Civil or Criminal, arising between the Nagas in the Naga Hills should be disposed of by duly constituted Naga Courts according to the Naga Customary Law or such law as might be introduced with the consent of the duly recognised representative organizations;

but all sentences inflicting a punishment of transportation of death were subject to an appeal to the Governor.

In cases arising between Nagas and non-Nagas in Kohima and Mokokchung town areas and in the neighbouring areas, the judge, if not a Naga, would be assisted by a Naga assessor.

2. **Executive.** The general principle was accepted that what the N.N.C. would pay for, it would control. This principle would apply equally to the work done as well as the staff employed.

While the District Officers would be appointed at the discretion of the Governor, the sub-divisions of the Naga Hills should be administered by a sub-divisional council with a full time executive president, paid by the Naga National Council, who would be responsible to the District Officer for all matters falling within the latter's responsibility and to the N.N.C. for all matters falling within their responsibility. In regard to agriculture the N.N.C. would exercise all powers now vested in the District Officer. The N.N.C. was prepared to pay for all services and staffs.

3. **Legislature.** Law passed by the Privincial or the Central Legislature which would materially affect the terms of this Agreement or the religious practices of the Nagas would have no legal force in the Naga Hills without the consent of the N.N.C.

In case of a dispute that a particular law affected this agreement, the matter would be referred by the N.N.C. to the Governor, who would then direct that the law in question should not have legal force in the Naga Hills pending the decision of the Central Government.

4. **Land.** That land with all its resources in the Naga Hills should not be alienated to the non-Nagas without the consent of the N.N.C.

5. **Taxation.** The N.N.C. would be responsible for the imposition, collection and expenditure of land revenue and house tax and such other taxes as may be imposed by it.

6. **Boundaries.** The present administrative divisions should be modified so as to bring into the Naga Hills district all the areas inhabited by the Nagas under a single administrative unit as far as possible. No area should be transferred from the Naga Hills without the consent of the N.N.C.

7. **Arms Act.** The District Officer would act on the advice of the N.N.C. in accordance with the provisions of the Arms Act.

8. **Regulations.** The Chin Hills Regulation and the Bengal Eastern Frontier Regulation would remain in force.

9. **Period of Agreement.** The Governor of Assam, as the agent of the Indian Union, would have a special responsibility for a period of ten years to ensure the due observance of this agreement; at the end of this period the N.N.C. would be asked whether they require the above agreement, regarding the future of the Naga Hills, be extended for a further period or a new agreement be arrived at.

The last clause of the agreement gave rise to a controversy. The Governor interpreted it as meaning that, at the end of the ten-year period, the Nagas would be free to suggest changes in the existing administrative set up and receive greater autonomy within the Indian Union, But the Phizo faction interpreted it as meaning that the Nagas would be free to secede from the Indian Union at the expiry of the ten-year period.

On 19 July a Naga delegation led by A.Z. Phizo met the Mahatma in Delhi. It appears that the Mahatma said that the Nagas had every right to be independent. He also said, "We want you to feel that India is yours; the city of Delhi is yours. I feel that the Naga Hills is mine just as much as

it is yours." When the Naga leaders informed the Mahatma that they would declare themselves independent on 15 August 1947, the Mahatma said humorously, "Why not now? Why wait for August 15?" They further expressed their apprehension that the Government might use military force in case the Nagas declared Independence. At this, the Mahatma became serious and said, "No, this is wrong. I will come to Kohima and ask them to shoot me before they shoot one Naga".

Since the Naga leaders did not get anything from the Government of India, the N.N.C. declard itself independent on 14 August 1947. Thus, a unique situation had arisen when India became independent. The N.N.C. argued that the Sixth Schedule did not contain the terms of the Nine Point Agreement though it was inserted in a different phraseology. The N.N.C also argued like Muhammad Ali Jinnah that the Nagas differed from the rest of India on ethnic, linguistic, cultural and religious grounds. It also argued that throughout history, the Nagas were independent. They did not surrender their sovereignty even to the British, like the Garos, the Khasis and Jaintias and Singphos. They did not enter into an agreement with the British; nor did they receive any sanad from the British. The British subjugated them and when the British left India the Nagas got back their freedom. The British had no right to gift away Nagaland to India. It is true that the Nagas were free and independent before the conquest of India but became a part of India when the British conquered India. When the British left the country, the Nagas were a part of India and not independent of India.

From 1951, the situation worsened. After his release from prison, Phizo became the president of the N.N.C. In 1951, he organised a plebiscite in which thousands of Nagas voted for Independence.

In 1953, when the Prime Minister visited Kohima, the

N.N.C. demonstrated by withdrawing from the public meeting which he was addressing.

The N.N.C. organised its own defence department with a commander-in-chief with four army commands under him. The Defence Department was supplied with arms and ammunition left by the British and American armies in the jungle hideouts and caches of the Patkoi range. The Naga underground army was well equipped and well trained.

The N.N.C. also brought into existence its political wing. On 22 March 1956, it set up the Naga Federal Government with a Parliament called Tatar Hoho, a Council of Ministers (Kilonsors) with a Prime Minister (Ato Kilonsor). It had a President (Kedeghe) and a Vice-President. The Naga Federal Government was similar to that of the Government of India.

There were Governors at the head of various provinces. Thus, the N.N.C. set up a parallel Government.

From 1954 to 1956, there was much bloodshed. The armed insurrection first broke out in Tuensang district and from there it spread to the districts of Kohima and Mokokchung. The police was not able to contain the armed insurrection. Therefore, the army had to be called in to deal with it. Some of the leaders of the N.N.C. who were opposed to the use of violence by the N.N.C. left it. Realising that sword will be met by sword, a Naga Peace Organising Committee was formed in 1956. The Committee appealed to the people to abandon the path of violence. In 1957, the Church leaders took the initiative for the establishment of peace in the Naga Hills. The leaders of all the tribes of the Naga Hills representing the people decided to put an end to the conflict. They called for a convention of the Naga people drawn from every tribe and area of the territory then forming a part of the Naga Hills district of Assam and the Tuensang Frontier Division on 22 August

1957 at Kohima. It was a unique assembly. It was representative. There were 1,765 delegates and over 2,000 visitors representing every tribe and every area. It appears that the underground gave its tacit consent to this move. The Convention resolved that the political future of the Naga People lay within the Indian Union. Pending a final solution, there should be a single administrative unit consisting of the Naga Hills district of Assam and the Tuensang Frontier Division of NEFA under the Ministry of External Affairs and that the Government of India might consider granting amnesty to the misguided underground elements who realised the futility of their claims. The Government accepted this demand and the Naga Hills Tuensang Area was created on 1 December 1957.

In May 1958, the Second Naga People's Convention was held at Ugma, a pro-underground village. The Convention appointed a liaison committee to contact the underground with a view to bring about a political settlement. The committee was not successful in its efforts.

The Third Naga People's Convention was held in October 1959 at Mokokchung. The Convention decided to demand the constitution of a separate State for Nagaland within the Indian Union under the Ministry of External Affairs.

In July 1960, a Naga delegation met the P.M. at Delhi and a Sixteen Point Agreement was arrived at. On 1 August 1960, the P.M. announced in Parliament that Government had decided to make Nagaland a State—the 16th State in the Indian Union.

The President promulgated the Nagaland (Transitional Provisions) Regulation on 24 January 1961 to bring into existence a new administrative set up for Nagaland. It contained the 16 Point Agreement.

The Transitional Regulation provided for the setting

up of a forty-five member elected Interim body to serve as the Advisory Council to the Governor of Nagaland. The members were to be elected from the Tribes and areas in the Naga Hills and Tuensang Area.

The Interim body was vested with most of the administrative powers earlier vested in the Commissioner and the Adviser to the Governor. The Interim body was also authorised to discuss and make recommendations to the Executive Council on matters of administration, general policy and schemes of development and any other matter referred to it by the Executive Council. It was also authorised to recommend to the Executive Council in regard to the constitution and composition of the Legislative Assembly of the State of Nagaland.

The Executive Council should consist of five members of the Interim body recommended by it and appointed by the Governor. One of them was the Chairman of the Council. The term of the Interim body was three years from the date of its first meeting. Each village shall have a village council and each tribe a tribal council.

In 1962, the State of Nagaland Act was passed by Parliament and the State was inaugurated by the President on 1 December 1963. The Governor of Nagaland has a special responsibility in respect of law and order in the State, for so long as, in his opinion, internal disturbances occurring in the Naga Hills-Tuensang Area immediately before the formation of that State continue therein, or in any part thereof, and in the discharge of his functions in relation thereto, the Governor shall after consultation with the Council of Ministers, exercise his individual judgement as to the action to be taken.

The Thirteenth Amendment to the Constitution which brought into existence the State of Nagaland is significant for two things. First, no Act of Parliament in respect of

religious or social practices of Nagas, Naga Customary Law and procedure, the administration of civil and criminal justice involving decisions according to Naga Customary Law, ownership and transfer of land and its resources shall apply to the State of Nagaland without the consent of the Nagaland Legislative Assembly. This is a special provision for the State of Nagaland which no other State in India enjoys. In other words, in these matters the voice of Nagaland Legislative Assembly is final.

The second significant provision is that the administration of the Tuensang Area would be the special responsibility of the Governor of Nagaland for a period of ten years. The Tuensang Regional Council consisting of elected representatives would administer the area. All laws passed by the Nagaland Legislative Assembly would not be introduced into this area without the concurrence of the Tuensang Regional Council. One of the representatives of the Tuensang Regional Council in the Nagaland Legislative Assembly should be appointed Minister for Tuensang Area—a provision similar to the one in England where one of the Members of the House of Commons representing Scotland should be appointed as a Minister for Scottish Affairs.

The Formation of Mizoram

Events took a different turn in the Mizo Hills. When India was at the threshold of independence, Sir Reginald Coupland suggested the creation of a Crown Colony consisting of all the tribal areas of Assam and Burma. The Crown Colony would be independent of India and Burma. The M.U. turned down the proposal and favoured autonomous status for the Lushai Hills within the Province of Assam. Subsequent events we had already noted in a previous Chapter.

The Assam Official Language Act, 1960, generated an agitation in the Hill Areas against Assamese being declar-

ed as the State language. The A.P.H.L.C. spearheaded this movement. The M.U. joined the A.P.H.L.C. and supported the idea of a separate State for all the Hill Areas in North-East Idina. In 1962, when the Chinese invaded North-East India, the A.P.H.L.C. suspended the agitation and accepted the membership of War Committees for the successful prosecution of war against China. But some of the members of the M.U. were against this policy of the A.P.H.L.C. They desired that the A.P.H.L.C. should have taken advantage of the situation and carried on a relentless fight against the Government for 'separation from Assam. These persons threatened to secede from the A.P.H.L.C. The A.P.H.L.C. sent a delegation to the Mizo Hills to persuade the M.U. to remain within the A.P.H.L.C. and fight for a Hill State. In the meanwhile the M.U. veered round the idea that a Mizo State within India was more preferable to the Eastern Frontier State. To consider this question the M.U. met in Assembly at Aizawl on 11 July 1963. The Chairman of the M.U., H.K. Bawichhuaka, prsided. The meeting was attended by 400 delegates from all parts of Mizoram. The A.P.H.L.C. delegation appealed to the Assembly to remain within the A.P.H.L.C. and support the demand for a State for all the Hill Areas. Bawichhuaka and Saprawnga supported the appeal of the A.P.H.L.C. delegation. Some in the Assembly thought that a separate State for the Mizo Hills was preferable than a single State for all the hill areas. Bawichhuaka did not agree with them. He went to the extent of saying that he would not remain President of the M.U. if the Assembly was going to adopt the policy of separate Statehood for the Mizo Hills. He pleaded for the acceptance of the Nehru Plan. But Ch. Chhunga, the present Chief Minister, said that the A.P.H.L.C. adopted dilatory tactics and kept in abeyance direct action during the Emergency created by the Chinese aggression. Therefore he said that the M.U. should secede from the A.P.H.L.C. and fight

for a separate State for the Mizo Hills. Chunga's view prevailed and the M.U. broke away from the A.P.H.L.C. Bawichhuaka did not resign. On the other hand, he demanded on 8 August 1963, along with C. Pahlira, the General Secretary of the M.U., statehood for the Mizo Hills. On 31 August the M.U. submitted a memorandum to the P.M. signed by Ch. Chhunga, Lalbuaia and Pahlira. Another memorandum was submitted on 10 July 1965 and a third one on 30 Oct 1965. In their memorandum the M.U. said, "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 Mizo people are fulfilled through the early 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 the majority of the Mizo people to feel themselves as Indians but which they cannot feel in the present circumstances".

On 17 November 1966, Vishnu Sahay wrote to the Home Minister Chavan that it would be a mistake to treat all the hill districts as if they could form one stable unit. He made it plain that the Mizo Hills would not agree to be a part of the Hill State if it was formed. He suggested that the Mizo Hills should be plucked from Assam and formed into Union Territory. Before he wrote to Chavan he discussed this matter when the Pataskar Commission visited Shillong in April 1966. Vishnu Sahay thuoght that the geographical position of the Mizo Hills would render it difficult for the State Government to control it effectively. Pataskar was convinced of the arguments advanced by Vishnu Sahay. He wrote to the Prime Minister in April 1966 that the Mizo Hills should be declared a Union Territory. After the outbreak of the M.N.F. rebellion in the Mizo Hills, General Maneckshaw thought that the best solution to the Mizo problem was that

it should be taken over by the Military. The Government of India did not agree to this. But all the political parties including the Congress were for Statehood for the Mizo Hills. In 1971, by an amendment to the Constitution [The Counstitution (Twenty-Seventh Amendment) Act, 1971] the Mizo Hills was declared a Union Territory.

Formation of Arunachal Pradesh

For centuries, the tribes of Arunachal Pradesh had been almost completely isolated, not only from civilisation but also from one another. Their world was limited to their own valleys. To venture out of the valley meant death. There was the danger in crossing the treacherous river Brahmaputra and its tributaries. There was also the risk of being buried alive in a landslide; there was the dread of earthquake; and there was the possibility of being shot dead by the poisonous arrows of the hostile tribals.

When the Tagins of the Mara village in Subansiri district, saw a helicopter hovering over their village 20 years ago, Taju Mara thought that it was a big bird and wanted to shoot it with his arrow so that the village would have a grand feast. Taju's father was, however, sure that it was not a bird but the spirit of one his ancestors who died long ago. When these innocent people saw some human beings coming out of the helicopter they rubbed their eyes and thought their eye-sight might have been defective.

Tradition and mythology tell us that the country round Sadiya was the ancient Vidarbha. The archaeological relics at Bhismaknagar in Lohit division tell us that it was the capital of King Bhishmak, whose daughter Rukmani was carried away, on the eve of her marriage, by Krishna. The ruins of a fort at Bhalukpung on the right bank of river Bharali in the Kameng Division are claimed by the Akas as the original home of Bhaluka, the grandson of Raja Bana who was defeated, according to tradition, by Krishna at Tez-

pur. In the Lohit Division, there are the ruins of the copper temple, Tameswari, which was, at one time, a place of great sanctity. The Brahmakund, where Parasurama opened a passage through the Hills with a single blow of his axe and which is visited by thousands of Hindu pilgrims, is located in the lower reaches of the Lohit Division. The occupation of this region by the British we had already noted. To consolidate their authority, the British appointed an assistant political officer at Sadiya in 1882. To promote friendly relations with the tribes, the British established a number of political fairs, at a number of places, like Sadiya and Uddalgiri, from 1860. These fairs were successful in attracting thousands of tribals. In 1912, the topographical survey penetrated very far into the interior and the whole tribal area was brought under the administration. It was divided into several administrative divisions. In 1914, the hills inhabited or frequented by the Abors, the Miris, the Mishmis, the Singphos, the Nagas, the Khamptis, the Bhutias, the Akas and the Daflas were separated from the Darrang and the Lakhimpur districts of the Province of Assam and constituted into North-Eastern Frontier Tract. For administrative purposes, it was divided into three units: (a) the Central and the Eastern Unit under a Political Officer with headquarters at Sadiya; (b) The Lakhimpur Frontier Tract under the D.C. of the Lakhimpur district; and (c) the western unit under a Political Officer with headquarters at Charduar.

The administrative control of these areas was vested in the Government of Assam. In 1919, the Central and the Eastern sections were designated as the Sadiya Frontier Tract. The Lakhimpur Frontier Tract continued to be called as such. This was the position in 1935, when under the Government of India Act, 1935, they were called Excluded Aeras. They were under the direct charge of the Governor who administered them in his discretion through the Political Officers and the D.C., Lakhmipur.

In 1943, some areas from the Lakhimpur Frontier Tract and the Sadiya Frontier Tract were taken away and constituted as Tirap Frontier Tract which was placed under a Political Officer with headquarters at Margherita. In 1946, the Balipara Frontier Tract was divided into two for administrative reasons, the Sela Sub-Agency and the Subansiri Area. In 1948, the Sadiya Frontier Tract was divided into two separate administrative units, the Abor Hills district and the Mishmi Hills district.

In 1951, the plains portions of the Balipara Frontier Tract, the Tirap Frontier Tract, the Abor Hills district and the Mishmi Hills district were transferred to the control of the Government of Assam. After the transfer of the plains' portions of the frontier tracts, the remaining area was designated as North-East Frontier Agerncy, Popularly known as NEFA, in 1954. In the same year NEFA was reorganised, the administrative units were redefined and renamed as follows.

Old Title	New Title
1. The Balipara Frontier Tract	1. The Kameng Frontier Dn
	2. The Subansiri Frontier Dn
2. The Tirap Frontier Tract	3. The Tirap Frontier Dn
3. The Abor Hills district	4. The Siang Frontier Dn
4. The Mishmi Hills district	5. The Lohit Frontier Dn
5. The Naga Tribal Area	6. The Tuensang Frontier Dn

Three years after the reorganization of NEFA, the Tuensang Frontier Division was taken away from NEFA

and added to the Naga Hills district and designated as the Naga Hills-Tuensang Area—a clumsy name.

In 1965, there was a change in the nomenclature of the administrative divisions and its officers. The Kemang Frontier Dn was called the Kemang district, the Subansiri F.D. as the Subansiri district, the Tirap F.D. as the Tirap district, the Siang F.D. as the Siang district and the Lohit F.D. as the Lohit district. The Political Officers, the Additional Political Officer and the Assistant Political Officer were designated as Deputy Commissoner, Additional Deputy Commissioner and the Assistant Commissioner respectively.

During the period 1937 to 1943, the admniistration of these areas was carried on by the Governor of Assam, acting in his discretion independently of his Council of Ministers. He was assisted by the Secretary to the Governor. The Secretary to the Governor was the head of the Governor's Secretariat which was established in 1937.

In 1943, it was considered that these areas should be brought under normal administration. Therefore, an Adviser to the Governor was appointed. He was concerned with the administration of the excluded areas and the Governor functioned as the agent to the Governor-General.

In 1947, when India became Independent the Governor was divested of his discretionary power in regard to NEFA and the administration was vested in the Government of Assam. The Governor carried on the administration of these areas on the advice of the Chief Minister. But on 26 January 1950, the Government of Assam was relieved of their responsibility for the administration of NEFA and the discretionary powers were re-invested in the Governor of Assam as the Agent of the President.

There was no legislative assembly to make laws for the good government of NEFA. Parliment made laws for NEFA. NEFA was repersented by one member in the Lok

Sabha, nominated by the President. Laws made by the Assam Legislative Assembly were not applicable to NEFA. Laws made by Parliament were automatically applicable to NEFA unless there were specific orders against the application. Thus, except the village councils which existed from time immemorial, there were no representative institutions in Arunachal.

To study the situation and recommend the introduction of democratic institutions, the Erring Committee, was appointed by the Government of India. The Committee made a number of recommendations.

First, at the village level there should be a village council. The existing village councils should be recognised. The members of the village council should be elected according to village customary law. The village council shuold be entrusted, with judicial development and general functions.

Second, besides the village council, there should be Anchal Samitis in each circle. The Sub-Divisional Officer should be the Chairman of the Anchal Samiti. The Anchal Samiti should be entrusted with the development functions.

Third, basides the Anchal Samiti, there should be Zilla Parishad in the place of District Development Committee, consisting of 24 to 30 members. The Political Officer should be the Chairman of the District Council.

Fourth, the Erring Committee also recommended the establishment of an Agency Council over and above the Zilla Parishad. The total strength of the Agency Council might be 20, each district being represented by four members.

The Government of India accepted the recommendations of the Erring Committee. By the end of 1969, the recommendations of the Erring Committee were implemented.

The North-Eastern Areas (Reorganization) Act, 1971, separated NEFA from Assam and converted it into a Union

Territory with a Chief Commissioner. The President appointed K. A. A. Raja, as the Chief Commissioner of Arunachal Pradesh on 21 January 1972. The present Chief Commissioner came to office with rich experience and profound knowledge of the area because he has grown in its service. At first he was in the army from where he came to NEFA, first as a political officer, then as Security Commissioner, then as Adviser to the Governor on Tribal Affairs and finally as Chief Commissioner. His knowledge, experience, and enthusiastic commitment to his profession have enabled him to identify himself with the people of the area. He is a dynamic personality. He was responsible for the shifting of capital of Arunachal Pradesh from Shillong to Itanagar and thereby earned the eternal gratitude of the tribals of Arunachal Pradesh. There was no doubt opposition to the proposal from vested interests but the Chief Commissioner informed them that NEFA was not a colony to be governed by somebody from some place. Those who want to serve Arunachal Pradesh must live in Arunachal Pradesh. He was prepared to accept the resignations of any one who was not prepared to shift to Itanagar. The vested interests gave way and the capital was shifted to Itangar.

The North-Eastern Areas (Reorganisation) Act, 1971, provided Arunachal Pradesh with one seat in the Rajya Sabha and another in the Lok Sabha. The Act said that the Rajya Sabha seat shall be filled up by nomination by the President. But it was filled up by election by the Agency Council. The candidate selected by the Agency Council was formally nominated by the President to the Rajya Sabha.

As regards the Lok Sabha seat, it was also to be filled up by nomination by the President. Here again, the practice was different. It was filled by election by an electoral college and not by nomination as laid down in the Act. The Electoral College consisted of all the members of all the Zilla

Parishads. Each Zilla Parishad consists of all the vice-presidents of all Anchal Samities within its jurisdiction, one representative from each Anchal Samiti in the district and not more than six persons to be nominated by the administrator to secure the representation of those tribes which did not secure repesentation in the Zilla Parishad. Thus the total strength of the electoral college was about 118. There was cintest for the seat. There were five candidates, three from Siang and two from Lohit, the districts which are more advanced than others. The electoral college elected one of the five to be its representative in Lok Sabha. The President nominated him as a member of Lok Sabha. The person responsible for this innovation was the Chief Commissioner himself so that he might not be accused that he nominated his favourite.

Again, Regulation No. 4 of 1971, provided for the appointment of five Counsellors from amongst the members of the Pradesh Council but the Chief Commissioner must see that as far as possible different districts get representation. But the Chief Commissioner did not exercise this power. He introduced election. The Counsellors were elected by a process of filtration at five stages. A person who becomes a counsellor must have been a member of a village panchayat. The village panchayat elected members to Anchal Samiti. The Anchal Samiti elected members to the Zilla Parishad which in turn elected members to Pradesh Council. In the Pradesh Council an interesting convention came into being. Each district had one representative as Counsellor elected by the Pradesh Council. Actually, it was not the Pradesh Council that elected the Counsellors. The representatives of the district concerned in the Pradesh Council, came together and elected one of their number as a Counsellor. The person elected by the group was placed before the Pradesh Council which automatically approved the election. The list of Counsellors thus approved by the

Pradesh Council was placed before the Chief Commissioner who simply accepted the list. Thus, the Counsellors were not appointed by the Chief Commissioner in the accepted sense of the term. They were elected by the representatives of the district concerned. This was a radical innovation which the Chief Commissioner introduced. Since Counsellors were elected by the Pradesh Council, there is harmony between the Council and the Counsellors and between the Council and the Chief Commissioner.

There is another convention that the Chief Commissioner had introduced. Regulation No. 4 of 1971 says that the Administrator shall from time to time consult any Counsellor or all the Counsellors in any matter. The views expressed by the Counsellors were recommendatory in nature. This is a theory but the practice was the Counsellors communicated their views to the Chief Commissioner who normally accepted them and executed them. In cases where he differed from them, he invited them for a discussion after which they arrived at a unanimous conclusion. The Chief Commissioner informed the present writer that there was not a single occasion when the Counsellors and himself parted company in disagreement. The Chief Commissioner asserts that the Counsellors were de facto Ministers. The complete harmony between the Chief Commissioner and the Counsellors may be attributed to the fact that the Chief Commissioner and the Counsellors constituted an institution with an idea and a purpose—development of the region and the improvement of the condition of the people committed to their care. This fact has been emphasised by two Counsellors whom the present writer interviewed—Tomo Riba and Prem Khandu Thangon. Prem Khandu goes to the extent of saying that "so long the present Chief Commissioner remains in office, there will be no trouble. If another man who does not understand us, and our aspirations, overrides us, there may be conflict". Thus, the Chief Commissioner

did not dominate the Counsellor. On the other hand, the tribals look to him as a patriarch.

There is another innovation that the Chief Commissioner introduced which indicates that he was a man of vision and commendable foresight. He realised that the tribals would not be content with the mere appointment of Counsellors without power to make decisions. This is a natural desire on the part of politicians. Further, the tribals must be trained in the art of decision making so that they may function effectively when a council of ministers and a legislature are established. With this end in view the Chief Commissioner transferred all the development departments to the control of the five Counsellors. Files relating to these departments were sent to the Counsellors for their views, and the views expressed by the Counsellors were invariably accepted and executed. It must, however, be noted that only development departments were transferred and not others. The Regulation did not contemplate the transfer of subjects but the Chief Commissioner took the initiative in this matter. The allocation of subjects was as follows.

Name of the Counsellor	Departments Transferred
1. Prem Khandu Thungon	1. Transport and Power
2. Tomo Riba	2. Agriculture, Animal Husbandry and Fisheries
3. Sobeng Tayeng	3. Forests, Industries and Co-operation
4. Tadar Tang	4. Health, Manpower, Planning
5. Wangphal Lawang	5. Community Development, Panchayat Raj & Education

Before allotting particular subjects to a particular Counsellor, the Chief Commissioner consulted his wishes,

Details of the Counsellors. Of the five Counsellors, the youngest was Prem Khandu Thangon. He has spent 28 summers. The oldest of them is Tomo Riba who is 36. The other three are of 30 years age. The average age of the Counsellors is 32. This is not a peculiarity of Arunachal Pradesh. It is a common feature in all tribal areas, where there is an acute shortage of qualified persons.

Let us consider the academic qualifications of the Counsellors. Two of the five are graduates. One of them studied up to M.A. but did not sit for the examination. Two of them have passed the Pre-University examination and the remaining one was a student of an Engineering College.

None of them had any previous experience in politics. They were all, excepting one, civil servants. One of them was a forest contractor. Therefore, they came to office with some amount of administrative experience.

As regards their religion, three of them were Doni Poli (worshippers of Sun and Moon), one of them was a Buddhist and the remaining one is a Vaishnavite.

All of them are happily married and have children.

The Counsellors held office during the pleasure of the Administrator. But this is a formal expression. They held office so long they commanded the confidence of the group which elected them. No Counsellor was asked to resign or dismissed.

The Counsellors are paid a modest salary of Rs. 500 per month which I believe is inadequate at a time when the cost of living is going up. In addition to salary they are given a free furnished house and free conveyance. Each Counsellor is given an Ambassador Car which is maintained by the Government.

In order to enable the Counsellors to have a wider outlook and gain practical experience, they are sent to different

part of the country, at the expense of government, to meet prominent politicians and ministers.

The relationship between the Counsellors and the Chief Commissioner defies all provisions of the Act of 1971. The theory is that the Administrator may, from time to time, counsult any Counsellor or all the Counsellors on any matter relating to the administration of Arunachal Pradesh. The Counsellors can only recommend. Thus, in theory there is no provision for joint consultation. The Chief Commissioner is the ultimate authority. But in practice, there are joint meetings, whenever necessary, to discuss matters of common importance. The individual Counsellors may meet the Chief Commissioner at any time. The views of the Counsellors or the Counsellor are generally accepted by the Chief Commissioner. In case of difference of opinion, the matter is discussed sometimes, as Tomo Riba informed the present writer, even for a month. Ultimately, a unanimous decision is arrived at. But it may be stated that there is no joint responsibility or individual responsibility because parliamentary system of government did not exist in Arunachal Pradesh. All the decisions arrived are executed scrupulously.

The office of Counsellor has been abolished by an amendment to the Constitution. In the place of Counsellors a Council of Ministers has been brought into existence. Prem Khandu Thangon has been elected as the Leader of the House—the Chief Minister and the existing Counsellors have been selected as Ministers till the next general elections.

The Evolution of the Legislature. There were no representative institutions in Arunachal Pradesh before 1967 except the Kabang at the village level, that too not in all places. The Deying Ering Committee recommended the establishment of the Agency Council for NEFA. The Ering Committee's recommendation was embodied in Regulation

No. 3 of 1967 which established the Agency Council. The Agency Council consisted of 20 members, elected by Zilla Parishads, at the rate of four per district. In other words, the Agency Council is a federal institution. There is equality of representation in the Agency Council for all the districts, irrespective of area, population and contribution to the exchequer.

The Agency Council existed for four years and its place was taken by the Pradesh Council in 1971. The Pradesh Council consisted of the Members of the House of People (Lok Sabha) and Rajya Sabha representing Arunachal Pradesh, all the vice-presidents of all the Zilla Parishads in Arunachal Pradesh, three repesentatives from each Zilla Parishad elected by its members from amongst themselves and three persons to be nominated by the Administrator to represent the tribes not already represented in the Pradesh Council.

The members of the Pradesh Council were paid a salary of Rs. 250 per month.

The Chairman of the Agency Council and of the Pradesh Council was the Chief Commissioner, an arrangement similar to the one that existed in the country before 1920. At the commencement of every session, a panel of Chairmen consisting of five persons representing all the five districts was prepared. The Chief Commissioner established a convention that he presided in the first part on the first day and in the last part on the last day and thereby enabled the members of the panel to preside over the sessions.

The Chief Commissioner summoned, prorogued and adjourned the Pradesh Council. With the previous approval of the President, he could dissolve the Pradesh Council. The Pradesh Council met once in six months. The sessions of the Council, by convention, were held at the headquarters of

different districts in Arunachal Pradesh. This practice is intended to bring about the gradual integration of the extremely polyglot area of Arunachal Pradesh into a harmonious whole. It also enables the leaders of the different tribes to come together for decision making.

The Pradesh Council has been abolished and a Legislative Assembly has been established consiting of 30 members. Until the next general elections, the Pradesh Council will be the provisional Legislative Assembly. But the members of Parliament shall not be members of the Legislative Assembly.

Political Parties. It is really remarkable that so far no political party has penetrated into Arunachal Pradesh. There is no doubt the Ad Hoc Commitee of the Congress. But it is dormant. It appears that some of the tribal leaders detest the party system. They think that the party system will divide the people and promote dissensions and disharmony and thwart development. In other words, the Chief Minister Prem Khandu Thangon wants more development and less politics. But in a democracy the part system cannot be avoided.

Conclusion. From the above it is clear that for nearly a century there was no political development in Arunachal. Before 1937, all the Frontier Tracts were considered as backward areas and were governed by the Governor-General in Council through the agency of the Chief Commissioner and later on through the Governor of Assam. The Chief Commissioner was assisted by Political Officers. In 1937, they were classified as excluded areas since the word backward was likely to wound the tender feelings of the tribals. Even after independence, they continued to be excluded from the jurisdiction of the Assam Legislative Assembly. This was the position till 1967. From 1967, however, NEFA made tremendous political progress. In that year

democratic institutions were introduced at three levels, village, bloc and district. A representative institution was brought into existence known as the Agency Council. In the same year NEFA was given representation in Lok Sabha. In 1972, radical changes were introduced. Adult franchise was introduced and all the Panchayats are elected directly by all adults. In the place of the Agency Council, a Pradesh Council was brought into existence. Arunachal Pradesh is given representation in the Rajya Sabha and representation in the Lok Sabha has been increased to two. In addition to the Pradesh Council Counsellors have been appointed to advise the Chief Commissioner. The Counsellors are de facto ministers. In 1975, the Pradesh Council has been converted into a Provisional Legislative Assembly. The existing Counsellors have been converted into a Council of Ministers and one of the Counsellors has been elected the Leader of the House—the Chief Minister. Thus, political developments are rapid since 1967.[1]

1. In the preparation of this note I am indebted to Shri M.C. Joshi, Director of Agriculture Arunachal Pradesh and Shri K.A.A. Raja the Chief Commissioner of Arunachal Pradesh.

CHAPTER 13

Formation of Meghalaya

This Chapter has been divided into four sections:

1. The Movement for Separation.
2. The Pataskar Commission.
3. The Federal Plan.
4. The Autonomous State of Meghalaya.

SECTION 1. MOVEMENT FOR SEPARATION

The members of the Executive Committees of the Autonomous District Councils of the Garo Hills, the Khasi and Jaintia Hills, the Lushai Hills (Mizo Hills) and the North Cachar Hills met in Shillong under the chairmanship of B. M. Roy, the C.E.M. of the Khasi and Jaintia Hills, on 16 June 1954 to 'discuss things of mutual interest'. No representative from the Mikir Hills participated in the deliberations. B. M. Roy suggested that the deliberations might be confined to two important subjects, the formation of a separate state for the Hill Areas and the amendment of the Sixth Schedule.

Captain Sangma, the C.E.M. of the Garo Hills District Council, pleaded for the estblishment of a separate Hill State. He said that there was no adequate safeguard for

the preservation of the identity—race, language and culture—of the Hill people in the Sixth Schedule; that the Sixth Schedule did not endow the District Councils with adequate powers to safeguard their interests—social, economic and political, and said that the attitude of the people of the plains was one of contempt and subtle hostility towards the hill people. In support of his contention, he cited the resolution of the Asom Jatiya Maha Sabha which stated that the area or areas which were inimical to the adoption of the Assamese language as the State language should be severed from Assam and constituted into a centrally administered area. He also cited the speech of Nilmoni Phukan in the Legislative Assembly in 1948, that Assamese should be the State language. Therefore Sangma said that a separate state for the hill areas was absolutely necessary.

Captain Sangma's views were not shared by Lalsawia, the C.E.M. of the Lushai Hills District Council and Khotland, the C.E.M. of the North Cachar Hills. Both of them wished that the demand might be confined, in the first instance, to the amendment of the Sixth Schedule. But the meeting ultimately decided to demand the constitution of a separate State for all the hill areas of Assam, with an area of 27,599 square miles and a population of 11,71,098. The Hill State would be known as the Eastern Hill State. It might include any other area or areas, geographically contiguous to the autonomous districts, proided they were predominantly inhabited by the tribal people of the same stock as those living in the autonomous districts and whose inhabitants were anxious to be included therein.

In order to induce the Government of India to concede the demand, the meeting said that English would continue to be the official language of the Hill State until it was replaced by Hindi.

Tura Conference and the S.R.C. Captain Sangma did

not keep quiet after the Shillong meeting. He convened a conference of the people of the Autonomous districts, on 6 October, 1954 at Tura. The Tura Conference resolved to submit a memorandum to the S.R.C. demanding a Hill State. Not only the Tura Conference, several other tribal organizations like the Khasi National Durbar, the Highlanders Union, the United Mizo Freedom Organization and the Hill Union of Assam, the Garo National Council also submitted their memorandums to the S.R.C. demanding a Hill State.

Let us now deal with the memorandum submitted by the Tura Conference. The memorandum claimed that the hill people of all the autonomous districts were one and fundamentally different from the people of the plains—a claim not substantiated by valid arguments and factual information. A common enemy does not create a common people. There were and there are fundamental differences among the people of the hills themselves. The matrilineal system operates among the Khasis and the Garos and not among others. All the tribals do not practice the same religion; they do not speak the same language; they do not observe the same customs. Although some of the hill districts are contiguous to one another, they are not connected with one another by communications. They live on ridges absolutely separated from one another. But it must be admitted that they are fundamentally different from the people of the plains in almost every respect, social customs, morality, language, dress and even food.

The Memorandum also said that the autonomy given to the District Councils under the Sixth Schedule was not real and substantial.

Third, historically speaking there had been no political, social, cultural or emotional ties between the people of the plains and of the hills. The major hill tribes lived politically independent of each other. Their administrative set

up was democratic whereas the people of the plains lived under an autocratic set up. Socially the people of the plains observed the caste system while those of the hills lived in a free and equal society, where there were no differences of caste or creed. The memorandum also said that the attitude of the plains towards the people of the hills was one of superiority. The very word 'tribe' or 'tribal' created a feeling of superiority in the people of the plains.

The Memorandum also said that the Assamese were making every effort to impose their language and culture on the hill people. Apart from this fact the Assamese were trying to dominate the hill people. In support of their contention they point out that the Assamese who constituted only fifty per cent of the total population, controlled seventy-five per cent of the seats in the legislature and monopolised 90 per cent of the seats in the Cabinet and seventy per cent in public services. In the preparation and implementation of plans, the hills were given scanty treatment. Practically all the major development works and all the major technical and non-technical institutions were located in the Brahmaputra Valley. The essential road communications for the economic development of the hills were not constructed.

We shall examine all these accusations in the Chapter on Pataskar Commission. All that may be said here is that of all the tribals, particularly the Khasis, were not the ones that would permit any one to dominate them. Further, so far as language was concerned the Assamese point out that their language was not imposed upon the tribals. English was permitted to be used for all time to come. But the tribals pointed out that tribals recruited for government service were compelled to learn Assamese language. This is not a just accusation. All government servants, whether they are tribals or non-tribals, recruited for government service must learn the regional language if they are to function

effectively. A Khasi recruited for the IAS or IPS and posted in Maharashtra must learn Marathi.

Fourth, the memorandum also said that the Hill districts constituted the frontier areas. The people living in these areas must be contented and patriotic. Otherwise frontiers would be exposed to external danger. If the hill people are to be contented their political aspirations must be satisfied.

The Memorandum listed a number of advantages in having a Hill State. Some of them appear to the present writer, not only spacious but also fanciful. It said that the Hill State would create a sense of responsibility in the M.L.A.s; that it would enable the hill people to breathe free air and feel that they were not subject to any race; that it would generate tremendous enthusiasm to work for the progress of the country; that it would generate a feeling of equality; that it would bring out real leaders of the people; that a common language could be used for the transaction of official and non-official business; that there could be effective planning for the development of the area and for the utilization of the grant-in-aid under Article 275; that Hindi could easily become the language of the region and that the interests of the people particularly in landed property would be effectively protected.

Finally, the memorandum stressed that the sentiment of the people should not be brushed aside. Violence to the sentiment of the people was productive of unrest and even revolutionary conditions. The sentiment of the people in the hill areas was not in favour of one State both for the hills and plains.

The memorandum also sketched briefly the structure of the Hill State. It would have a legislative assembly of 25 members, a council of ministers in which all the autonomous districts would be represented. It would have its own

Governor who might be in charge of NEFA so that NEFA might become a part of the Hill State in future. But certain services would be common for the whole of Assam and the Hill State, such as Public Service Commission, University, High Court, and the Accountant General.

As regards Capital, Assam must have its own capital but until the construction of a capital it might remain in Shillong.

The District Councils in the Autonomous Districts should not be abolished. The memorialists evidently did not like to incur the displeasure of those who were already in the District Councils.

The memorialists, however, admitted that financially the State would not be viable. But since the area was strategically important, any expenditure on this area would be a profitable investment.

Rev. Nichols-Roy's Proposals. We may now note the proposals made by Rev. Nichols-Roy from time to time on the subject. In May 1946, in his memorandum submitted to the Cabinet Mission he stated that the hill areas should not be converted into a Crown Colony as suggested by some of the British officers like Parry, Robert Reid and Hutton. In his **"Hill Districts of Assam—Their Future"**, Rev. Nichols-Roy pleaded that all the hill districts of Assam should be closely connected with the Assam Legislative Assembly. He wrote:

> An idea was advanced by some British officials that this district (Khasi and Jaintia Hills) (along) with all the hill districts of Assam should be excluded from the Constitution of India and be placed under a political rule as a Crown Colony. The people of this district are strongly against such an idea. They want to be connected with India. They do not want any political British Rule.

> Others think that all these areas should be brought under the same land laws and judicial administration as those obtaining in the plains districts of Assam. This will be detrimental to the progress of the Khasis.
>
> The sentiment of the people of this district is against any proposal to bring them altogether without any reservations, under the same kind of administration which obtains in the plains districts.
>
> As the Khasi people have their own territory and their own language, manners and customs, they should have their own rule but in some ways connected with the Province of Assam.

Nichols-Roy made certain concrete suggestions. First, the Khasi and Jaintia Hills district should form one Khasi federated State. There should be no difference between the Khasi States and the British areas. The treaties between the Khasi States and the British Government should be abolished. Second, the Khasi states should remain as they were but they should be reformed. Third, the district should have a legislative body with 25 members to be elected by 25 constituencies. This body should have the power to make laws on certain subjects. Fourth, there should be a Khasi federal elected court of three judges which should be the final court of appeal from the local authorities in the Khasi federated State. Fifth, there should be an executive council of not more than three persons to be elected by the legislative body. One of the three should be the president of the council. Sixth, the Khasi State should be connected not with Delhi but with Assam. Seventh, the university, technical colleges, medical, veterinary and engineering colleges should be common to both Khasi State and Assam. The federated Khasi State should pay a contribution to the Province of Assam for the maintenance of services common to both

Eighth, the Khasi federated State should be given representation in the Assam Legislative Assembly, Cabinet and Services. Ninth, no legislation of the Provincial Legislative Assembly should apply directly to the federated State without its consent and of the Executive. Tenth, the Khasi legislature should control land policy. Eleventh, Shillong should be under the jurisdiction of the federated State. In case Shillong continued to be the capital of Assam, Shillong Town should be under the jurisdiction of the Government of Assam but land should be under the control of the Myllium State. So also the markets. The capital of Assam should have two representatives in the Assam Legislative Assembly, and one of them should be a Khasi. Nichols-Roy suggested a similar arrangement to all other hill districts. Therefore, he was against the proposal for the formation of the North-Eastern Frontier Province.

Now we shall consider the draft constitution submitted by Nichols-Roy to the Bardoloi Committee. The details of the draft constitution were as follows. First, there shall be a Khasi-Jaintia Federated State consisting of the Khasi States, Sardarships and Jaintia Hills. This federated State shall be joined with the Province of Assam in regard to certain subjects. Second, the federated State shall have a National Council of 29, four of whom shall be women. The term of the National Council shall be five years. Twenty-five members of the National Council shall be elected on the basis of adult franchise from 25 single member constituencies. The women members shall be elected by a separate electorate.

The National Council, third, shall codify all the customary laws. The National Council shall have a Chairman and a Secretary. It shall elect an Executive Council of three members who should hold office for five years. One of the three shall be the Chairman of the Executive Council and ex-officio President of the Khasi Jaintia Federation. All finan-

cial bills shall be placed before the Executive Council for its assent. Legislation passed by the National Council shall be placed before the Executive Council for its assent. The Executive Council shall have a suspensive veto. It might return any bill passed by the National Council to it for reconsideration. The executive shall also have an absolute veto in case a bill was considered detrimental to the interests of the federated State.

Fourth, there shall be a Khasi-Jaintia High Court of Appeal to hear appeals from the subordinate courts. The judges shall hold office for five years. The decision of the court shall be final. It shall have jurisdiction over both civil and criminal cases. There should be no capital punishment.

Fifth, all revenues derived from the district shall belong to the federated State. It shall pay certain sums to the Government of Assam for the administration of certain subjects of common interest.

Sixth, the federated State shall send four representatives to the Assam Legislature. Provincial legislation shall not apply automiatically to the federated State.

The framer of the two schemes described above was not a student of constitutional history and therefore the schemes lack scientific basis. They are beset with a number of difficulties. First, the scheme is reactionary in its content. The author says that the Khasi States should not be abolished. In the country the Zamindari system has been abolished. But Nichols-Roy supports the feudal system. Second, the judges of the High Court shall be elected for a term. Elected judges may not necessarily be incorruptible. Third, legislation passed by the Provincial legislature shall not apply automatically to the federated State. Will not the Khasi Federal Legislature dominated by the feudal element block progressive legislation? Fourth, the Executive members shall be

elected by the Legislature, a provision which would reduce the members of the Executive to the position of messenger boys. The federated State would be, to all intents and purposes, independent and at the same time would have a share in legislation, in the cabinet, in the services and also technical services. In other words Nichols-Roy is trying to bring the Khasi State by the backdoor.

In 1954, Nichols-Roy committed somersault. He actively participated in the Tura Conference, himself drafted the memorandum for submission to the S.R.C. and himself submitted a Secret Memorandum to the S.R.C. without the knowledge of the State Government although he was a Cabinet Minister of Excise and Jails. The Secret memorandum contradicted the memorandum submitted by the State Government. Nichols-Roy categorically said, "I give my moral support to this demand for a Hill State . . . on condition that none will speak in any way as to cause feeling of hatred and enmity against our Assamese brethren and that unnecessary, unpleasant and unreasonable expressions should not be uttered against the Government of Assam which might create unrest".

The Garo National Council, in its memorandum to the SRC, drew up a scheme for the administration of the district with maximum possible autonomy to the Garo Hills District Council.

The United Mikir and North Cachar Hills District Councils did not ask for a separate Hill State. The Mikir National Council which was the major political party expressed itself against the Hill State. It simply demanded greater autonomy and financial power to the District Council. The North Cachar Hills District Council was noncommittal in this matter.

Proposals of the Government of Assam. The Government of Assam pleaded, remarkably enough, that there

should be one State for the whole of Eastern Himalayan sub-region consisting of Assam, Manipur, Tripura, Sikkim, the District of Darjeeling, Jalpaiguri and Cooch Behar in West Bengal, NEFA and Nagaland. The region no doubt consisted of most varied mixture of races and tribes. Yet it had certain common features; all the areas included in the State were under-developed. Geopolitically all the areas are important.

I do not think that the Government of Assam was serious when it made this suggestion. It knew very well that the proposal would be opposed by all concerned. The Government of Assam argued that there was close contact between Assam and Cooch Behar. It was a part of Assam even in the 13th century. The Nepalese of Darjeeling agitated for a separate State. As an alternative, the Government of Assam suggested the integration of Darjeeling, Duars and Cooch Behar with Assam. Manipur and Tripura could be a part of Assam provided the development finance came from the Centre for the development of these areas. Thus, the Government opposed the demand for a separate Hill State.

Recommendations of the S.R.C. The S.R.C. seems to have approached the problem of Hill State with a prejudiced mind. It said that the demand for a separate Hill State emanated from the extremists with separatist tendency. This is not a fact. The demand for a Hill State was made, it appears, for the first time by Wilson Reade, the Chairman of the Khasi National Durbar. He was the most non-controversial figure. Sangma who later on took a leading part in the demand for a separate Hill State, though classed as belonging to the Left, is essentially a compromiser, conciliator and moderator. By temperament, training and conviction he is a constitutionalist. There were no doubt extremists in the hill areas but their number was insignificant. They exist not only in the hill areas but also in the plains.

Again, the S.R.C. thought that the separatist tendency was due to the Inner Line Policy of the Government of India. This is a familiar argument advanced by the politicians of the plains. The Commission, however, forgot the point that there is a line system in Assam devised by the people of the plains. The Inner Line was demanded and is still demanded by the tribals themselves. If there had not been the Inner Line the situation in the hill areas would have been explosive.

The S.R.C. also thought that individually or collectively the hill districts would not be able to command the resources, money material and man power needed to implement the development programmes. Therefore the Commission recommended that no separate Hill State should be created. At the same time the S.R.C. recommended that special attention should be paid to the development of the hill areas.

Two considerations weighed with the S.R.C. when it did not recommend the formation of a Hill State. First, small States should not be created. Second, the security of the frontiers should not be affected.

There was interesting discussion in the Legislative Assembly in 1955. The Hill State was not supported by some of the representatives of the Hill areas. But several M.L.A.s from the Autonomous District supported the proposal.

Although the S.R.C. did not recommend the formation of a Hill State, the agitation for a Hill State continued to gain strength. The 1957 elections to the Legislative Assembly were fought on the issue of Hill State. The E.I.T.U., the U.M.F.O. and the G.N.C. together captured ten seats. The Congress set up ten candidates and won only one in the Mikir Hills. Thus the Congress was badly beaten in the tribal areas. The tremendous success of the protagonists of the Hill State at the polls, gave a momentum to the move-

ment for a separate Hill State. But Rev. Nichols-Roy opposed the demand on the ground that in a separate State there would be no District Councils. Without the District Councils, the autonomous districts would not be protected. Further, the Hill State would be very expensive. Therefore he suggested that there should be a Hill Ministry. Each autonomous district should have a Minister or a Deputy Minister in the Council of Ministers of Assam. The Hill Ministers should be appointed by the Governor in his discretion. The Governor should preside over the meetings of the Hill Ministry for the disposal of matters relating to the District Councils. When the Governor presided over the meetings of the Hill Ministry he would function as the Agent of the President of the Indian Union. For the administration of the hill areas there should be a separate Secretariat, under the control of the Hill Ministry. The Hill Ministry shall form a part of the Assam Cabinet for the administration of the common subjects. The portfolios shall be allotted by the Governor in his discretion to the Hill Ministers. The Reverend thought that these provisions would enable the tribals to protect themselves and their interests.

The second reason which induced Rev. Nichols-Roy to oppose the formation of the Hill State was that with the formation of the Hill State the District Councils would disappear. In that case non-tribals would be able to acquire land in the hill areas and push out the original inhabitants from their habitation; that the capital of Assam might be shifted and in that case the economy of the tribals would be affected seriously; finally, the government of the Hill State might fall into the hands of non-tribals. But the scheme suggested by Rev. Nichols-Roy was cumbersome and provides opportunities for never ending conflicts. Some of the suggestions offend the principles of parliamentary democracy. But the demand for a separate Hill State persisted. In these circumstances, P.M. requested his Home Minister Pandit

Pant to visit Assam. Pant arrived in October 1957. The E.I.T.U. which spearheaded the movement for separation submitted a memorandum to the Home Minister demanding a Hill State. The Government of Assam and Pant both opposed the proposal. On the other hand, the Home Minister suggested an arrangement at the State level by which the tribal people in the autonomous districts would be able to participate in decision making and in the shaping of policies of the State in general and of the autonomous districts in particular. The tribal representatives agreed to examine the possibility of such an arrangement at the State level.

In the meanwhile there was a change in the leadership of the Assam Congress Legislative Party. The general elections of 1957 demonstrated beyond doubt that the Chief Minister Bishnu Ram Medhi did not command the confidence of the minorities particularly the hill tribes. Therefore, opposition to the Chief Minister was successful in replacing him by Chaliha. The P.M. visited the State and persuaded the tribal leaders to participate in the administration of the State. The E.I.T.U. agreed and Sangma was appointed as Minister for T.A.D. of cabinet rank. Besides Sangma, Lalmawia was also included in the ministry. They represented the E.I.T.U. Sangma as Minister for tribal affairs had a free hand in the solution of many problems relating to the tribals areas. He brought into existence the Tribal Affairs Advisory Council. He solved the border problem. To me it appears that the relations between the tribal leaders and the Congress were cordial. Capt. Sangma gave up the idea of forming a separate Hill State for the tribals. When the Government of India decided the creation of Nagaland as a separate State, Sangma wrote to the Chief Minister: "The recent decision of the Government of India to create a new State for Nagaland is bound to lead to far reaching repercussions in other hill districts unless the amendment of the Sixth Schedule as recom-

mended by the Advisory Council can be taken up at a very early date". Thus Sangma must have given up the idea of a separate State for the hill areas. The tribal leaders including the C.E.M.s were insisting on the amendment of the Sixth Schedule. Something had happened in 1960 which accelerated the movement for a Hill State. What was it?

Why a Hill State? Why the hill districts which were a part of Assam for about a hundred years sought separation? We shall answer this question first. First, the hillmen complained that attempts were being made by the Assamese to impose their language on them. The tribals argued that Assamese was being used in many meetings which they could not understand. In the Legislative Assembly also several Assamese members spoke in Assamese. The members from the hill areas simply sat like the Egyptian mummies. In the Hill State English would be the state language which could be understood by all.

The Government of Assam denied these allegations. It argued that English was spoken by a very small minority in the hill areas. Instead of English, the tribals spoke Assamese. Further it is not a fact that most of the speeches in the Legislative Assembly were in Assamese. Very few spoke in Assamese. The Ministers spoke invariably in English. As regards language, the Government said that provision was no doubt made for teaching Assamese in a limited way as an optional subject in some of the high schools in the hill areas. Further, Assamese was the traditional lingua franca of the hill people. But it had never been the policy of the Government to impose Assamese on any section of the non-Assamese population. The Government also said they had made arrangements for the learning of the tribal languages in some schools in the plain districts. Further in order to give importance to the tribal languages the passing of language test in the major hill languages was made compulsory for any officer posted to any hill district. Fin-

ally, English would continue for all time to come and the District Councils were at liberty to prescribe any language as the language of the district.

Second, the tribals also complained that the land policy of the Government of Assam resulted in Assamese acquiring vast tracts of land in the hill areas, and year after year the hill people were pushed out of their ancestral lands, into the interior. In the municipal town of Shillong some areas were named after some minister or other from plains. The Government of Assam said that in view of shortage of accommodation, the Government allotted to Government servants small plots of land in Government Khasi area which was outside the Autonomous District also from the lands purchased from the non-tribals and that not an inch of land belonging to the tribals was utilised for this purpose. The Government, however, admitted that tribal lands were acquired for the settlement of the displaced persons from East Bengal. All this argument is pointless. The Government does not answer the accusation that lands in the Khasi Hills and the Garo Hills were allotted to the people from the plains. Tribals were sensitive so far as land was concerned because it is the only means of their livelihood.

The tribals also complained that land belonging to the tribals was acquired for the construction of hydro-electric projects for the benefit of the people of the plains. The Government of Assam replied that the Umtru Hydro-Electric Project was the only major project taken by the State Government. Land was required for the construction of dams, power houses, administrative buildings and staff quarters. Land was acquired for these purposes only after negotiations were carried on with the local people and agreements were secured both for acquisition and for payment of compensation. The project would benefit not only the people of the plains but also the tribals in the long run.

Minister did not see eye to eye, the former drifted away from the Congress and contested the 1957 general election as an independent candidate. The same thing had happened in the case of Sangma. In 1952, Sangma as the C.E.M. of the Garo Hills District Council praised the leadership of the Chief Minister and openly declared that the two sections of Assam, the Hills and Plains, must remain united. But in 1954, a conflict arose between the two in regard to the nomination of a candidate to the Garo Hills District Council. I have seen the entire correspondence between the two on this subject. The Chief Minister should have accepted the decision of the District Council instead of nominating a Congressman to the vacant seat. Thus, the frequent interference of the T.A.D. in the internal affairs of the District Councils caused misgivings among the tribals. The T.A.D. did not follow a rational principle.

Fifth, the attitude of the Press and Platform in the plain areas towards the Hill Tribes was one of superiority. They demanded the introduction of Assamese as the medium of instruction in the schools in the hill areas. They demanded that the N.E.F.A. should be brought under the control of Assam. This created an erroneous impression in the mind of the tribals that the people of the Plains were adopting an imperialist attitude towards the Hills.

Sixth, the economic factor also was responsible for the demand for separation. The economic development of the hill areas could have been greater. Sufficient funds were placed at the disposal of the Government of Assam by the Government of India for the purpose. Till the end of 1954, communications were not developed. As a consequence border trade was not facilitated. Before Partition of 1947, the Khasis and the Garos had prosperous trade relations with Sylhet and Mymensing. After Partition the Sylhet and Mymensing market was closed. The result was that the economic condition of the tribals was seriously affected.

The Debar Commission reported that the State Government failed to discharge its constitutional obligations towards the hill tribes. They were kept out of the superior services. Funds allotted for the promotion of tribal welfare were not spent on them or misspent. Even when the money was used it was used for the benefit of the relatively advanced tribes. The bulk of the tribal population remained unaffected by the development activity. The tribals accused the Government of Assam that it was not able to spend all the money allotted for the development of the hill areas because it was not interested in the development of the hill areas. The Government of Assam admitted that the grant-in-aid from the Government of India could not be utilised for obvious reasons. Sometimes, the grant was received very late in the year. Sometimes there was no effective machinery for the execution of certain schemes. Very often there was shortage of technical personnel, shortage of essential commodities and shortage of labour. Therefore progress was slow.

Seventh, sometimes some of the actions of the Government of Assam were high-handed. One of the persons whom the present writer was interviewing narrated an incident—the suspension of the Siem of Mylliem. The Chief Minister requested Rev. Nichols-Roy to speak to the Siem of Mylliem about the maladministration of his state. But would not wait until Nichols-Roy had talked to the Siem. Guided by his advisers, the Chief Minister ordered the suspension of the Siem by the District Council of the Khasi-Jaintia Hills. Five thousand women stormed the Council when it was in session. The situation was extremely delicate. It was saved by the tactfulness of the Deputy Commissioner. The Chief Minister should have bestowed some thought to the immediate consequences of suspension.

Seventh, Stanley Nichols-Roy told the present writer that the amount of autonomy given to the District Council

was not substantial. He pointed out the difference between provisions in the draft constitution and the constitution that finally emerged from the Constituent Assembly. (a) In the Draft Constitution the assent of the Governor to all legislation passed by the District Councils was not provided. When the Sixth Schedule was under discussion in the C.A., Clause 3 was inserted which says that all laws made under this paragraph shall be submitted to the Governor and until assented to by him shall have no effect. This objection is not valid. Even the laws passed by the two houses of the Indian Parliament must receive the assent of the President.

(b) Again, the draft constitution did not authorise the Governor the extension of any legislation, union or state, without the consent of the District Council. But this clause was amended by the C.A. and provided that the Governor might extend any legislation to the hill areas. Here the Governor means the Government of Assam. Thus, the Government extended several legislations to the hill areas. Here again, it must be said that the Governor was authorised even before 1952, the extension of any law, with or without modifications, to the hill areas. This is not a new provision.

(c) The Draft Constitution said that no licence or lease should be granted by the Government of Assam for the extraction of mineral resources in any area comprised within the autonomous district save in consultation with the District Council. The Constitution omitted this and thereby enabled the Government of Assam to grant licences to any one to extract mineral resources within the District Council area without consulting it.

(d) The Draft Constitution laid down that the Governor might by public notification include any area as a part of a District Council, create an autonomous district, increase the area of any autonomous district, exclude any area

from Part I of the Schedule and diminish the area of any autonomous district. The Constitution provided that the Governor may unite two or more autonomous districts and define the boundaries of any autonomous district.

(e) The draft constitution provided that the exclusion and the diminution of the area of any District Council should be done only with the consent of the District Council concerned. This was omitted later on and thereby enabled the Governor to exclude or diminish the administrative area of any District Council without assigning any reason. Thus, the District Councils of the autonomous districts occupied the position of Panchayats in the plain areas.

Eighth, the tribals also complained that they had no share in decision making, in the preparation of Five-Year Plans. They were simply asked to approve the scheme prepared by the T.A.D. If there is a Hill State they would have an opportunity to participate in the preparation of Plans. The Government of Assam said that it was its policy to associate the M.L.A.s from the hill areas with the preparation of schemes for the development of the hill areas. As a matter of fact before finalising the schemes they were discussed with the members from the hill areas. Therefore, the contention that the hill people were not associated with the preparation of the Five-Year Plans was not correct. The Government admitted that all the proposals made by the hill areas were not accepted because there were not enough funds and priority had to be given to certain schemes.

Ninth, the hill people claimed that they had their own distinct area and lived in those areas ruling themselves in their own way until they were brought under the control of the British. Therefore, they should be independent of the Government of Assam. The Government of Assam denied this claim. At no period of history the people of the hills and plains lived in water-tight compartments feeling com-

pletely different from each other. On the other hand, both have contributed to the composite culture of Assam. With the solitary exception of the Mizo Hills, the hill people at no time ruled themselves in their well defined hill areas absolutely away from the political relations with the ruling powers in the plains during the different stages of history prior to the British conquest.

Finally, the tribals say that the hill people of all the autonomous districts were one and fundamentally different from the people of the plains. This argument we had already noted.

Opposition to the Hill State. There was tremendous opposition to the Hills State for various reasons. First, any political organization must satisfy certain essential conditions. First, the area must be compact and contiguous. Communications between the areas must be uninterrupted. This condition did not exist and therefore the demand for a Hill State was not valid. Of the five autonomous hill districts proposed to be constituted into a state, the largest is the Mizo district. It is entirely cut off from the other hill districts by Cachar district. It is true that the Garo Hills, the United Khasi and Jaintia Hills, the United Mikir and North Cachar Hills and the Naga Hills are geographically contiguous to one another. But the communications between them must be through the Kamrup district which is in the plains. The Garo Hills cannot be reached even from the neighbouring Khasi Hills. The North Cachar Hills were almost unconnected with any other area except by railway from the plains. The Mikir Hills is a peninsula almost surrounded by the plains. The Naga Hills cannot be reached from any other Hills. The easiest way by which they could be reached was through the plain districts of Sibsagar. Since all the hill areas are not connected with one another by communications, the Hill State was not a possibility. While admitting that communications between the areas of the Hill

State must be perfect, the tribals point out that North and West Bengal are separated from one another by Bihar. This is an exception and exception proves the rule.

Second, the Government of Assam also pointed out that if the hill districts were separated from Assam, the maintenance of existing communications would be difficult. An ambitious plan had been prepared for the development of communications. The execution of the plan would not be possible if the hill areas were separated. This argument was not sound. How the ambitious programme would suffer was not told. All the national highways are the concern of the Government of India. The ambitious programme of the hill areas would be executed by the Government concerned, with the financial assistance of the Government of India. If communications are important from the point of defence they would be financed and executed by the defence department. The Frontier areas were already outside the jurisdiction of the Government of Assam.

Third, the antagonists also argued that the people of the hill areas are closely connected with the neighbouring plains and not with the hills so far as their economy is concerned. Particularly the Lushai Hills were dependent on the Plains for all their essential commodities. The same is the case with other hill areas. The hill people go to the plains for employment during the slack season. If the hills were separated the economic condition of the hill people would be seriously affected.

This argument is neither reasonable nor sound. Assam herself is dependent on her neighbours for the supply of essential commodities. Labour is supplied by Bihar, Orissa and Andhra. Technical services are provided by other States. Even if a separate state was formed trade would follow its natural course.

It was argued that with the formation of the Hill State,

planning would be affected. We are not told how it would be affected. Nehru said that the representatives from Assam would be invited to the National Development Council to participate in the formulation of plans. A Hill State can prepare its own plan and submit it to the Planning Commission for inclusion in the National Plan.

Fifth, the hills are the source of rivers. They are the source of water power. Water power would play a vital part in future. If the hills and plains were separated difficulties might arise so far as Planning preparation and the execution of schemes are concerned. For instance, floods. The plains are the chronic victims of floods. No effective flood control measures could be undertaken without constructing works at the source and in the catchment areas which were all in the hill areas. Any unified control over river system would not be possible if there were separate states.

The Government of Assam did not remember the fact that the greatest source of floods is Brahmaputra. Neither the upper reaches of the river nor the lower reaches are available to us. They are both in other countries. If the upper reaches are under our control we could construct very easily storage reservoirs to hold back the surplus water. Similarly if the lower reaches are available to us we would have provided additional diversion channels which would have drained the waters much more quickly into the sea. Therefore, the argument that the source of all the rivers is in the hill areas is not true to facts. They are in other countries.

Sixth, the Government of Assam also argued that forest wealth must be maintained and conserved. The reserved forests are in the hills and in the submontane areas. They are maintained not on the basis of district boundaries but according to the position of the forests, and their nature. The efficient management requires an expensive administrative machinery and technical staff. Careless exploi-

tation of forests or the lack of proper conservation of them would endanger the future well-being of the people of the hills and the plains alike. Does this imply that the Hill State would not be able to maintain the reserved forests? The existing machinery for the management of reserved forests would be continued. The real fact is that the Government of Assam which was deriving substantial income from forests would be deprived of it and the employment potential of the people of the plains would be affected. With the loss of forests the position of Assam among the Indian States might be less.

Seventh, the rapid industrialization of the State depends on the availability of cheap power. For the generation of power at a cheap rate all the water sources would have to be exploited. If there is a single state it would be administratively convenient for the generation of power. This difficulty can be got over by having joint boards or Corporations like the D.V.C. or the T.V.A. for the purpose.

Eighth, it was also argued that each autonomous district is not homogeneous. Diverse races speaking diverse dialects and professing diverse religions exist in them. Loyalty is to the clan and not to the tribe. This fact we have already noted. In that case Assam itself is not homogeneous. Once in ten years there is language conflict and it is yet to be solved.

Ninth, while the hill districts might be able to provide men for the general administrative services and subordinate services, they would not be able to provide men for higher posts such as heads of the departments. They will have to look for them elsewhere. Again, there would be the difficulty of obtaining suitably qualified persons as heads of persons particularly for engineering, medical and forest services. Officers from the plains might not be willing to go to the Hills. This is no doubt a fact. Assam also was in the same

position in 1950. But that did not prevent Assam having a State of its own. This would be a transitional difficulty.

Tenth, it was also argued that for security reasons the integrity of the State of Assam must be maintained. I am unable to understand this argument. Defence of the country is the concern of the Central Government. It depends on the number of divisions that it keeps in the North-East for the protection of its frontiers.

Eleventh, it was also contended that the population of the Hills State would be smaller—not more than one million. But the advocates of the Hill State said that there are some states in the U.S.A. which have less than one million. Though the population of the state would be smaller the area would be greater. It would be 27,599 square miles whereas the area of the residuary Assam would be 26,497 square miles. The Hill State would be a special State with special problems.

Twelfth, the Assamese expressed the fear that with the formation of Hill State, Assam would become a small State and its status might be reduced. This is not a valid argument. The status of the State depends on the contribution that it makes for the development of the country. A small country like England with forty million population was able to acquire a vast empire.

Thirteenth, the Government of Assam also contended that the formation of Hill State would strike at the unity of the country. It would encourage the secessionist and isolationist movements in the country. How the unity of the country would be jeopardised by the formation of the Hill State was not stated. Those that demanded separation did not say that they would go out of the country. On the other hand they stated categorically that they would be a part of the country. They assured time and again that their loyalty to the country was unquestionable. This they demonstrated when the Chinese invaded this country.

The Government of Assam also stated that the Christian missions were responsible for generating the separatist tendency in the tribals. They were also responsible for westernization which was not conducive for the integration of the tribals with the main stream. I discussed this question with Rev. Zairema of the Welsh Mission at Aizawl. He informed the present writer that except one no one taught the faithful to secede from the Indian Union. Rev. Zairema is a good Indian and I accept his contention. Then the question arises which Christian Mission was responsible for the formation of Ahom Mangaliya Rajya Parishad or the Purbachal Movement? Gujarat and Maharashtra were together for decades but demanded separation. The composite State of Hyderabad existed for 170 years but broke into pieces after independence. Therefore the contention that the Christian Missions were responsible for the separatist tendency among the tribals is not tenable.

It is significant to note that in Burma one of the most important ethnic groups defying the authority of the Central Government is the Shans. The Shans belong to the same denomination—Buddhism—as the other Burmese. In Telengana, the demand for a separate State was not sponsored by missionaries but by the middle class who wanted a share in decision making. The Non-Brahmins of South were not instigated by the missionaries to demand for independent Dravidanad. Thus, in the hill areas a new class has come into existence—the middle class—with the progress of education and economic development. It is this middle class that demanded the separation by skilful manipulation of the will of the people. A close analysis of the persons behind the movement indicates that the Hill State demand was a middle class movement.

It was also said that the Inner Line Policy of the British Government was responsible for keeping the tribals away

from the plains. They were not touched by the nationalist movement. If there had been no Inner Line there would have been no demand for a separate State. This is not a valid argument. The Inner Line Regulation was issued long before the establishment of the Indian National Congress. It was intended to protect the tribals from being exploited by the traders and money-lenders from the plains. It is this thought that induced the Government to continue the Inner Line Policy. The tribals themselves demanded the Inner Line. If there had not been the Inner Line Regulations the tribals would have become landless proletariat and beggars in the land of their fathers. Witness what had happened in Tripura where there was no Inner Line Regulation. The tribals were uprooted. They were reduced to beggary. Above all, the Inner Line Regulation did not prevent the tribals from coming down from the hills and mixing up with the people of the plains. The fact was that the people of the plains considered the tribals as inferior to them and did not like to mix up with them.

Finally, the opponents of Hill State also contended that there were closest political, economic and cultural relations between the people of the plains and hills in the pre-British period. At no time the hills and plains lived in water-tight compartments. Therefore, the demand for separation was not valid. The critics did not remember the fact that the Andhras and Tamils lived for centuries together. But after Independence the Andhras wanted separation. The Biharis and Bengalis lived together for decades and yet the Biharis wanted to separate from Bengal. Further, it was not a fact that the hills and plains were in closest relation with one another.

It was also pointed out that a composite culture was fostered both by the hills and the plains. What is that composite culture? There are wide differences between the two. Let us take the position of women. Women in the hill

areas were treated as equals to men. This is not the case in the plains. Let us take food habits. The tribals do not hesitate to eat any kind of flesh including that of dogs. But in the plains, the Muslims do not take pork, the Hindus beef and Brahmanas chicken. In regard to dress, each tribe has a distinct dress of its own. Then again, let us take language. There is no common language for all the tribals and the people of the plains. Therefore, the question arises what is the composite culture that has been brought into existence as a result of mutual contact between the people of the plains and hills.

The critics also said that a composite polity was brought into existence. Here again there is a difference of opinion. The polity that existed in the hill areas differed from place to place. The Khasi political system was a combination of monarchy and democracy. Among some Naga tribes autocracy existed. In the plains there was no democracy at all. The Ahoms ruled autocratically and aristocratically.

It is thus evident that all the arguments advanced against the formation of a Hill State were not reasonable. They did not take into account contemporary facts.

Let us now consider the role of language in the movement for separation.

"The Government have not taken a decision on the subject yet. I would, however, mention that the Government have not under-estimated its importance or the request that has been made by the Assam Sahitya Sabha and other institutions for the declaration of Assamese as the State language. Perhaps there are two important reasons which warrant an enactment on the State language. The first is to make the official communications easily understandable to the common man and the second is to break the barrier of language which now separates the diverse population of

Assam... The Government feels that this question should be judged, more from the point of view of the appreciation and acceptance than from the point of view of majority and minority. If this issue is decided only on the basis of majority and minority, Government is afraid that its object would be defeated. Government would prefer to wait till they get the same demand from the non-Assamese speaking population for the declaration of Assamese as State language," said Chaliha.

There was mixed reception to this statement. While the moderates considered the statement as an act of statesmanship, the militants thought that Chaliha was pro-Bengali if not anti-Assamese because the Bengalis would never demand Assamese to be the official language of the State. Therefore, the A.P.C.C. met on 22 April 1960 and directed the Chief Minister to declare Assamese as the State language. The immediate reaction to this decision was the meeting of All Assam Hill Leaders Conference at Tura, Garo Hills on 28 April 1960 which vehemently opposed the decision of the A.P.C.C. and heartily supported the Chief Minister's statement of 3 April. It did not demand a separate State, but demanded the amendment of the Sixth Schedule.

As directed by the A.P.C.C. Chaliha announced on 23 June that the official language bill would be introduced in the current session on the lines indicated by the A.P.C.C.

This statement, again, was not received with enthusiasm. While the people of Assam Valley generally welcomed the statement, the people of Cachar district and of the Autonomous districts resented it. But Chaliha said that in the prevailing circumstances, it was no longer desirable to postpone a decision on this question. He said that emotions had been roused and sentiments played up and the State had passed through some unfortunate tragic happenings which brought shame and disgrace to the fair name of the State.

The amount of damage caused by the language movement was enormous. As a matter of fact the cause itself suffered. Development work was held up and all attention was concentrated on the maintenance of law and order. And the process of disintegration of the State began. It gave birth to the A.P.H.L.C.

When Sangma expressed his unhappiness at the decision of the Government to make Assamese as the State language, Chaliha advised him to call for a meeting of the leaders of the hill areas and find out their views. Chaliha thought that a majority of the hill leaders were indifferent to the issue. Sangma called for a conference of all leaders of all the political parties in the hill areas. The Conference unanimously resolved to oppose the official language bill. It also resolved to form the A.P.H.L.C. The Mikir Hills did not join the A.P.H.L.C.

The A.P.H.L.C. opposed the move to make Assamese as the State language on the ground that Assamese speaking population constituted only fifty per cent of the total population and urged the Government to abandon the idea of making Assamese as the State language.

The A.P.H.L.C. constituted a representative Council of Action.

The Council of Action prepared a memorandum and submitted it to the President. In their Memorandum, the A.P.H.L.C. said that the declaration of Assamese as the State language would result in the assimilation of the tribals into the Assamese community. That was the fate of the plain tribals such as the Boros, the Miris, the Rabbas, the Lalungs, the Deweris, the Mundas and the Santals.

The memorandum also pointed out certain practical difficulties. The tribals would have to learn as many as four lanpuages in different scripts—their own mother-tongue and English in Roman script, Hindi in Devnagri and Assamese in

Prakrit. Instead of learning four laguages and wasting precious time, it would be better to learn some art or craft.

Second, Assam is not unilingual because Assamese do not constitute seventy per cent of the population. The S.R.C. said that a State is unilingual only when one language group constitutes seventy or more per cent of its entire population. Since Assamese was spoken by fifty per cent of the total population, Assamese had no claim to be the official language of Assam. The memorandom admtited that Assamese is one of the fourteen languages recognised as official languages but that was not a valid argument in favour of Assamese being declared as the State language. The memorandum concluded by saying that the Hill people would not learn Assamese language. The memorandum was silent on the question of a demand for a separate State.

The A.P.H.L.C. met the Parliamentary Delegation on 21 August 1960 and informed it that they would not accept Assamese as the official language of the State.

The second A.P.H.L.C. met on 22 August in Shillong to discuss the language policy of the Government of Assam. It approved the memorandum submitted by the Council of Action to the President of the Indian Union. It also decided, for the first time, that if Assamese was going to be declared to be the official language of the State, the Hill people would have no alternative than to demand separation from Assam. It also demanded that, notwithstanding the merits of the language issue, peace and order should be maintained at all costs and called upon the people of the State to co-operate with the Government in this matter.

Efforts were made to solve the language problem. The Chief Minister and the President of the A.P.C.C. organised a conference of the leaders of all political parties. Pandit Pant, the Union Home Minister, participated in these discussions. There were three schools of thought. One demanded

that Assamese should be declared to be the official language of the State. The representatives from the Cachar district demanded that Bengali also must be an official language along with Assamese. They also demanded that English should be continued for an indefinite period until it was replaced by Hindi. The tribals said that they would never accept Assamese as the State language. The fourth School suggested that English should be the official language. Pandit Pant suggested a bilingual formula, Assamese and Hindi. At the Secretariat level only English was to be used until replaced by Hindi. The Government of Assam accepted the bilingual formula but it was opposed by the people of the plains districts. Therefore it was rejected.

The permission that leave be granted for the introduction of the Assam Official Language bill was sought on 10 October 1960. But it was opposed by U Jormanik Siem, A Thanglura, Capt. Sangma and Biswanath Upadhyaya. Thanglura pleaded for Hindi to be the official language because it would unite all the races and communities. Capt. Sangma said prophetically that the declaration of Assamese as the State language would bring about the disintegration of the State. Biswanath Upadhyaya also said the same thing. Maham Singh suggested that there should be only one language—Hindi.

There was tremendous opposition to the language bill in all the Hill districts except in the Mikir and North Cachar Hills. On the 14 October 1960, the Council of Action decided that a procession, a public meeting and a hartal should be organised at Shillong, Aijal and Tura and if possible at Haflong. It was also decided that a delegation should be sent to Delhi to protest against the language bill. On the 18 October the members of the autonomous districts in the Legislative Assembly staged a walk out when the Chief Minister introduced the language bill. The Council of Action decided that 24 October should be observed as a protest day and constituted a delegation to go to Delhi. The dele-

gation was a representative one. On 2 November 1960, the Council of Action reiterated its determination to follow peaceful and constitutional methods for the realization of its objective, separate State for the hill areas. It also set up a youth organization. On 5 November it approved the draft memorandum to the P.M.

The Third Conference of the APHLC was held on 16 November 1960 at Haflong with Jayabhadra Hagjer as its chairman. For the first time in its history it demanded separation from the State of Assam. It resolved to send a delegation to meet the P.M. and demand separation.

The Conference adopted the constitutional set up for the North-Eastern Frontier State. The State would be known as Eastern Frontier State. It would have territorial jurisdiction over all the tribal areas of Assam and NEFA, the Cantonment and the Shillong Municipality. It might include any other area geographically contiguous to the autonomous districts and predominantly inhabited by the hill tribes and the tribal areas of Manipur and Tripura.

The North-Eastern Frontier State would have a unicameral legislature, consisting of 60 members, elected directly on the basis of adult franchise from single member constituencies. Each autonomous district would be represented by at least one member and by two members from NEFA in the Lok Sabha and by three members from all the autonomous districts and NEFA in the Rajya Sabha.

The Constitution provided for the retention of the District Councils and the regional councils. The powers of the District Councils would be increased by an amendment to the Sixth Schedule.

The Eastern Frontier State would have a Governor and a council of Ministers, a High Court, a University with English as the official language and a Public Service Commission.

The Constitution promised the protection of the legitimate interests of the minorities.

The APHLC delegation and the P.M. Before receiving the delegation, the P.M. consulted the Chief Minister Chaliha who gave a detailed reply to the points raised by the APHLC. The delegation, met the P.M. on 24 November. Capt. Sangma raised the language issue. The P.M. agreed with the delegation that the Language Act should not have been passed but it was passed against his advice. At the same time the P.M. assured Sangma several times that there was no need to be apprehensive that Assamese would be imposed on the tribals; that knowledge of Assamese would not be necessary for the Secretariat work; that in the Legislative Assembly, English, Hindi and Bengali could be used; that letters, petitions and memorials could be in English, Hindi or Bengali apart from Assamese; that Assamese would not be compulsory for the recruitment of officers for the Assam Civil Service; but the officers of the Assam Government must pass a departmental test in Assamese, Bengali or a tribal language.

Stanley Nichols-Roy stepped in and argued that recent events in Assam had convinced the tribals that their progress, the preservation of their own culture, the development of their language and area would be possible only if a separate State was created for the hill areas. He asserted that the Assamese were making every effort to thrust their culture and language on the tribals.

But Chaliha made it abundantly clear to the P.M. that Assamese would not be imposed on any non-Assamese districts of the State. There would be no unnecessary disability as regards employment. The proceedings in the Legislative Assembly were governed by Article 220 of the Constitution. This Article stated that the proceedings shall be conducted in the official language or the languages of the State or in Hindi or English. The permission of the Speaker

was necessary for the use of any other language in the Assembly. Therefore, there would be no difficulty about the use of any other language in the Assembly.

As regards the Secretariat, English would be the major language for the transaction of business and English would be continued as an associate language.

Under Article 350 of the Indian Constitution petitions and memorials and appeals could be in any language used in the State. Ordinances, Acts, Bills, Amendments to be moved in the State Legislature and orders and regulations issued by the Government and bye-laws framed must be in English under Article 348.

Chaliha also informed the P.M. that knowledge of Assamese was not compulsory for recruitment to services. But after recruitment, officers must learn a local language, Assamese, Bengali or a tribal language of the State. Chaliha went to the extent of saying that Assam Government would make one of the tribal languages compulsory for the departmental examination.

As regards medium of instruction Chaliha assured the P.M. that it would be left to the discretion of the people of the Hill areas.

But Nichols-Roy contended that the assurances given by Chaliha through the P.M. would not be effective; and that the Language Act would affect the tribals at the State level though not at the district level.

The P.M. was not convinced of the arguments of the APHLC and opposed the proposal for a separate State for the hill areas on the ground that the entire financial burden of the Hill State would fall on the Government of India; that the creation of separate State would affect the development of the hill areas; and that the available resources could be better utilised for development work.

The Home Minister whom the APHLC delegation met

on 25 November 1960 expressed similar views and said that the economy of the Hills and Plains was complimentary and finally a separate State would create new problems. The Home Minister also assured the delegation that the Government of India were interested in the development of the hill areas; and that more powers would be given to the District Councils. The Home Minister who was once the Chief Minister of a big State told the delegation that a small State with its economy closely linked with the valley and with relatively slender resources would not be able to make much headway. Therefore, he said that the Hills and Plains must live like husband and wife in happy marriage.

The delegation contended that the marriage between the Hills and Plains was an imposed one on the unwilling couples and therefore not a happy one. They asserted that their previous experience had compelled them to seek divorce notwithstanding the liberal attitude of Chaliha. They warned the Home Minister that the people were becoming restless and nothing short of a separate State was absolutely necessary. Otherwise, the extremists would capture the leadership in the hill areas and create an ugly situation.

The Home Minister pointed out that all the hill areas were not geographically contiguous to one another. On this a significant observation was made by the representative of the Mizo Hills, Saprawnga. He said that if geographical contiguity was an impediment to the formation of a Hill State, the Mizo Hills was prepared to keep out of the Hill State.

The Delegation met the P.M. again on 26 November 1960. There was good deal of repetition of the arguments already advanced by both the parties. At this meeting the P.M. said that the only satisfactory solution to the problem was to give the tribals full authority in internal matters and complete control over expenditures and freedom in regard to

the language they would like to have. The P.M. thought that this would give the tribals the essence of what they desired and at the same time would continue the advantages of a common State. It would also enable the tribals to develop their areas as speedily as possible. The P.M. assured the delegation that necessary resources would be placed at the disposal of the Tribal Affairs Department. They need not depend on the goodwill of the Government of Assam.

The P.M. went to the extent of saying that in the highly important matter of development, the people of the hill areas would have full authority and complete control over expenditures. The representatives of the tribal areas should discuss their development plans directly with the Planning Commission. He would welcome them to the meetings of the National Development Council in Delhi.

The P.M. also assured the delegation that any legislation that might be passed by the Legislative Assembly would not be enforced in the hill areas without the consent of the tribals. For this purpose he suggested the formation of a council of the representatives of the autonomous districts at the State level to which all the bills adopted by the State legislature should be referred.

The P.M. promised that he would consider all measures necessary to ensure adequate delegation of powers to enable the tribals to undertake the economic development of their areas. The scheme proposed by the P.M. was popularly known as the Scottish Plan.

The Scottish Plan was accepted by the District Congress Committee in the hill areas. The Governor Srinagesh also agreed with the general approach of the P.M. to the problem of the hill areas. Chaliha also agreed with the P.M.'s approach. The P.M. wrote to the Governor Srinagesh, "Whenever I have spoken to him on the subject (Scottish Plan) and I have done so on two or three occasions—I have presumed his agreement on this broad approach.

You might, if you like, put this to him". The Governor sent a copy of this letter to Chaliha. Chaliha did not say anything on this. It was the wont of Chaliha not to say anything on such public issues. He generally watches the reaction to the proposal. If it is favourable he would come out with a statement that the proposal was in accordance with his ideas which he had already expressed.

The P.M. not only suggested a plan but also the means for the implementation of the Plan. He desired to send C.P.N. Singh, the former Governor of Punjab, to Assam to study the local situation and make recommendation on the extent to which the Scottish Plan was applicable to the Hill areas of Assam. The Governor consulted Chaliha. The latter was not in favour of C.P.N. Singh's visit to Assam. Therefore, the Governor wrote to the P.M. that the time was not opportune enough for the visit of Singh to Shillong. Perhaps by this time the reaction to the Scottish Plan in the Congress circles was not favourable.

Let us now note the details of the Scottish Plan.

Scottish Pattern. The Scottish Plan contemplated that there should be a regional committee consisting of all the elected members of the Assembly from the Autonomous districts. The Regional Committee shall exercise all the powers granted to the Regional Committees in Punjab and Andhra.

At the State level all special development affairs of the hill areas would be under the control of a high powered Statutory State Council. It would have all the functions including Planning and Execution. This Council consisting of representatifes from the hill areas would not be interfered with by the Chief Minister or any other non-hill Minister of the Government of Assam. It would have authority to allocate funds for the development of all hill areas financed by the Government of India under Article 275.

In matters of legislation the members of the Assam

Legislative Assembly representing the hill districts would form a committee for the autonomous district affairs, presided over by the Hill Minister. All legislation affecting the interests of the people of the hills shall not be applied to the hill areas without the consent of the Hill Members.

A minister of the Cabinet rank for all the hill areas shall be appointed. In order that all the hill districts might be adequately represented, one or more Deputy Ministers might also be appointed. The Hill Minister would be the main executive authority so far as the hill areas were concerned.

In the event of disagreement between the Regional Committee and the Legislative Assembly the matter should be referred to the Governor acting in his discretion for final decision.

The funds required for the execution of plans and development schemes in the autonomous districts should be shown separately and administered separately.

Finally, the Sixth Schedule shall be amended so as to liberalise its provisions and delegate more powers to the autonomous District Councils and regional committees and to confer the greatest practicable measure of autonomy on them.

The P.M. also said that a commission would be appointed immediately to inquire into and report on the administration of the autonomous districts and regions and make recommendations for the liberalization of the Sixth Schedule and also to make other recommendations with regard to the future administration of the autonomous districts. But the autonomous districts should continue to remain within the State of Assam.

The APHLC which met on the 5 April 1961 rejected the Scottish Plan on the ground that it was almost a State within a State providing for partial administrative separation without actual political separation. Since the tribal areas would be a part of Assam politically, there would be many

occasions for friction and discord would continue to exist. It would bring about greater strife. Therefore the Scottish Plan was not of practical politics.

Second, the Statutory State Council was only an extension of the powers enjoyed by the existing Advisory Council which had been a dismal failure. It would not be able to function effectively unless it had the authority to initiate and control all the normal work to be carried on in the hill areas by the different departments. It must have full control of all affairs in the hills, both over special development programmes and over the normal programmes under the State general plan, not only for planning and allocation of funds but also for supervision and actual implementation of the plans. This would mean that there should be a separate Secretariat for the administration of the hill areas with all the necessary departments under its control and that this Secretariat should be under the Hill Council. "If this is agreed to, then full administrative separation has been conceded and we see no reason why full political separation cannot be given", said the APHLC.

Again, if the hill representatives could function independently of the representatives of the plains without any interference from the Chief Minister or any non-hill Minister, then why full separation should not be granted at the legislative level also.

Finally, the APHLC said that the Scottish Plan simply suggested certain administrative arrangements. It did not indicate how the language issue would be solved. For all these reasons the Scottish Plan was rejected and demanded separation.

The result of all this discussion was disagreement between the P.M. and the APHLC.

The delegation returned disappointed.

On 12 December 1960 the Council of Action decided

that intensive campaign should be carried on in favour of the Frontier State.

On the 7 January 1961, the Council of Action discussed the proposals of the P.M. for greater powers to the District Council and rejected them and reiterated its demand for a separate Hill State. The decision of the Council of Action was approved by the district branches of the APHLC. On 9 January the Council of Action resolved to request the P.M. for the creation of a separate State for the hill areas and requested him to pay a visit to Shillong for a discussion with the Council of Action. The Council further resolved, "should the creation of a separate State be not achieved by negotiation, the movement for the creation of a separate State be intensified and that all Hill leaders and the Hill people be called upon to prepare for all eventualities for the achievement of a separate Eastern Frontier State."

The P.M. did not visit Shillong nor the demand for a separate Hill State conceded. So on 15 March the Council of Action decided that a date be fixed for the resignation of all the Hill MLAs en bloc; that another date be fixed up for the withdrawal of all its members from all boards and committees constituted by the Government of Assam; that the general election of 1962 be boycotted and that a delegation be sent to explain to the P.M. why the APHLC could not accept his proposals.

On 5 April the Fourth APHLC met and decided that the proposals of the P.M. were not acceptable and reiterated its demand for the creation of a separate Hill State and sent a delegation to Delhi to explain to the P.M. the reasons for not accepting his porposals.

The delegation met the P.M. at Delhi on 17 May and the Home Minister on 18 May. The P.M. suggested that the entire matter must be referred to a commission for enquiry and report. The delegation did not agree to this unless the terms of reference to the Commission and also the

language problem were included in the terms of reference. The delegation again met the P.M. but there was no progress in their talks. The Council of Action approved the stand taken by the delegation.

The Fifth APHLC which met at Tura reiterated its demand for a separte Hill State and finally decided not to accept the Scottish Plan. It called upon the people of the autonomous districts to launch a non-violent satyagraha for the separation of the hills from the plains. It further called upon the Hill Members to resign from the Legislative Assembly and also from the various committees and boards constituted by the Government of Assam as well as from Parliament of India. It fixed 24 October as the Separate State Demand Day. It called upon the hill districts to boycott the elections to the Assembly and Parliament in 1962. October 24 was fixed with a view to facilitate further negotiations instead of precipitating a crisis.

While some of the members of the APHLC resigned from all the councils, boards and committees, others did not do that. A. Thanglura and Kistobin Rymbai refused to resign from the membership of the legislature and committees. Both of them severed their connection with the APHLC.

The Council of Action met on 4 September 1961 and decided that 24 October should be observed as the Demand Day for the establishment of a Hill State, when processions, rallies and public meetings should be held in each hill district.

While the APHLC rejected the Scottish Plan it was accepted by the District Congress Committees in the Khasi and Jaintia Hills, the Garo Hills, and the North Cachar Hills. They dissociated themselves from the APHLC. Persons like Jayabhadra Hagjer, Maham Singh and Eamonsing Sanga left the APHLC. The Congress Committees in the hill areas made it plain to the APHLC that they would

contest the third general election on the issue of Scottish Plan. The APHLC was, therefore, compelled to revise its decision to boycott the general election to the Assembly and Parliament. It feared that its opponents would contest the elections and get themselves elected to the Assembly and Parliament and thereby demonstrate to the whole civilized world that the APHLC had no following in the hill areas, should it persist in its decision to boycott elections. Pragmatists as the tribals are, the APHLC, at its sixth meeting held at Aizawl on 14 September 1961, authorised the Council of Action to take final decision as regards the boycott of elections. The Council which met at Shillong on October 6, 1961 resolved to contest the third general election and at the same time decided that all the successful candidates should resign the membership of the Assembly with effect from such date as shall be determined by the APHLC.

In 1962 the APHLC set up 15 candidates and won eleven seats.

Even after this spectacular victory, the Hill State demand was not conceded. The APHLC did not keep quiet. It carried on agitation, organization, and education of the electorate in favour of the Hill State. To demonstrate its strength, it called upon its members in the Legislative Assembly to resign. On the 16 June 1962 eight of the APHLC MLAs submitted their resignation with effect from 24 October 1962. Since the resignations were to come into effect on a future date, they were not accepted. On 24 October only seven of the eleven APHLC MLAs resigned. Nallindra Sangma who resigned in June did not resign in October. Besides Nallindra Sangma, Enowell Poshna, R. Thanhlira and Emerson Momin did not resign. Why did they not resign? The APHLC spokesmen informed the present writer that Congress offered them allurements of office. R. Thanhlira

was offered the membership of the Assam Public Service Commission. But Thanhlira argued that the APHLC adopted a double standard. On the one hand it would resign its seats in the Assembly. On the other it would control the District Councils. This according to Thanhlira was a mockery. But the electorate taught a lesson to these defectors in 1967. Enowell Poshna, Nallindra Sangma and Emerson Momin were defeated at the fourth general elections. Nallindra Sangma forfeited his deposit. Both Emerson Momin and Nallindra Sangma were again beaten at the District Council elections and they never saw the political light again.

On 23 August 1962, the APHLC decided to launch non-violent direct action. The APHLC again sought an interview with the P.M. but the P.M. indicated that no useful purpose would be served by meeting to discuss rigid demands and that he was willing to meet the delegation only if they wanted any further clarification on his earlier proposals. Since the P.M. was not inclined to meet the delegation it was not sent.

On 15 October 1962, the Council of Action decided as regards the method of action to be taken for achieving separation from Assam and the creation of the Eastern Frontier State. In the first instance, the main form of non-violent direct action would be the dislocation of the functioning of offices of the State Government, particularly in the hill districts. Each district unit of the APHLC might launch the movement according to its own convenience. The movement must be started on or before 31 March 1963. But medical institutions, conservancy and educational institutions were exempted from the operation of the proposed direct action.

In the meanwhile there was Chinese aggression and the Council of Action decided on 30 October 1962 not to resort to direct action. On 4 June 1963, the APHLC decided to cooperate fully with the Government in defence efforts and

permit its members to accept the membership of committees and boards set up for defence purposes. It also resolved to submit a memorandum to the P.M. and send a delegation in connection with the Hill State.

On 24 July 1963, there were by-elections to fill up the vacancies caused by the resignation of the seven APHLC members of the Assembly. The APHLC set up its candidates for all the vacant seats. This time, the APHLC set up Bawichuwaka instead of Chhunga for the Aizawl West and Hoover Henniewta for the Shillong constituency in the place of Wilson Reade.

The performance of the APHLC at these by-elections was somewhat disappointing. In the Mizo Hills the APHLC candidates were beaten by the Mizo National Front even though they were the best of all the candidates in the Mizo Hills. All the four candidates of the APHLC in the Khasi Hills polled less number of votes in the bye-election than in 1962. Williamson Sangma alone polled more votes in 1963 than in 1962. Thus, there was a slump in the popularity of the APHLC.

Again, there was a crack in the party in the second part of 1963. The Mizo Union adopted a rebellious attitude towards the APHLC. To persuade the Mizo union not to leave the APHLC a delegation was sent to the Mizo Hills but the Mizo Union did not accept the advice. On the other hand they decided to demand a separate State for the Mizoram within the Indian Union. The reasons given by the Mizo Union for secession from the APHLC are several. First, the demand for a separate Hill State was not conceded by the Government of India. Second, the APHLC was not a dynamic body and did not adopt a consistent attitude. These reasons are not convincing. The real reason is the Mizo character. The Mizos are highly individualistic. They thought that their individuality would be lost by joining the Khasis and the Garos. They also thought that the Khasis

would dominate not only hill politics but also public services.

In these circumstances the APHLC seems to have felt that it lost the ground and sought clarification. They met the P.M. on 10 June 1963. The result was the emergence of the Nehru Plan.

The Nehru Plan or Full Autonomy

The Nehru Plan contemplated that the hill areas of Assam must remain within the State of Assam, enjoying ninety-nine per cent autonomy of a State. The remaining one per cent was complete separation from Assam.

Second, the Sixth Schedule shall be retained but it shall be amended as recommended by the Hill Advisory Council.

Third, each hill district shall be represented by one member in Parliament, by one M.L.A. for every 40,000 population.

Fourth, the Autonomous District Councils and the Pawi Lakher Regional Councils would be given wider powers and greater financial help.

Fifth, there shall be a regional council for all the autonomous districts.

Sixth, no law axecting the interests of the hill areas shall be passed by the Assam Legislative Assembly without the consent of the Regional Council.

Seventh, in the matter of planning for development of the hill areas, the representatives of the hill areas shall have direct access to the Planning Commission.

Eighth, the hill people shall have cent per cent control over certain departments such as Development, Agriculture and Education, P.W.D.

Ninth, certain subjects or departments shall remain as common subjects such as the State Electricity Board, the High Court Registration of Trade, etc.

Tenth, as regards appointments, postings and trans-

fers, the hill people shall have full control in subjects over which they have full control. As regards the appointment and transfer of Deputy Commissioners, the matter shall be examined further.

Eleventh, the hill people shall have full control over grants given under Art. 275 of the Constitution and over the revenues of the hill areas. But the State Legislature shall have some say over the grants that might be given to the hill areas from the State revenues.

Twelfth, English shall be the official language until it was replaced by Hindi.

Thirteenth, there shall be a separate university for the hill areas.

Fourteenth, at the district level the District or the Regional Council shall decide what language should be used for official purposes.

Fifteenth, in order to expedite the development of the hill areas, steps would be taken for better and quicker implementation of the development plans and provision would be made for development grants.

Sixteenth, the provisions in the constitution safeguarding the interests of the hill people shall continue as long as the hill people themselves reasonably feel the need for the same.

Finally, if the hill people agree to these proposals in principle, a Commission shall be appointed by the Government to work out details of the administrative set up for the hill areas in consultation with the hill people.

The Nehru Plan contemplated Cabinet Government of the accepted type. There should be collective and joint responsibility to the State Assembly. There should, however, be a Cabinet Minister in charge of the administration of the hill areas, assisted as far as might be necessary by possibly a minister of State and one or two Deputy Ministers. In the appointment of Ministers for the hill areas the Chief

Minister "will be guided by the recommendation of the M.L.As of the hill areas."

A list of subjects such as Education, Agriculture, Horticulture, Forests, Health, and possibly Road would be transferred to the control of the Hill Minister. The administration of these subjects in the hill areas would be entirely in charge of the Cabinet Minister for the hill areas and his junior ministers.

There would be a separate wing or department of the Secretariat for the hill areas to be divided into a number of departments for the administration of the subjects allocated for separate administration in the hill areas. It would have the necessary staff.

The Minister for the hill areas would be given full executive powers for the administration of these subjects in the hill areas.

The Hill Ministers would have the authority to determine the langauge or the languages to be used in the hill areas wing and other offices of the hill areas dealing with the subjects allocated for separate administration in the hill areas. It would be provided with necessary staff.

The Hill Ministers would have the authority over expenditures on the departments allocated to them.

At the beginning of each financial year a separate complete budget for the subjects allotted to the hill areas would be framed. In regard to other subjects not transferred for separate administration, the amounts to be spent in the hill areas would be shown separately under the appropriate budget head.

The Hill wing of the Secretariat would have its own Financial Adviser.

The Legislative Wing. The M.L.A.s of the Autonomous Hill districts would form a Regional Committee. All proposals for legislation affecting the hill areas would be

referred by the State Assembly to the Regional Committee. The Regional Committee might also initiate legislation. Normally the recommendations of the Regional Committee would be accepted by the legislative assembly. In case of disagreement between the two, the matter would be referred to the Governor who acting in his discretion might take decision, after obtaining directions from the President, where necessary.

The area budget relating to the Hill areas should be referred by the Assembly to the Regional Committee for its consideration.

There would be a common High Court for the whole of Assam. The judicial set-up would be that provided in the Sixth Schedule.

Criticism of the Nehru Plan. The State Government, the Chief Minister and the Congress opposed the plan, because it was full of doubts and difficulties. The Government thought that the Plan would affect the democratic form of Government; it would undermine its unity and integrity; it would affect the functioning of the cabinet as a team with collective responsibility to the state legislature; it would affect even the unity and integrity of the State; and it would sow the seeds of disruption. It would bring into existence deadlocks in the functioning of the State Cabinet based on the principle of collective responsibility. Chaliha wrote to the Prime Minister, "It is our considered view that unless the Chief Minister is unfettered in his choice of cabinet colleagues...the proper functioning of the cabinet system will not be possible. It would be natural that the Chief Minister would, in the selection of his colleagues, take into account the views of the representatives from different areas as is done at present but any proposal to impose on him, either by statute or by convention, a person whom he may not consider suitable or desirable or who does not subscribe to

the basic policies and programmes of the Government would not only strike at the root of collective cabinet responsibility, but would also create serious difficulties and deadlocks in day-to-day administration.....The relationship of trust between the cabinet colleagues is a basic pre-requisite which must be ensured".

As regards the selection of ministers to represent the Hill areas, Chaliha pointed out serious difficulties that would be raised by the rigid interpretation of the word **'guided'.** The word guided means that the Chief Minister must take as his minister even a person with secessionist views or otherwise undesirable provided he had the support of the majority of the members of the hill areas.

The Chief Minister drew the P.M.'s attention to another difficulty. The tribals are extremely individualistic. They had not developed the art of co-operation for a common cause. In case there are more than one group with equal strength in the legislature, which group should be represented in the Cabinet?

The P.M. appreciated the difficulties pointed out by Chaliha and agreed with him that the Chief Minister should have freedom in the selection of his colleagues. Nehru pointed out that the word guided should not be interpreted literally and rigidly as Governor Vishnu Sahay did in a note to the Chief Minister.

Chaliha also objected other proposals. While the State Government would accept that in matters relating to the development of these areas, the regional committee should have a final voice, it should not have the overriding authority in other matters also. This would create serious practical difficulties in the legislative sphere. Therefore, it is essential to clearly specify the subjects in respect of which the regional committee would exercise authority. Chaliha also pointed out that the regional council should not be given

overriding powers in respect of fiscal matters relating to the development of the State as a whole.

Dealing with the next proposal that in case of difference of opinion between the Regional Council and the Legislative Assembly or between the Chief Minister and the Hill Ministers, and between State Government and the Regional Committee, the matter should be referred to the Governor whose decision shall be final, Chaliha rightly pointed out that "any provision which would alter the constitutional relationship between the Governor and the State Cabinet would be a retrograde step...It would seriously affect the relationship between the Chief Minister and his colleagues. Differences of opinion between the Chief Minister and his colleagues must be settled within the cabinet. If a colleague could not see eye to eye with the Chief Minister he must go. But if a provision was made for arbitration in such cases it would tend to disintegrate the authority of the cabinet or the legislative assembly and there would be interminable quarrels".

Thus under the Nehru Plan, the people of the Brahmaputra Valley would get the worst of both the worlds. They would have to submit to what would, in effect, be a separate hill State and yet would have no say in its administration while the representatives of the hill areas would have considerable voice in the affairs of the plains.

Not only Chaliha, prominent politicians also condemned the plan. The Assam Pradesh Congress Committee also objected the Nehru Plan.

But the Nehru Plan was welcomed by the District Congress Committee of the K. & J. Hills and the Assam Hill People's Convention.

So far as the APHLC was concerned it did not express its views immediately. On 29 August 1963, its representative in Parliament, G.G. Swell, sought clarification from the P.M. on the terms of reference to the Commission. The

P.M.'s reply was guarded. He said that the basic terms of reference to the Commission would be to give the largest measure of autonomy within the framework of maintaining connection with Assam.

As regards the appointment of hill ministers, the P.M. said that "when the cabinet is formed it has to be such as can function as a team. Ministers have to be appointed by the Chief Minister but representatives of the hill areas will no doubt be consulted...and as a matter of convention their views should normally be accepted in so far as the hill areas are concerned." The same general convention should apply to the departments dealing with the hill areas. The part of finance dealing with the hill areas would be based largely on the opinions of the representatives of these areas. As regards legislation the P.M. said that "any legislation dealing with the hill areas will, as a matter of convention, have to be approved by the representatives of the tribal areas, who can certainly initiate legislation also."

On 4 October 1963, the APHLC delegation met the P.M. for clarification on certain points mentioned in his letter to G. G. Swell. At this meeting the P.M. said that the tribal areas would have hundred per cent autonomy and at the same time reiterated his view that they should keep contacts with Assam without which their own development would suffer greatly.

On 4 November 1963 the APHLC again requested the P.M. to receive a delegation for further talks. In their memorandum the APHLC admitted that the unity of Assam must be maintained. From this it may be inferred that the APHLC was not serious about separation from Assam. It also admitted that the accepted form of cabinet government should be maintained and that the principle of collective responsibility should be preserved. At the same time it insisted that the Chief Minister should be guided by the re-

commendation of the M.L.A.s. from the Hill areas and that the Hill Ministers shall also be responsible to the regional committee. Thus, the Hill Ministers would be like Draupadi of Mahabharata. They shall be responsible to the Assam Legislative Assembly, to the Chief Minister, and the Regional Committee. In case they did not command the confidence of the Assembly but commanded the confidence of the Regional Committee what would be their constitutional position? Could the Chief Minister suggest their removal to the Governor? All these questions did not strike the APHLC. The Chief Minister should be guided by the advice of the Hill M.L.A.s. What was meant by the word guided? Was the Chief Minister bound to accept the advice of the Hill M.L.A.s.? The APHLC very cleverly drafted the memorandum so that its proposals might not be accepted by the Government of Assam and thereby enable it to claim separate statehood for the hill areas.

The APHLC also suggested the subjects that should be entirely under the control of the Hill Minister or ministers. To deal with all these subjects, there should be a separate wing of the Secretariat with the necessary departments. The language to be used in the Secretariat should be determined by the Minister. The Hill Ministers should have complete control over the allocation of funds for different services. The Hill Wing of the Secretariat would have its own Financial Adviser for the control of expenditures. Thus the APHLC accepted the Nehru Plan.

Though it accepted the Nehru Plan, the APHLC did not commit itself to it. Its representative in the Lok Sabha, G.G. Swell, met the Home Minister and the P.M. on 4 April for certain assurances. The P.M. assured Swell that his Plan of Full Autonomy and other assurances would be fully implemented both in letter and in spirit; that maximum number of subjects would be transferred to the hill admin-

istration; that the autonomous districts would be given greater representation both in the State legislature and in Parliament.

On 17 April, 1964, the APHLC met to consider the Nehru Plan. While reiterating its view that the creation of a separate State would be the simplest, the best and the final solution to the problem of the hill people, promised to give a trial to the P.M.'s Plan of full autonomy and requested him to proceed with the appointment of the Commission to work out details for implementing his offer of full autonomy and his other assurances. The APHLC did not indicate what the other assurances were and what was meant by the term full autonomy. At the same time the APHLC said that if the Commission's recommendations fell short of the assurances given by P.M. it would revise its decision.

SECTION 2. PATASKAR COMMISSION

Since the APHLC accepted the Nehru Plan and the opposition to it in the plains was not vigorous, the question of appointment of a Commission arose. The P.M. thought that one man Commission assisted by two able officers would be able to do its business quietly and quickly without attracting public attention and provoking demonstrations than a Commission of three or five. Chaliha and Vishnu Sahay did not agree with P.M.'s view on the composition of the Commission. They suggested a three man Commission of whom two should be non-officials.

Then the question arose as to who should be the Chairman of the Commission. The P.M. suggested that C.P.N. Singh, the former Governor of Punjab, should be the Chairman. Chaliha was not happy with the choice of the P.M. Nehru insisted on the appointment of Singh. Chaliha suggested Pataskar to be the Chairman. In suggesting Pataskar, Chaliha seems to have been guided by the motive that since Pataskar was a Congressman and pliable, he would be able to scuttle the Hill State Plan. Chaliha was success-

ful in securing the appointment of Pataskar as the Chairman of the Commission.

Nehru died on 27 May 1964 and therefore the appointment of the Commission was delayed. Nehru's successor Lal Bahadur Shastri appointed the Commission on 16 March 1965. The terms of reference to the Commission were, that while the Commission was at liberty to recommend full autonomy to the hill areas, it must remember that the unity of the State of Assam was preserved. Further, certain institutions must be common for the whole of Assam, a common legislature, a common cabinet based on the principle of collective responsibility to the State Assembly, a common High Court, a common Governor, and a common civil service. Otherwise the Commission was free to recommend a detailed scheme for the reorganization of the administrative set-up for the hill areas. The Commission could also recommend the administrative, financial and legal measures necessary for giving effect to the scheme. The Commission should also consider whether it was necessary to make changes in the powers and functions of the district and regional councils constituted under the Sixth Schedule and recommend the changes that should be made in the Schedule.

The Commission visited Assam on 29 May 1965 and met the representatives of various organizations.

Proposals of the Government of Assam

The Government of Assam suggested that the M.L.A.s of the autonomous districts and the M.L.A. representing the Shillong constituency would form a Regional Committee. All legislative proposals affecting the autonomous districts would be referred by the State legislature to the Regional Committee for its advice. The Regional Committee could also initiate proposals for legislation concerning the autonomous districts for necessary action by the State legisla-

ture. The decision of the State legislature shall be final. The Government thought that it was neither advisable nor desirable, that in the event of disagreement between the State Legislative Assembly and the Regional Committee, the differences should be referred to another authority outside the Assembly for adjudication. The views of the legislature should prevail in the event of disagreement between the two. Reference of any difference to a third party as suggested by the P.M. would pave the way for disruptive and fissiparous tendencies. It would militate against the idea of a single legislature for the whole State. It would diminish the competence of the Legislative Assembly.

Second, the cabinet should contain a member from the hill areas. He would be in charge of the subjects allotted to the Department of hill areas. He might be assisted by a minister of State and a deputy minister who would also be representatives from the hill areas. In the selection of ministers, the Chief Minister should have complete discretion. The Chief Minister might take into account the views of the M.L.A.s from the hill areas. Bnt he must have unfettered discretion in the selection of his ministers.

Third, there should be a department for the hill areas in charge of a cabinet minister. Matters relating to the District Councils and the Regional Councils should be dealt with by that department. It should be entrusted with all development programmes of the hill areas. It should be responsible for the supervision and control over all development programmes.

Fourth, all schemes and proposals for the development of the hill areas would be finalised in consultation with the minister in charge of the hill areas.

Fifth, there should be an area budget for the implementation of the development programme in the hill areas. The

area budget should show all income and expenditure of the hill areas.

Sixth, the hill areas department shall have a financial adviser to examine and sanction schemes for execution in the hill areas.

Seventh, the heads of the departments would initiate proposals for the hill areas on subjects with which they were concerned. They would be submitted to the hill areas department, as well as to the departments concerned. They would be finalised with the approval of the minister for the hill areas.

Eighth, in order to accelerate the progress of development in the hill areas it would be necessary to strengthen the machinery of the departments and some of them might have joint and additional directors.

Ninth, the District Councils and the Regional Councils might be entrusted with agriculture, including minor irrigation, soil conservation, animal husbandry, dairy farming, fisheries development, cooperation, small-scale and rural industries, rural water supply, agriculture and weaving, community projects, medical and unclassed state forests, and education up to the primary standard.

Tenth, in order to enable the District and Regional Councils to discharge their multifarious functions, it was imperative that they should be assisted by a secretary, who should be an officer of the State Government with sufficient experience.

Eleventh, the District and the Regional Councils under the Sixth Schedule must be held responsible for the administration, within their respective areas, of the following subjects: the allotment, the occupation or setting apart of the land, other than any land which is a reserved forest, for the purpose of agriculture or grazing or for residential or other non-agricultural purposes or for any other purpose likely

to promote the interests of the inhabitants of any village or town, the management of any forest not being a reserved forest, the use of any canal or water course for the purpose of agriculture, the regulation of the practice of jhuming or other forms of shifting cultivation, the establishment of village or town committees or councils and other matters relating to village and town administration, including village and town police and public health and sanitation, the appointment and succession of chiefs or headmen, the inheritance of property, marriage and social customs. Thus, the State Government did not say anything new. All this had already been said by Chaliha in his several communications to the P.M. The State Government rebutted some of the accusations made against it.

First, it was stated that the tribal people were not associated with the preparation of the plans and administration. The State Government replied that the representatives of the tribal people were associated with the administration in various ways so that the schemes that might be framed might meet their needs and aspirations. At the sub-divisional level and the district level the leaders of the scheduled tribes and the members of the District and Regional Councils were consulted in the preparation of the development programmes. The Government almost always accepted their advice so long resources were available.

In order to enable the tribal people to initiate schemes the government constituted an advisory council in 1958, consisting of members of the State Legislature from the hill areas, the M.P. from the tribal area, the Chief Executive Members of the District Councils and of the Regional Councils, the Development Commissioner, the Commissioner of the Hill Areas and the Secretary of the Tribal Affairs Department. The Minister for Tribal Affairs was its Chairman. The Vice-Chairman was elected by the members from among the members of the Legislative Assembly re-

presenting the autonomous districts. The M.P. was excluded from the Vice-Chairmanship. Any officer of the Government whose presence was necessary could attend the meetings of the Council. The Council advised the government on all matters pertaining to the tribal areas. In particular it had to assess the requirements of the Scheduled Tribes in the autonomous districts; formulate the welfare schemes for the development of the autonomous districts; review the execution of the schemes sanctioned from time to time and advise them on the working of the autonomous District Councils.

Proposals of the Khasi Darbar

The Khasi Darbar represented that it accepted the Nehru Plan and suggested certain reforms which would enable the Khasi Chiefs to maintain their rights and privileges. The Darbar suggested that instead of the District Councils, there should be a Corporate Body exclusively for the Khasis. The Jaintias should be excluded from the Corporate body. The Corporate Body should be entrusted with enough powers and functions. The Darbar also suggested that the laws passed by the Legislative Assembly should not be enforced in the Khasi Hills without the consent of the Corporate Body. The Corporate Body might make any proposal to the State Assembly for necessary legislation. In case of difference of opinion between the Assembly and the Corporate Body the matter should be referred to the Governor.

Other Proposals.

The Garos, living in the districts of Kamrup and Goalpara, in their memorandum to the Pataskar Commission, demanded the inclusion of the Garo areas in these districts, contiguous to the Garo Hills district in the autonomous district of the Garo Hills so that their interest could be protected better by the Garo Hills District Council.

The Karbi-A-Darbar (Mikir Hills) suggested a separate secretariat for the administration of the hill districts and that certain subjects should be transferred to the Secretariat. Provision for separate directorate for the administration of the subjects should be established. The Minister for hill areas should be entrusted with powers and responsibility for the administration of the subjects transferred to the control of the Hill Secretariat. The Karbi-A-Darbar suggested the transfer of agriculture, education, soil conservation, public health and public works.

The funds earmarked for the administration of the hill areas should be placed at the disposal of Hill Ministers who shall be held responsible for their expenditure.

In each hill ristrict there should be a development council to enable the people in the district to participate in the preparation and implementation of plans for the hill areas.

The District Development Council should be entrusted with the administration of funds allotted to the particular district. The Council should have the power to reappropriate the funds from one scheme to another. It shall also have the power to change the structure and size of the schemes. The responsibility for the execution of schemes shall be that of the District Council.

The District Development Council shall have an executive committee consisting of the members of the Executive Committee of the District Council and the Deputy Commissioner for the implementation of the decisions of the Development Committee.

The Darbar also recommended that sales tax and commercial taxes collected by Government should be handed over to the District Council. Finally, the Darbar recommended that linguistic and cultural minorities should be protected,

The APHLC narrated the misdeeds of the Government of Assam. It accused the Government of Assam for not developing the economic condition of the tribal areas; for not utilising the funds placed at its disposal by the Government of India for the development of the tribal areas; for diverting the funds intended for the development of hill areas for the development of the plains; and for trying to impose the Assamese culture and language on the tribals. The APHLC also said that there was no progress in the social and economic condition of the people of the hill areas. All this is old story.

How far these accusations were correct? We can understand the real situation by making a comparative study of the revenue and expenditure position of the hills and plains. The contribution of the hill areas to the general fund in 1964-65 was 1.59 per cent of the total revenue receipts of the State Government and the per capita contribution was Rs. 4.14. The contribution by the plains to the general fund was 98.41 per cent and the per capita contribution was Rs. 39.06 in the same year.

As regards expenditure, in 1964-65, the percentage of expenditure to the total was 85.73 so far as the plains were concerned and 14.27 in the hill areas. The per capita expenditure was Rs. 55.59 in the plains and 64.69 in the hills.

If we take the expenditure on Social and Development Organizations, in 1964-65, it was 85.73 in the plains and 14.27 in the hills and the per capita expenditure was Rs. 19.38 in the plains and Rs. 25.81 in the hills.

The allotment of funds under the three Five Year Plans was as follows.

	Plains	*Hills*	*Total*	*Percentage of col. 3 to 4*
		In Crores		
	Rs.	Rs.	Rs.	Rs.
First Plan	16.25	4.25	20.50	20.07
Second Plan	45.13	9.35	54.48	17.01
Third Plan	116.62	17.36	133.98	12.09

In addition to the allotment made under the different plans Rs. 2.23 crores under the Second Plan and Rs. 6.02 crores under the Third Plan were spent on the centrally sponsored schemes for the hill areas.

All these facts indicate that the accusation made by the APHLC that no allotment was made from the State funds for development schemes in the hill areas was not correct. There was allotment of funds and it was in proportion to the population strength of the hill areas. It must also be mentioned that some of the bigger schemes were undertaken in the hill areas and their economic benefits accrue to the people of the hill areas, For instance the Umiam Project must have benefited the Khasis immensely. If this expenditure is also taken into account the economic condition of the hill areas must be better than that of the plains.

Again, to promote the economic interests of the Scheduled Tribes all possible preferential treatment was given in the matter of contracts, leasing of forests, toll bridges, forest mahals, fisheries, e.c. Works settled on the basis of bids whether in auction or by tender were settled in favour of the Scheduled Tribes candidates, subject to the condition that they were suitable, by giving them a concession up to a limit of 7½ per cent below the highest bid offered.

Further, in the field of agriculture, there was significant increase in the area of cultivation. Comparatively, it was more marked in the hill areas than in the plains. The net area sown per head of rural population increased from 0.15 hectares in 1951 to 0.19 hectares in 1964 in the hill areas. In the plains, on the other hand, there was a decline from 0.25 hectares to 0.13 hectares during the same period.

Again, the value of agricultural produce per hectare at constant prices increased in the hill areas from Rs. 584 in 1950 to an average of Rs. 699 in the First Plan period and from Rs. 699 to an average of Rs. 723 during the Second

Plan period but declined to Rs. 700 on the average in the Third Plan period. However, the fact remains that the value of agricultural produce per hectare was greater in the hill areas than in the plains.

Again, the value of agricultural output per capita constantly showed an upward trend in the hill areas: from an average of Rs. 112 during the First Plan period to an average of Rs. 123 in the Second Plan period and Rs. 124 in 1964. Before the First Plan the plains were ahead of the hills in this respect. In 1964, the position was exactly the reverse.

Again, during the First Plan period some cottage industries were established with a view to encourage subsidiary industries like bee keeping, basket making, sericulture, spinning and weaving and the manufacture of gur. Grants were given to private individuals for encouraging subsidiary industries.

Further, a number of measures were undertaken for replacing jumming by settled cultivation. One of them was the establishment of nine demonstration centres in the Garo Hills, three in the Mikir Hills, two in the Mizo Hills, and one in the North Cachar Hills. Where jumming was continued the cultivators were educated to avoid indiscriminate cutting down of forests. To encourage grow more food campaign, seeds and manures were distributed at cheaper rates. All these facts indicate clearly that the accusation that there was no economic development in the hill areas was not true to facts.

Let us now consider whether there was diversion of funds placed by the Government of India under Article 275 at the disposal of the State Government for the development of the plains. The Kamakhya Temple Road was not constructed out of funds placed at the disposal of the Government of Assam by the Government of India. The Govern-

ment of India sanctioned Rs. 7.68 lakhs specially for this purpose, as a grant-in-aid. The lake in the Gauhati University area was also not constructed out of the Article 275 funds. The Shellac Factory at Chaparmukh was no doubt built out of the Article 275 funds but it was located at Chaparmukh because it was the railway station. It is now clear that there was no diversion of funds for the development of plains.

Was there progress in the field of education? There was. As a matter of fact the Government of India attached considerable importance to the development of education in the tribal areas. To teach through the tribal dialects special text-books were prepared. By the end of 1961 eight tribal dialects were taken up. Again, tribal students were given scholarships, about 1,000 in the First Plan period, 6,756 in the Second Plan period and the number increased considerably in the Third Plan period.

Let us go a little deeper in this matter. In 1951 the number of primary schools in the hill areas was 1,115. It increased to 3,363 in 1964. The number of schools per thousand children of the school going age also increased from 7.4 in 1951 to 15 in 1964. The percentage of children of the school going age enrolled increased from 29.6 to 64.4 in 1964. The number of middle schools increased from 139 to 418 during the same period and the number of higher secondary schools from 22 to 114. Thus, during the period 1950 to 1964 the number of schools of different categories increased at a relatively higher rate in the hills than in the plains. But the most remarkable progress was made in the field of primary education. Literacy increased at a faster rate in the hill areas than in the plains during the decade 1951 to 1964. In 1951, the percentage of literacy in the hills was 16.29. It rose to 28.36 in 1961. The corresponding figures for the plains were 18.49 and 27.23.

Let us look at the progress of Public Health. Here also there was progress during the period 1951 to 1964. The number of hospitals and dispensaries increased from 45 in 1951 to 163 in 1964. As a matter of fact, the provision of medical facilities in the hill areas was better than in the plains. In 1964, there were 11.51 institutions per lakh of population in the hill areas whereas in the plains, it was only 5.93. During the first plan period 25 dispensaries were established under Article 275 programme. In the Second Plan period six T.B. Wards, 2 dispensaries and 6 child-welfare and maternity schemes were taken up. Grants were also given to non-official organisations for the treatment of leprosy cases. Five water supply schemes were undertaken.

To secure the tribals adequate representation in public service 12 per cent of the vacancies were reserved for them. If sufficiently qualified candidates were not available for recruitment, the vacancies were carried forward for a year or two. Further, in view of their educational backwardness, the standards of personality tests were lowered so that the tribal candidates might qualify themselves for service. Again, the Government reserved seats in the professional, technical and vocational institutions for the tribal candidates.

The picture presented so far is satisfactory but it had its shades. First, the economic development of the hill areas was not satisfactory for obvious reasons. Prior to Partition, the economy of the hill areas bordering Pakistan was bound up with the adjoining districts of East Bengal. The produce of the border areas of the hill districts, particularly the perishables, like oranges, pineapples, pan leaves and the forest produce like bamboos, bay leaves, and timber flowed to a ready market in East Bengal by the rivers and streams flowing from hill areas to East Bengal. After Partition, the markets in East Bengal were closed to the hill areas. The only way by which this adverse situation could be remedied

was by the construction of roads so that the produce of the border districts might flow to the plains in Assam. Some attempt was made in this direction. Under the First Plan fifteen roads of a total mileage of 350 miles, under the Second Plan 25 roads of 600 miles were constructed. Yet it must be admitted that the road coverage in the hills excepting the village roads was much less than in the plains. Since 1951, there has been no increase in the length of the National highways, State highways and major district roads in the hill areas. The increase in other district roads too has been more in the plains than in the hills. All this was due to shortage of labour and material, peculiar topography and difficult terrain. Thus, the prime need was the development of communications which was not done.

Again, although there was spectacular progress in elementary education, the hill areas were lagging behind in respect of Middle Schools, Higher Secondary Schools and Technical Schools.

Third, the grants given to the hill districts under Article 275 of the Constitution were less than those given to the neighbouring hill areas. The tribals thought that this was due to the indifferent attitude of the Government of Assam towards the needs of the tribals. The overall per capita expenditure in all other hill areas was much more than in the hill areas of Assam. The per capita expenditure on social and development programme was also greater in Nagaland and NEFA than in the hill areas of Assam.

Again, the tribals also argued that the plains people were trying to dominate the tribals. This is a slogan intended to generate hatred in the tribals towards the people of the plains. In politics hatred plays a vital part to bring about unity among the diverse peoples. The tribal leaders knew the value of this instrument and therefore laid emphasis on it.

Recommendations of the Commission

The Commission suggested the appointment of a Minister for the hill areas and such other Ministers of State, Deputy Ministers as might be necessary. They would have under them the reorganised department of the hill areas which would be concerned with all matters relating to the District Councils, supervision over the developmental programmes of the hill areas and other allied subjects. The Department of Tribal Affairs would function as an integral part of the Secretariat of the State Government.

2. In the appointment of Ministers and Deputy Ministers the Chief Minister would have unfettered discretion. The Chief Minister might consult the M.L.A.s from the hill areas in the selection of Ministers. Thus the Commission rejected the APHLC view that the Ministers appointed by the Chief Minister should be responsible to the Hill Areas Committee which could change them at will.

3. The Commission recommended the constitution of a Standing Committee consisting of the M.L.A.s from the hill districts to which all proposals for legislation concerning the hill areas would be referred to by the Assembly. If a question arose whether a bill was concerned with the hill areas or not, a certificate issued by the Governor should be final. Normally, the State Assembly should accept the recommendation of the Hill Areas Committee but in case of difference of opinion the Speaker would submit the matter to the Governor for his decision in his discretion. The Governor should convey his decision in a message to the Assembly which should be considered the decision of the Assembly itself.

4. The Commission emphasised that there was urgent need for further improvement and that the hill areas must be given an exceptional treatment. It should not be in any

way less than that given to the neighbouring areas. That is, there should be adequate provision for financing the development programmes in the hill areas and the Central Government should consider this question and the total development expenditure in the hill areas should be at least in the same order as in the neighbouring territories like Manipur and Tripura.

5. The form of the Budget should be suitably modified to include a new area budget showing allocations for the hill districts in respect of the subjects transferred to the department of the hill areas. In respect of non-transferred subjects also the budget allocation should be shown in the area budget. The APHLC suggested that the portion of the budget affecting the hill areas should be first approved by the Hill Areas Committee or the Regional Committee and then placed before the State Assembly. The Commission observed that the power of approval would imply that the Hill Areas Committee would be the final authority on the allocation of funds for the hill areas. This procedure would annihilate the principle of joint and collective responsibility of the Cabinet. The Commission, therefore, did not favour the acceptance of this proposal but recommended that the Hill Areas Committee should be given an opportunity to express its views on that part of the budget which related to the hill areas.

6. The Commission recommended that there was no need to widen the legislative authority of the District Council. But the administrative and executive functions of the District Council should be widened so that they might be associated with the development programmes relating to the transferred subjects. The Commission also recommended that the administrative machinery of the District Councils should be strengthened.

7. The Commission thought that increase in the powers

of taxation of the District Councils would not improve their finances materially. Therefore, the Commission recommended a grant-in-aid. The Commission also emphasised the necessity for economy in their expenditures so that more money might be spent on development works.

8. The Commission also recommended the appointment of a Commissioner for the hill areas who would be the main link between the State Government and the District Councils. He would supervise and guide the working of District Councils and would also be the head of the joint and additional heads of the Development Departments.

9. With a view to advising the Government regarding development activity in the hill areas, the Commission recommended the setting up of the Hill Areas Council with the Chief Minister as the chairman and the Hill Areas Minister, the Finance Minister, all M.P.s and M.L.A.s from the hill districts, all the Chief Executive Members and others as members.

10. The Commission also suggested the establishment of the District Development Council with the Deputy Commissioner as its chairman and the Chief Executive Member would be the vice-chairman and all M.P.s and M.L.A.s. would be the other members.

11. To ensure proper accounting of the financial transactions of the District Councils, the Commission recommended that the accounts should be audited by the Accountant-General. The Accountant-General should present the Report on the audit conducted by him. This report should be laid before the legislature and should be considered by the Public Accounts Committee. The annual audit report should be placed before the District Council. The Hill Areas Department through the Commissioner of the Hill Areas should keep a general watch on the state of finances and accounts of the District Councils.

12. The Commission also recommended the setting up of a District Councils Delimitation Committee for the determination of the boundaries of the constituencies. The Committee should be appointed by the Governor under the chairmanship of an officer not below the rank of a district judge.

13. The administration of forests in the hill areas should vest in the Minister for hill areas assisted by an advisory committee consisting of all the C.E.M.s of the Autonomous District Councils.

14. The Commission also recommended the setting up of subordinate village panchayats for the successful implementation of the development programmes.

15. The Commission considered that the existing rule that non-tribals shall have the right to vote provided they had resided in the tribal area for a period of twelve years was very rigid and very harsh. Therefore the Commission recommended that two years' residence should be sufficient.

16. The Commission recommended that Shillong town and the adjoining areas of ten miles radius should be excluded from the control of the Khasi District Council.

17. The Commission also recommended that the District Councils were free to decide upon any language they wanted to adopt for official purposes.

18. The Commission recommended that the provision relating to the establishment of the regional committees should be deleted and the existing regional councils in the autonomous districts should be abolished.

19. Not more than four seats should be reserved for nomination to the District Councils. Further, in making nominations the Governor need not be guided by the advice of the District Council.

20. The Governor should have the power to annul

or suspended any Act or Resolution of the District Council which would be prejudicial to public order.

21. When the Governor was satisfied that a situation had arisen in which the administration of the District Council could not be carried on in accordance with the provisions of the Sixth Schedule and the rules made thereunder he might assume to himself all or any of the functions of the District Council concerned. The Governor should lay his order before the District Council.

22. The District Councils should be authorised to frame regulations to control Jhum cultivation.

23. Elections to the District Councils should be conducted by the Governor.

24. The term of the District Council should be fixed at five years. The Governor might extend the term of the District Council by six months at a time and not more than two years in all.

25. Regulations relating to money-lending framed by the District Council should be common for all, tribals and non-tribals.

26. Finally, the assent of the Governor should be obtained for all taxation laws passed by the District Council.

Criticism of the Pataskar Commission Report. The Pataskar Commission did not consider all the points of discussion between the hill leaders and the P.M. The main thing was that in the highly important matter of development the people of the area should have full authority and complete control over expenditures. The P.M. also said that he would like the representatives of the hill areas to discuss directly their development plans with the Planning Commission. He would also welcome their representatives to attend the meeting of the National Development Council in Delhi. This was not considered by the Pataskar Commission.

Second, the recommendation of the Commission that in case of difference of opinion between the Regional Committee and the Legislative Assembly, the decision of the Governor thereon would automatically be the decision of the Assembly would take away the sovereignty of the Legislative Assembly. Therefore the Government of Assam said that the decision of the Governor in his discretion should be referred to the Assembly for consideration. We think that instead of referring it back to the Assembly or leaving it to the discretion of the Governor, the Speaker of the Legislative Assembly might set up a joint committee comprising the representatives both from the Assembly and the Hill Areas Committee for resolving the dispute. If the joint committee fails to resolve the dispute the proposals of the Hill Areas Committee should be formally submitted to the Assembly for consideration.

Again, the basic idea is one of partnership between the hills and the plains. This is best expressed through a convention that when the Chief Minister comes from the plain districts, the Deputy Chief Minister would come from the hills and vice versa. If the Deputy Chief Minister comes from the hill areas he with other Ministers from the hill districts would become responsible for the administration of the department of hill areas. While it may not be possible nor necessary to specify the number of Cabinet Ministers from the hill areas it is obvious that the number of subjects involved and the area to be covered are extensive enough to require more than one Minister of Cabinet rank. If there is only one Minister the hill areas would not get the attention necessary for their development.

Again, to secure full support to the development of the hill districts, it would be desirable to have a Cabinet Committee for hill areas under the chairmanship of the Chief Minister.

As regards the choice of Ministers from the hill areas,

sound convention should be established. It was desirable that all the hill districts were represented in the Cabinet, in view of the fact that each tribe is fundamentally different from the other.

The list of subjects proposed to be transferred to the hill districts was no doubt satisfactory. Education includes higher and technical education. Electricity schemes not executed directly by the State Electricity Board and road transport corporation and public undertakings might also be transferred to the Tribal Affairs Department.

Law and order for the hill districts is not one of the subjects transferred since the administration had to be an integrated one for the whole of Assam. The special knowledge and interests of the hill districts could be secured through a convention that if the Home Minister was not a tribal himself, his junior Ministers might be from the hill areas.

The Commissioner of the hill areas should both be the Development Commissioner for the hill areas and Divisional Commissioner.

The Secretary of the Hill Areas Department should be a senior officer who should also function as the Secretary of the Planning Board for the hill areas and also of the hill areas Development Council.

There should be a Planning Board for all the hill areas. It might include the Chief Minister, the Deputy Chief Minister, members of the Cabinet Committee for the hill areas and the Chief Executive members of the District Councils.

The Hill Areas Development Council might be presided over by the Minister for the hill areas instead of by the Chief Minister. This would satisfy the notion of autonomy of the hill areas.

The Government of Assam and the Congress Party

thought that as regards education the existing arrangement should continue.

The Government of Assam thought that some arrangement should be made for the co-ordination of the activities of the several departments with that of the Hill Areas Department.

The APHLC claimed that the Shillong town should be placed under the jurisdiction of the Khasi District Council. The Commission recommended that Shillong Municipality should not be kept under the control of the Khasi District Council. The Assam Cabinet thought that it would not be necessary to exclude ten miles territory around Shillong from the jurisdiction of the District Council. The Cabinet decided that the Government and the District Council should come to an understanding on Town Planning and Development and that the status quo should continue.

As regards the administration of justice the Cabinet decided that a judicial commission should determine the judicial system of the hill areas.

The Government did not accept the recommendation of the Commission not to set up any further regional councils and also to abolish the existing Pawi-Lakher Regional Council because it would not promote the interests of the sub-tribes.

The Government of Assam also thought that as regards the formation of the Cabinet there should not be any rigid formula but give and take.

The Government of Assam and the Congress accepted the major recommendations of the Commission.

The APHLC which met at Tura on 19 May, 1966 rejected the recommendations of the Commission on the ground that it adopted a partisan attitude in favour of the State Government; that some of its recommendations fell short of the

plan for full autonomy as outlined by the late P.M., that it relied on the State Government for information relating to development plans. Therefore the APHLC demanded the creation of the North-Eastern Frontier State for the hill people of Assam as outlined in its resolution of 16 November, 1960 at Haflong. It further said that the Nehru Plan itself was no longer adequate to meet the situation that had taken place in the hill areas. Then the APHLC directed the Council of Action to take necessary steps for launching a non-violent satyagraha movement not later than the end of June 1966.

On 23 June, 1966, the Council of Action appointed a committee to make preparations for the satyagraha movement. It also directed the district branches of the APHLC to recruit and train volunteers for the non-violent satyagraha. It called upon the hill people to prepare themselves spiritually and physically for the movement. It authorised the General Secretary and the Chairman to meet the Cabinet Subcommittee of the Union Government to discuss the future of the hill areas.

To study the Pataskar Commission report and the situation that had developed thereon the Government of India appointed a Cabinet Committee under the Chairmanship of the Home Minister G. L. Nanda. The APHLC was invited to Delhi to meet the Cabinet Committee in August, 1966. At this meeting a new offer was made—a sub-state under which the hill areas would have a separate Legislature and a Council of Ministers but would continue to remain within the State of Assam. The APHLC declined the offer.

The Vishnu Sahay Plan. The present writer was studying the hill problem. He interviewed some of the leaders of the APHLC and prepared a series of four articles which were published in the Frontier Times. Vishnu Sahay read them and invited me for further discussion. We met and discussed

the problem and I drew the attention of the Governor to the scheme prepared by Sir B. N. Rao long before. Vishnu Sahay seems to have been influenced by the idea of federalism. Therefore he suggested that 'federalism was the best solution'. Each individual unit would be equal to every other. No unit would be subordinate to any other, however big the latter might be. Each unit must have complete freedom to choose its own language. The more backward or sensitive tracts of N.E.F.A. would be made the responsibility of the Union Government. But N.E.F.A. must be brought under the federal plan. He also suggested that Manipur also should be brought into the federation. Otherwise the proposed sub-states would demand statehood.

Vishnu Sahay gave two reasons for the federal plan. First, the federal principle would represent a reasonably safe compromise between the practical needs of those particularly backward tribes with the desire of the advanced tribes for political status. Second, the federal principle would counter to some extent the emotional aspect of the demand for separation.

Vishnu Sahay was aware of the difficulties in the way of implementing the plan. But he thought that if the plan was well presented to the people it might be accepted.

In the meanwhile the APHLC made elaborate arrangements for a massive campaign of picketing, in Shillong. It was feared that it might lead to violent clashes. Therefore Vishnu Sahay suggested to the Government of India that if any concessions were to be made they should be made before the agitation was launched. He also said that the Nehru Plan and the Pataskar recommendations were no more valid. He also stated that the formation of a single State for all the tribes was also outdated, for obvious reasons. The Mizos had already decided not to co-operate with the other tribes to form a hill State. They wanted separation

not only from India but also from other tribes. The Mikir and North Cachar Hills would not trust the Khasis and the Garos. Therefore one unit for all hill tribes was not practicable. Vishnu Sahay thought that each major tribe should be given the status of a State. He again reiterated his view that a sub-federation should be formed consisting of all the political units in North-East India. The M.N.F. rebellion in the Mizo Hills seems to have influenced Vishnu Sahay to adumbrate the federal plan.

In December, 1966 a very important member of the Planning Commission, Tarlok Singh, visited Mizoram, Khasi Hills and had discussions with Vishnu Sahay. He realised the gravity of the political situation in the hill areas. He seems to have been mentally disturbed at what he heard on the spot. Therefore he urged the Government of India to take immediate action. Otherwise the situation would pass on from the hands of the moderates into that of the extremists. Tarlok Singh thought that the present leaders of the APHLC, whatever their limitations, however hard their attitude might have been, were persons with education and experience and considerable past contacts with the leaders of the plains. If these persons were thrown out, leadership would pass into the hands of those not known to the outside world and who were likely to be of a much rougher brand, more fanatical and narrower in outlook and much less concerned about the consequences of their action for the country and for the north-east region. Tarlok Singh emphasised the fact that if the situation in the north-east hill areas was not resolved for any length of time, two rival schools might come into existence, one favouring the formation of a State within the Indian Union and the other committing itself to secession from the Indian Union. There were precedents for such a development in Nagaland and in Mizoram and the contingency should not be ignored. Therefore Tarlok Singh pleaded that in the interests of the country and North-East

India in particular the existing estrangement between the plains and the hills should be brought to an end.

While the reading of the situation in North-East India was correct, the remedy suggested by Tarlok Singh was clearly out of date. He suggested that the Khasi and Jaintia Hills, the Garo Hills, the Mikir and North Cachar Hills might be constituted into a union territory. He, however, agreed with Vishnu Sahay that the whole of North-East India could be constituted into a federation.

Tarlok Singh also suggested the formation of a Zonal Council consisting of the representatives of Nagaland, Assam, Manipur, Tripura and other units that might be constituted hereafter. He thought that North-East India required a much stronger and an overall administrative machinery for the economic development at a rapid pace.

Tarlok Singh's assessment of the situation prevailing in the hill areas appears to have induced the Government of India to move quickly.

On 27 December 1966, the P.M. visited Shillong. The APHLC presented a memorandum demanding a separate Hill State at a mammoth meeting. The P.M. replied in general terms that there should be some reorganisation which would give dignity and status to the hill people and that this should be done as early as possible. The broad objective would be to give the hill people fullest scope and freedom to promote their own social and economic development and administer schemes for the welfare of the people of the hill districts. At the same time there should be some essential links of overall unity at the top. Since reorganization would affect the hills and plains, all concerned should meet and discuss the problem. On 29 December 1966, the P.M. invited the APHLC to Delhi for discussion on 11 January, 1967. The APHLC accepted the invitation subject to the condition that discussion would be on the basis

of separation of the hills from the plains and the creation of a full-fledged state. It also decided to keep direct action in abeyance and that in the event of failure of Delhi talks direct action would be launched not later than 17 January, 1967. It also requested the Government of India to postpone general elections in the hill districts and that in case elections were held they should be boycotted so far as Assembly was concerned but not for the District Councils. Why the APHLC would contest elections to the District Council was not clear.

Chaliha and some of his colleagues were invited to Delhi to participate in the discussion for the reorganization of Assam.

Section 3. THE FEDERAL PLAN

On 13 January 1967, the Government of India announced its decision to reorganise the State of Assam on the basis of a federal structure conferring upon the hill areas equal status with the rest of the State of Assam. This was the result of discussion between the Government of India and the APHLC on 11 January.

The federal plan contemplated a set up consisting of two units of equal status, one not being subordinate to the other. Under the arrangement a limited number of essential subjects of common interest would be assigned to the regional federation leaving the rest of the State functions to the federal units which would have their own legislatures, Council of Ministers, etc.

The common subjects and institutions are the Governor, the High Court, Accountant General, power production and distribution, flood control and major irrigation, inter-State transport, communications, food supplies and national security.

The federation would be composed of the Chief Minis-

ters, ministers in charge of Industries (power) and Flood Control of each federating State and territory, sitting together as an executive body meeting two or three times a year under the Chairmanship of the Governor to decide policy dealing with the above matters.

The federation would be assisted by the representatives of the Planning Commission and the Central Government.

The Secretary of the federation would be appointed by the President of India after consultation with the State Government.

Any expenditure for establishing the federal set up would be borne equally by every federating unit. In the first instance, Assam and the Hill State would be the members of the federation. It would be open to Nagaland, Manipur, Tripura and NEFA to join the federation. Other subjects or common institutions might be added to the federal list by mutual agreement between the States. Policy would be decided at the federal level and its execution at the State level.

The APHLC welcomed the proposal and decided to participate in the committee composed of representatives of the Government of India, the Government of Assam and the APHLC to be set up to work out the details of the proposed scheme subject to the condition that in the federal structure the hill state unit should have equal voice and status with the units comprising the remaining State of Assam. The APHLC also decided that the subjects to be assigned to the proposed federal structure should be the minimum mutually agreed to by the federal units. The APHLC resolved to contest elections to the legislative assembly and to postpone the non-violent direct action scheduled to commence on 17 January, 1967.

The federal plan was shown to Chaliha when he was in Delhi. He did not object to it. As a matter of fact Chaliha

said that the scheme of reorganization of Assam was more or less based on the lines indicated by him, namely that there should be no disintegration of the State. He thought that regional autonomy was necessary to satisfy the aspirations of the people and that the federal scheme would satisfy the hill people. Even the Assam Tribune which did not adopt a friendly attitude towards the Hill State Demand said, "the decision of the Government of India was a fait accompli which the people of Assam and its Government will have to accept.... The people of the plains districts will not bear any grudge if its establishment can remove the misunderstanding and promote in its place goodwill between the hill men and the plains people."

The Federal Plan suggested by the Government of India was misunderstood and the criticism thereon was ill informed. The federal plan suggested by the Government of India was not new. It was suggested by that eminent jurist, who was at one time the Legal Remembrancer to the Government of Assam in the first part of the present century—Sir B. N. Rao. In one of the notes prepared for the President and Members of the Indian Constituent Assembly, Sir B.N. Rao argued that the creation of new States would result in the increase of expenditures as well as in fragmentation of the financial resources. Yet the demand for separate provinces had to be met. He therefore devised a scheme—perhaps influenced by two historical facts. The first was the system of Government that existed in Austria-Hungary during the period 1861 to the end of the First World War. The second was he Government of Ireland Act, 1920. And also the Cabinet Mission Plan of 1946. As a matter of fact, Sir B. N. Rao who had a profound knowledge of the demographic, linguistic and cultural diversity of North-East India had Assam in his mind and suggested two plans for the solution of the problem.

One of them specifically intended for Assam and the other impliedly.

The first plan suggested by Sir B. N. Rao was as follows. First, there should be a single Cabinet responsible to the Provincial Legislature. Some members of the Cabinet would deal with subjects common to all parts of Assam. Second, there should be a Minister or group of Ministers for the Assam Valley to deal with the subjects relating to that valley. Third, there should be another Minister to deal with Tribal Affairs. The Minister for tribal affairs should be assisted by a council of advisers with local knowledge whose concurrence should be made obligatory in certain matters. Legislation relating exclusively to one of the regions should be committed to the representatives of the region or regions affected by it, the representatives of other regions refraining from taking part in the proceedings at any stage.

The second scheme suggested by Sir B. N. Rao for Assam was similar to the system of government that existed in Austria and Hungary prior to 1914. Between the compact of 1867 to the end of the First World War, Austria and Hungary were separate States under a common monarch. It was a kind of loose union. The Head of the Union was styled as the Emperor of Austria and the Apostelic King of Hungary. The Union dealt with three subjects, Foreign Affairs, Defence and Finance. The Union Executive consisted of three Ministers, one for each of the three common subjects, appointed by the King-Emperor. The Union Legislature consisted of two delegations, one Austria and the other from Hungary, each composed of 60 members, of which 20 were chosen by the Upper House and forty by the Lower House of each of the provincial legislatures. The delegation held office for a year. The two delegations sat separately and transacted business. They met in joint session only in case of difference of opinion on any subject.

Hungary as a Province had the head of the Union as its

head, styled as the King of Hungary, as we had already noted. As the head of the Province he appointed the Provincial Ministers. Now comes an interesting feature of the political system which is of peculiar interest to us. Within the Province of Hungary was the sub-province of Crotia, inhabited mainly by the Croats, a race distinct from the Magyars of Hungary. This sub-province had its own legislature, the Croatian Diet, consisting of a single chamber of 125 members. There was division of subjects between the Croatian Diet and the Hungarian parliament. The head of the sub-province of Croatia was also the King of Hungary who was also the head of the Province. The Croatian Diet had the right to elect 40 members to the Lower House of the Hungarian legislature. The Hungarian Cabinet consisted of a member specifically designated to supervise relations with Croatia. What is more interesting is that the Hungarian delegation to the Union Legislature consisted of some Croats. Croatian was the official language in Croatia and the Croatian deputies in the Hungarian Parliament spoke in their native tongue.

The second example which may be of interest to us is the Government of Ireland Act, 1920. The Act divided Ireland into two parts, the six counties in the North-East forming Northern Ireland and the remaining 26 counties forming the Southern Ireland. Each part had its own legislature with certain powers. In addition there was a Council of Ireland for the whole of Ireland consisting of a nominated President and forty elected members, 20 from the legislatures of each half. This council had legislative power in respect of certain subjects of common concern, requiring uniform administration such as railways, fisheries, and contagious diseases of animals. Both the parts had a common executive—the Lord Lieutenant who was assisted by a Privy Council of Ireland to aid and advise him in the exercise of his functions. But the most interesting feature of the scheme is that there was a separate Cabinet

for each province. The head of both the Cabinets was the Lord Lieutenant. The Lord Lieutenant was to be advised by the Cabinet of Northern Ireland in regard to matters relating to Northern Ireland and by the Cabinet of Southern Ireland in regard to matters of Southern Ireland.

In other words, Great Britain and Ireland formed a Union of which Ireland formed a Province. Defence, Foreign Affairs, Trade and Customs and Currency were among the Union subjects. The Province had two sub-provinces. The Executive Head of the Union was the King and that of the Provinces and sub-Provinces was the Lord-Lieutenant. Each sub-province had its own legislature and its own Cabinet to deal with its list of subjects. The Province, in addition, had a legislature of its own to deal with subjects of common concern to both the sub-provinces. Further, each sub-province had its own contingent of members in the Union Parliament. The subjects of common concern for both the sub-provinces were railways, fisheries and the administration of diseases of animals. Others could be added by common agreement between the two provinces. It was the function of the Union to levy and collect customs duties and certain other taxes. The Provincial share of the taxes collected was to be calculated and apportioned between the sub-provinces by the joint Exchequer Board consisting of two members appointed by the Union Treasury and one member appointed by each of the sub-provinces. The Chairman of the Board was appointed by the Head of the Union.

The Government of India adopted the regional plan contemplated for Ireland. If we had accepted the federal plan, Assam would have continued to exist as a single State with its existing boundaries. For the more convenient transaction of business of the State Government, the territories of the State would be divided into two sub-provinces, Plains and Hills and the municipal area of Shillong would be under the joint control of both the Provinces. Each Province

would have its own legislature and its own Cabinet to deal with its own affairs. Affairs of joint concern would be dealt with by the joint legislature plus one or two from the municipal area of Shillong and by the joint Cabinet containing an equal number of members from both the provinces plus one Minister from Shillong.

The Executive Head of the two provinces would be the Governor of Assam. He would be advised by the Cabinet of the Plains in matters relating to the Plains; by the Cabinet of the Hills in matters relating to Hills and by the joint Cabinet in matters of common interest.

As regards the division of subjects between the federation and the Provinces it should be settled by mutual agreement between the parties concerned. Each Province shall have its own language and its own budget.

This Plan had several advantages. First, it met to a great extent the demand for a separate state by the tribals. It facilitated the extension or the reduction of the list of joint subjects. It avoided unnecessary overhead charges—administrative expenditure. Finally, the two objectives to which the Union and the State Governments had already committed—greater autonomy to the hills and the preservation of territorial integrity of the State—would be realised.

But we did not listen to the voice of reason. We allowed emotions to play their destructive part. The result was the only alternative—the formation of a Hill State. What had happened to the federal plan?

The faction in the APCC opposed to Chaliha found the federal plan a convenient stick to beat the Chaliha Government. It instigated the ignorant sectiin of the people to start an agitation against Chaliha. When the movement gained ground, Chaliha backed out. The Executive Committee of the APCC met on 7 April three months after the announcement of the federal plan—and resolved to oppose the federal plan on familiar grounds—unity, security, integ-

rity and so on and requested the Government of India to accept the recommendations of the Pataskar Commission.

On May 18 and 19 a joint meeting of the two executive committees of the APCC and ALCP was held to discuss the federal plan. The Joint Meeting decided that the federal plan was pregnant with dangerous consequences and that instead of solving the problem would give rise to further complications and accentuate the forces of further disintegration thereby creating an explosive situation in this strategically important region threatened with invasion from China and Pakistan and therefore unacceptable to the people of Assam. On 16 July the Executive Committee of the APCC again reiterated its earlier view, namely that the recommendations of the Pataskar Commission should be accepted.

Since there was tremendous opposition to the Federal Plan, the Government did not constitute the committee to work out the details. On the other hand it called for a joint discussion in Delhi on 7 July, 1967.

In June 1967, the Council of Action of the APHLC met to discuss the Union Home Minister's letter to the Chief Minister of Assam for a joint discussion on the possible alternatives for the reorganization of Assam. G. G. Swell sought clarification of the joint discussion. The Union Home Minister assured Swell that if the federal plan proposal of 13 January, 1967 was not acceptable to the people of the plains and the Government of Assam, the Government of India would go ahead with the remaining alternative, namely, the formation of a Hill State. The Council of Action, however, thought that since the proposed joint discussion on the possible alternatives for the reorganization of Assam would open the entire question of the form of reorganization, nullifying the commitment of the Government of India made in January 1967, it decided, on 20 June,

1967, not to participate in the proposed joint discussion, and decided to launch satyagraha movement in case the Government did not honour the commitment made to the hill people on 13 January 1967 within the stipulated period of six months—by 13 July.

The Union Home Minister assured the APHLC that it adhered to its decision to reorganise the State of Assam and requested it to participate in the joint discussion. The Council of Action met on 24 June 1967 to discuss the Home Minister's invitation. There were two groups in the party. P.R. Kyndiah suggested the participation of the APHLC in the joint discussion without surrendering its stand. But the extremists like Hoover Hynniewta was against participation. He argued that any participation in the joint discussion would amount to surrender of their stand. Stanley Nichols-Roy did not see any objection to the APHLC participation in the joint discussion. R. S. Lyngdoh felt that the APHLC by its participation in the joint discussion might be able to convince the people of the plains that the hill people had a just cause to fight for a separate State. Lalmawia and John Deng were for participation in the joint discussion. But Hoover Hynniewta's fellow companion Hopingstone Lyngdoh did not favour participation. Williamson Sangma and B. B. Lyngdoh thought that the APHLC by its participation in the joint discussion might bring about a peaceful separation of the hill areas from the Government of Assam. The moderates assured the Reds that they would not accept any change in the plan proposed by the Government of India. They thought that constitutional methods must be adopted as far as possible. Otherwise posterity might condemn them. This is what Krishna told Arjuna on the battlefield of Kurukshtra. The constitutionalists were successful. But the joint discussion held on 1 July, 1967 did not yield fruitful results. On the other hand both the parties parted company with much bitterness.

The Mehta Plan

During the joint discussion held in July 1967 at Delhi, a committee, known as the Mehta Committee, was appointed on 8 July consisting of the representatives of the various political parties of the plains and the APHLC, to make an effort to reach an agreed solution for the reorganization of Assam. When the Committee failed to arrive at an agreed solution, the representatives of the plains suggested that the dialogue might be continued beyond 13 July, 1967 in a small committee. The Home Minister allowed the Committee to continue its deliberations up to 31 August, 1967 and formally constituted the committee on 22 July. The APHLC decided not to participate in the meetings of the committee any longer.

The Home Ministry directed the Committee to examine the proposals for the reorganization of the State of Assam and make an effort to reach an agreed solution.

The APCC met on 21 August, 1967 and framed its proposals for the reorganization of Assam. Chaliha as the representative of the Government of Assam in his evidence before the committee said that each of the existing autonomous districts should be declared an autonomous area in the State of Assam. He however conceded that if two or more autonomous district councils agreed by a two-thirds majority to form a large unit, they should be permitted to do so.

Second, each autonomous area should have a representative council, consisting of not more than forty and not less than 20 and not more than three nominated members to represent the minorities. The Council would have a Chairman and a Deputy Chairman.

Third, the Council of Representatives would have full power to make laws in respect of forty-nine subjects in the State list. Chaliha, however, explained that it would be

possible to make some adjustments in regard to certain subjects which were proposed to be retained with the State Government. He, however, emphasised that from the security point of view, there should be a single police administration for the whole of Assam and that Law and Order, police and prisons should be retained with the State of Assam. The administration of the autonomous areas in respect of these subjects would be vested in the council of representatives.

Fourth, the concurrent list would contain four subjects.

Fifth, the Executive for the autonomous districts would consist of the Chief Executive Councillor elected by the Council. The other members of the Executive Council shall be appointed by the Governor on the advice of the Chief Executive Councillor from among the representatives of the Council. But Atul Chandra Goswami suggested that the Chief Executive Councillor should be appointed by the Governor and not elected by the Council.

Sixth, each autonomous area shall have a secretariat under the control of a secretary deputed by the Government of Assam who would be designated as the Principal Secretary.

There would be an administrative set up under the Council of representatives at the headquartrs of each autonomous area for the administration of the subjects assigned to it. The administrative set up would be under the control of a Secretary not below the rank of additional district magistrate deputed by the Government of Assam who would be designated as the principal secretary.

The autonomous areas would continue to be represented in the Assam Legislative Assembly. Adequate representation should be given to the autonomous areas in the Cabinet. One of the Cabinet Ministers might be placed in charge of the autonomous areas. He would be assisted

by a number of junior Ministers. The Ministers shall be appointed by the Chief Minister in his discretion.

Phani Bora, the leader of the Communist Party, suggested that the hill people should be granted a separate State. He went to the extent of saying that each hill district should be granted a separate State. It was, however, open to them to combine and have a State of their own.

Hem Barua of the PSP said that the recommendations of the Pataskar Commission should be accepted with the following modifications. Each of the autonomous districts should be represented in the Cabinet. There should be a separate commission for economic development of the hill areas with equal number of representatives elected by the district councils. The Commission should be an independent body directly under the control of Union Finance and Planning Ministry. The district police should be under the District Council which did not mean that State police should be dispensed with. Hem Barua did not seem to have understood the implications of this proposal.

The autonomous areas would continue to be represented in the Assam Legislative Assembly.

In appointing Ministers a convention might be adopted by giving adequate representation to the autonomous areas. One of the Cabinet Ministers might be placed in charge of the autonomous areas. He might be assisted by a number of junior Ministers.

The views expressed by Samsul Huda were similar to those of the Chief Minister except his suggestion that all hill areas might be treated as an autonomous region. If any hill area wanted to remian in its present position and did not want to join the autonomous region, it should not be compelled to join the autonomous region. Chatrasing Teron said that it would be desirable to grant autonomy to

each autonomous district as the conditions varied from district to district.

Atul Chandra Goswami suggested the decentralization of State powers to the different districts both hills and plains, an integrated political set up for the whole of North-East India and revision of the distribution of powers between the State and the Centre.

From the above it is clear that certain conclusions emerge. First, the unity and the integrity of the State must be maintained. Second, maximum autonomy should be granted though Phani Bora suggested the grant of Statehood to each autonomous district. Third, the federal plan was not acseptable to the members as it would lower the status of Assam and pave the way to the disintegration of the State. Fourth, there was a general agreement among all those that appeared before the Mehta Committee as regards the quantum of autonomy that should be granted.

Recommendations of the Committee. The Mehta Committee seems to echo the ideas of the Congress. First, the federal structure should not be the basis of reorganization of the present State of Assam. Second, while the committee considered unity and integrity of the State of Assam as essential in the interests of Plains and Hills, it recommended maximum autonomy to the Hill areas. Third, as each hill area differs from one another in the matter of development, social custom, ethnic origin, language, inheritance, etc., they should be given maximum autonomy possible, with the right to merge with other autonomous areas provided a resolution was passed by the respective legislatures by a two-thirds majority of the total strength of the House.

In the event of this scheme being accepted the existing District Councils would cease to exist. The details of the scheme were: (1) the legislature of the autonomous areas would have the right to make laws on all subjects assigned to

it. (2) The subjects assigned to the autonomous areas were those stated in the Sixth Schedule and some others like transport within each autonomous state, agriculture, Post-Graduate Education, enforcement of weights and measures, relief of agricultural indebtedness, regulation of cinema, etc. (3) The legislature of each autonomous unit would consist of representatives of not more than 4 and not less than 20 elected on the basis of adult franchise. It would consist of three members nominated to represent the minorities. The legislature would have a Chairman and a Deputy Chairman. (4) The executive power in respect of assigned subjects would be exercised by the Governor on the advice of the Executive Council which shall be responsible to the legislature. (5) The Executive Council would consist of a Chief Executive Councillor appointed by the Governor and two other Executive Councillors appointed by the Governor on the advice of the Chief Executive Councillor.

The Executive Council would have its own Secretariat.

Every Bill passed by the autonomous legislature should be submitted to the Governor of Assam. In giving his assent the Governor shall act on the advice of the Chief Minister of Assam who would consult the Tribal Affairs Minister of his Council.

In appointing Ministers from the hill areas the Chief Minister should consult the members of the Assam Legislative Assembly representing the hill areas as well as the Executive Councillors as a matter of convention.

As regards the subjects that might be assigned to the autonomous State, the Mehta Committee recommended that 49 in the State list might be transferred o i.

It appears to me that the Congress knew the fate of their proposals. They were playing a hide and seek game, as they did in the case of Sylhet. On the one hand they were anxious to get rid of the hill areas because they were

deficit areas. On the other they were anxious to keep the factions opposed to Chaliha at bay by saying in public that the hill areas should not be separated from the plains in the interests of security and unity.

The Government of India placed the Report before the APHLC even though it did not participate in the proceedings of the Committee. The APHLC rejected the Mehta Plan on the ground that the Mehta Scheme aimed at breaking the unity established among the hill tribes; that the hill Ministers would be appointed by the Chief Minister in his discretion; that autonomy promised by the committee was ephemeral; that while it would keep the different tribes separate in grounds of social customs, ethnic origins, language, etc., it would tie them to the chariot wheel of Assam although there are fundamental differences between the tribals and the plains men. Further, Asoka Mehta was anxious to protect the status of Assam which it enjoyed all these days. The Mehta Committee by laying emphasis on status was saying what the Brahmanas said, 'Once you are born a **sudra** you must remain a **sudra** for all time to come because it is your **karma** that you should be born as a **sudra'.** The status theory emphasised by Mehta was enough to kill the Mehta Committee proposals. Therefore, the APHLC requested the Government of India to implement its own decision to reorganize the State of Assam.

The Congress, the North Cachar and Mikir Hills district Councils welcomed the proposal. The Congress said that the Mehta Committee Report was a unique consensus of the different political parties. It was a distinct improvement on the recommendations of the Pataskar Commission because it provided for maximum autonomy for the hill areas and at the same time maintained the unity and integrity of the State. It gave the substance of the demand of the APHLC to the hill people and that the Mehta Plan was

better than the federal plan. Finally it recognized that each hill area is distinct from the others.

The APHLC delegation met the P.M. and the Home Minister on 25 September, 1967 and requested them to implement the decision of the Government of India or create a separate State for the hill areas. Here is a deadlock. Most of the political parties in the plains were on the one side, no federal plan and no separation from the State of Assam. The APHLC was for the federal plan or a separate hill State. The position of the Government of India was that of a helpless mother between two warring sons. Therefore, the Government of India referred the matter to the National Forum without making any decision on the Report of the Mehta Committee..

The reference of the issue of reorganization of the State of Assam to the National Forum threw a tremendous responsibility on the protagonists and the antagonists of the Hill State to convince the country of the validity of their respective claims. This was a unique experiment in parliamentary democracy. The party in power did not consult the Opposition on all vital matters because it had an absolute majority in the Lok Sabha. Since that majority was not there the Government of India thought that the best course in the existing circumstances was to refer the issue to the National Forum. It was also an effective means by which pressure might be brought on the contending parties to yield to a compromise. It was also a means by which the responsibility for the reorganization might be thrown upon the nation. Finally, by referring the issue to the National Forum the Congress Working Committee escaped the criticism that the APCC was not supported by the CWC. Whatever might have been the motive of the Central Government in referring he issue to the National Forum, it did a right thing.

The contending parties, the APCC and the APHLC, did intense lobbying to enlist the support and sympathy of the parties in opposition.

On 20 December, 1967 the Council of Action of the APHLC said that since the Congress leaders went back on the federal plan, a hill State should be formed and threatened to launch satyagraha if their demand was not conceded. On 7 February, 1968, it reiterated its demand for a separate hill State. In March the Home Minister and the P.M. requested the APHLC to have informal talks with the Chief Minister of Assam and his colleagues to find out an agreed solution to the problem of reorganization of the State of Assam. They met on 18 and 20 March, 1968. After that both the parties met the P.M., the Home Minister and other members of the Internal Affairs Committee on 21 March, 1968. There was no agreement and so they approached the P.M. on the 29 April and requested her to take a final decision in the matter.

On the 14 May, 1968 Chavan indicated a plan for the reorganization of Assam which contemplated the creation of an autonomous hill State which would be separated from Assam for all purposes except for a few subjects of mutual advantage which would be under the purview of the Assam Assembly and administered by the Government of Assam. The APHLC did not accept the proposal and threatened to launch direct action for achieving the hill State. In June 1968, the APHLC met the Home Minister to discuss their demand for a separate State. The APHLC was requested not to take any precipitate action as the Government of India was contemplating action in the next parliament. The APHLC therefore postponed direct action. The Government of India did not take immediate action which compelled the APHLC to decide on direct action but the date of commencement of satyagraha was left to the discretion

of the chairman. On 1 September, 1968, G.G. Swell persuaded Stanley Nichols-Roy not to resort to direct action before the announcement of the decision of the Government of India on the reorganization of the State of Assam. But the Council of Action decided that direct action should be taken as per decision of 30 June, and it was taken on 9 September. The Government of India announced its plan of reorganization on 11 September, 1968. The APHLC knew the decision of the Government and yet started the satyagraha movement one day before the date of announcement of the scheme of reorganization to satisfy the Reds in the party.

CHAPTER V

The Autonomous State of Meghalaya

The announcement of 11 September, 1968 contemplated the establishment of an autonomous State of Meghalaya. The autonomous State would have jurisdiction over two districts, the Garo Hills district and the Khasi and Jaintia Hills district. There would be an Advisory Council for the North-Eastern region as a whole with a view to encourage an integrated approach to the security and development of the region. Each of the autonomous districts of Mikir Hills and the North Cachar Hills were given the option to join the Autonomous State on the basis of a resolution adopted by a majority of not less than two-thirds of the members of the District Councils before the prescribed date. The details of the Autonomous State were as follows.

First, the Autonomous State would have a Legislative Assembly and a Council of Ministers. Second, all the subjects in the State List except a few would be transferred to the control of the Autonomous State. The subjects transferred would include such important subjects as agriculture, forests, fisheries, education and irrigation. Police would not be transferred to the control of the Autonomous State. Third, the Autonomous State would have the power of taxation in respect of subjects assigned to it. They woud include land

revenue, agricultural income tax, excise duty, taxes on minerals, tax on goods and passengers and entertainment tax. Fourth, the executive power of the Autonomous State would be co-extensive with the subjects assigned to the Autonomous State and would vest in the Governor of Assam. Fifth, the bills passed by the legislature of the Autonomous State shall be submitted to the Governor for his assent. Sixth, the Government and the Legislative Assembly of the State of Assam would continue to exercise all the powers of the State as hitherto in respect of the areas other than those constituting the Autonomous State. So far as the latter areas were concerned, the Government and the legislature of Assam would have jurisdiction in respect of certain subjects which were of common importance such as the State Highways, major projects in the field of irrigation, flood control, drainage, storage and water power, navigation and major industries.

With a view to providing unified administration of public order and police, those subjects would be with the State of Assam.

In respect of schemes of agriculture of common benefit to the autonomous State and the rest of Assam, conservation of forests, works in catchment areas of major irrigation, flood control, hydro-electric and navigation and a few subjects out of the Concurrent List, such as the acquisition and requisition of property, the Assam and the Autonomous State would have concurrent powers of legislation. Other subjects in the Councurrent List would remain with the State of Assam.

The Autonomous State would have representation in the Assam Legislature as at present.

Adequate representation would be given to these areas forming a part of the Auonomous State and other hill areas in the Cabinet.

A Standing Committee consisting of the members of the Assam Legislative Assembly from the Autonomous State and other hill areas with a few other members of the legislature would be constituted. Bills in respect of subjects which were of common interest to the State of Assam as a whole would be referred to the Standing Committee for consideration after introduction in the Assam Legislative Assembly. The views of the committee would be taken into account when the bills came up for consideration in the House.

The Assam High Court, the Assam State Public Service Commission and the Assam State Electric Board would continue to have jurisdiction in the Autonomous State and there would be joint cadres of all India Services and for some of the higher State Services.

One of the basic objectives of reorganization was to provide a unified and coordinated approach to the security and development of the North-Eastern Region as a whole. with this end in view the Government decided to set up the North-Eastern Council, consisting of the Governor of Assam and Nagaland as Chairman, the Chief Ministers of Assam, Nagaland, the Autonomous State of Meghalaya, one Minister from each of these States, the Chief Ministers and the Chief Commissioners of the Union Territories in this Region. The Council was intended to provide for a unified and coordinated approach towards the development of inter-State communications, common irrigation and power and flood control projects and coordinated plans for agricultural production, regional food self-sufficiency and balanced industrial development of the region. The Council would prepare an integrated plan for the region as a whole. It would discuss matters of common interest to the Region and suggest suitable measures including appropriate institutional arrangements.

The Central Government would provide the Council

with a Secretariat of adequate status and experience and also a Planning cell with necessary competent experts under a Planning adviser to advise the council.

Because of special problems and strategic importance of the North-Eastern Region as a whole, security and public order are inseparable; they are of vital importance not only to the States and Union Territories in the region but also to the entire country. For the purpose of effective coordination in the administration of these subjects for the region as a whole, the proposed North-Eastern Council would have a Committee consisting of the Governor of Assam and Nagaland as chairman, the Chief Ministers of Assam, Nagaland and the Autonomous State of Meghalaya and the Chief Commissioners of the Union territories in this region as members.

The District Councils would continue with their present powers. In the Autonomous State they would be under the control of the Government of the State. The Sixth Schedule to the Constitution would be amended in order to enable them to function effectively and if necessary more powers would be given to them.

Shillong would continue to serve as headquarters for both the State of Assam and the Autonomous State of Meghalaya. The State of Assam would continue to have jurisdiction over the Cantonment and municipal areas of Shillong.

The Assam Legislative Assembly rejected the proposals of the Government of India for the creation of the Autonomous State within the State of Assam on grounds of security and integrity.

The APHLC met on the 19 September, 1968, suspended the Satyagraha and appointed a committee to consider the merits and demerits of the plan. It considered the report of the committee on the 15 October and decided to give a fair trial to the Plan of the Government of India on the

clear understanding that the APHLC would continue all efforts to achieve a full and a separate State comprising all the hill areas of the present State of Assam as contemplated by the APHLC in its Haflong session in 1960. The Conference appointed a committee to point out all the shortcomings of the plan and indicate improvements thereon. The committee made a number of suggestions.

On 28 January, 1969, the APHLC accepted the Autonomous State Plan and appealed to the two District Councils, the Mikir Hills and North Cachar Hills, to join the Autonomous State of Meghalaya and assured to each and every autonomous district equal representation in the Cabinet, equal opportunities for participation in the various fields of administration and development and greater opportunity for preserving their distinct identity and culture. The Conference further resolved that the areas contiguous to Meghalaya but not included within the territorial jurisdiction of the Meghalaya State, provided they were inhabited by the tribe concerned, should be included in Meghalaya.

The Government of India's Plan meets the demand for a separate State for the hill areas by ninety per cent. The plan facilitates the extension or the reduction in the number of subjects included in the Common List, by mutual agreement. It avoids unnecessary overhead charges by having a common Governor, common High Court, common Public Service Commission, common Electricity Board, etc. It facilitates cooperation between the plains and the hills. Both of them may not join together and form one State but cordial relations which were not present would be re-established. If the Mizos wanted to join the Autonomous State they were free to do so. So also the Mikirs and North Cachar Hills. If all the Autonomous Districts came together it would raise another problem—what to do with Cachar District which is hemmed in on all sides by the Hill

Districts. In their memorandum to the Union Home Minister, Chavan, some from the Cachar District pleaded for its separation from Assam and conversion into a Union Territory. The grounds adduced by them for separation from Assam were not convincing. If Cachar could be a part of Delhi which is at a distance of 1,200 kilometres, how is it impossible to be a part of Assam? It is true that access to Cachar must be through the Autonomous Districts. But they are not foreign territories. Further, railway communications and national highways are the concern of the Government of India. They cannot be closed by the Autonomous districts. Above all, the demand for separation emanated mainly from the Hindu section of the population. Several Anchalik Panchayats did not favour that Cachar should be a Union Territory. But it should also be admitted that several Assamese would like to get rid of the Bengali-dominated Cachar district for obvious reasons. Cachar is not a surplus district. Further, the people of the Brahmaputra valley think that with the exit of Cachar District the State of Assam would be more homogeneous.

Before we discuss the details of the scheme we may note that the Government of India made a psychological approach to the problem. Look at the phraseology used in the statement issued by it. The new State would be called the **Autonomous State** and not **sub-state.** The adjective **sub** was not used because the APHLC summarily rejected the sub-state plan. Further, it was likely to create a kind of inferiority complex and consequent dissatisfaction in the mind of the tribals. Since 1955 the tribals were using the terms autonomy and State. The tribal leaders promised their people **Statehood** and a status not in any way inferior to the people of the plains.

Again, the Government of India was careful in the designation of the legislature. We have always made a distinction between the Central legislature and the provincial

legislature. We called the Central Legislature in the days of Dyarchy as Legislative Assembly and the Provincial Legislature as the Legislative Council. The word Council carried less prestige and less dignity than the word Assembly. So the Government did not like to irk the tribals by designating the legislature of the Autonomous State as the Legislative Council. It was called the Legislative Assembly. The tribal leaders told their people that since they too had a legislative assembly their status was in no way inferior to that of the people of the plains.

Finally, the word executive council was not used. Instead the same phraseology used in Article 163 of the Indian Constitution—the Council of Ministers—was used. The words, the Council of Ministers, contain music which is sweet to the ears of politicians. The tribals are likely to derive immense satisfaction from the term Council of Ministers. Thus, the words **State, Assembly** and **The Council of Ministers** played a considerable part in soothening the ruffled tempers of the tribal leaders. The psychological approach made by the Government of India enabled her to overcome many a mental barrier between the people of the plains and of the hills. We shall now discuss the institutional arrangement devised by the Government of India for the Autonomous State.

Governor. In the North-East India the Governor has become the centre of gravity. He is not only the Governor of Assam and Nagaland but also of the Autonomous State of Meghalaya besides being responsible for the administration of NEFA. To me it appears that he occupies a position analogous to that of Emperor of Austria and the Apostelic King of Hungary who was also the head of the Sub-Province of Croatia in Hungary. It may be questioned whether it would be possible for a single person to be the Governor of three States (now five States). In case of a conflict between two States, what attitude should he

adopt? This is not a difficult question to answer. The Governor is a constitutional head. Just as the Queen of England is also the Queen of Canada, Australia, New Zealand and acts according to the advice of her Council of Ministers, the Governor of Assam, Nagaland and Meghalaya, as a constitutional head, must act according to the advice of the Council of Ministers, so long it commands the confidence of the legislature and so long it functions with its jurisdiction. Let us imagine a hypothetical situation. A Bill passed by the legislature must be placed before the Governor for his assent. Supposing a bill passed by the Autonomous State affected the interests of Assam and the Assam Cabinet advises him to veto the Bill, what then he must do? There can be no doubt about the attitude to be adopted by the Governor. He must not act according to the advice of the Assam Cabinet. He must act according to the advice of the Cabinet of Meghalaya provided it acted within its limits.

Though the Governor is a constitutional head and must act according to the advice of the Council of Ministers concerned, he occupies a difficult position. The Governor of North-East India is like Draupadi of Mahabharata. He must listen to five Chief Ministers. As the chairman of the North-Eastern Council, he is responsible for the development of defence of the whole region. As the head of the Secretariat of the North-Eastern Council, he is responsible for its organization and efficient functioning.

It, therefore, follows that the Governor must have certain qualities. Physically he must be tall, well built and handsome so that he may create deep impression in the minds of the people of the region. He must have a retentive memory so that he may remember many things to deal with critical situations. He must have a detailed knowledge of the area. He must have infinite capacity for hard work. He must be capable of carrying on sunshine and

smiles on his face even though his mind may be laden with grief. He must have a penetrating mind to pierce through the mass of material to see the under currents. He must have a sense of urgency so that he may act immediately whenever an emergency arises. He must be judicious to view things objectively. Thus, the reorganization of Assam enhanced the status of the Governor.

The Legislature. There would be two legislatures, one for the whole of Assam consisting of representatives from the plains as well as from the Hills. Then there would be another legislature for the Autonomous State. Thus, the Autonomous State occupies an advantageous position. The tribal areas would enjoy a double advantage. First they would be represented in the Autonomous State Legislature and again in the Legislative Assembly of the State of Assam. The people of the plains would not enjoy this position. They would be excluded from the Legislative Assembly of the Autonomous State.

Division of Powers. The scheme contemplates the division of powers between Assam and the Autonomous State Legislature. There are four lists. First, there are powers which are vested exclusively in the Assam State Legislative Assembly. Second, there are powers which are vested exclusively in the Autonomous State Legislative Assembly; third, there are concurrent powers over which both the Legislative Assemblies could legislate; finally, there are certain subjects which are of common interest and therefore remain with the Assam Legislative Assembly in relation to the Autonomous State.

As regards the subjects allotted to the Autonomous State Legislative Assembly, of the 65 items in the State list in the Seventh Schedule of the Indian Constitution, as many as 57 would be handed over to the Autonomous State. The items not to be handed over to the Autonomous State Legis-

lature would be public order, police, gas and gas works, production supply and distribution of goods, taxes on consumption and sale of electricity, taxes on the sale and purchase of goods, taxes on mechanically-propelled vehicles and capitation taxes.

The APHLC was not satisfied with the division of powers. They insisted that police should be handed over to the Autonomous State. The State of Assam opposed this demand. The Government of India met the wishes of the APHLC halfway, by vesting village and town police in the Autonomous State. Of course village police was already vested in the District Council under the Sixth Schedule. The APHLC contended that the denial of police power to the Autonomous State meant that it could not be trusted with the exercise of it. This was not a correct interpretation of the situation. The loyalty of the APHLC was not doubted. It was prestige politics that bedevilled this issue. The Congress leadership was subjected to severe criticism by some of its opponents that it was responsible for the disintegration of the State. To escape this criticism, the Congress leaders said that the integrity of the State would be affected if there was no common police. So police and the integrity of the State conspired to be together. The present writer is unable to accept this argument. The integrity of the State would not have been affected if police had been handed over to the Autonomous State. If by integrity is meant that the territorial integrity of the State of Assam should not be disturbed, the process of disintegration began when Assam allowed Sylhet to go away to East Pakistan, when a piece of territory was transferred to Bhutan and when Nagaland was formed Further, Assam Police was unable to deal with situations created by the MNF and the Nagas. It was the CRP and Military that were entrusted with the maintenance of law and order in these places. But the retention of Police with the State of Assam had one psychological effect. It facili-

taled the birth of the Autonomous State without labour pains. The Congress were able to assuage popular feeling in the plains that the integrity of the State was not affected by the scheme of reorganization. This is politicians' language which they alone could understand.

The APHLC also realised that although the Autonomous State would not control Police and Public Order, its representatives would share the administration of these subjects as members of the common Cabinet and of the common legislature. Further, there was also the possibility that one of the hill leaders might be in charge of police. They also realised that no government would exercise this power to the detriment of the hills. They also realised that instead of involving themselves in an acrimonious controversy over negative powers like police and public order, they thought that they should accept whatever that was given and ask for the rest later on.

Among the subjects handed over to the Autonomous State the most important one was education, of all kinds, including university education. In modern times, all governments—totalitarian and non-totalitarian—are laying their hands on education because it is the most effective instrument for the control of the minds of the youth. Hitler in Germany, Mussolini in Italy, Mao in China and Stalin in Russia, were eminently successful in building a strong and virile nation by the control of education from elementary to university stage. All these years, the APHLC was accusing the Government of Assam that it was trying to impose its language and culture upon the tribals. This accusation was nailed by the transfer of education to the control of the Autonomous State. The hill people were provided with a splendid opportunity for the development of their own cul ture and their languages to the fullest extent possible.

Another important subject transferred to the control of

the autonomous State was the control of forests. The Sixth Schedule did not vest forests and mineral wealth in the District Councils. They were vested however in the Autonomous State. Assam Forests were the richest in the country and the Autonomous State could exploit them for the benefit of the people of the State.

Finally, the Autonomous State obtained power to control the Chiefs and headmen of the Scheduled Tribes. Thus, for all practical purposes, the Autonomous State was a State. It got everything except a part of the police.

Let us now consider the powers vested in the State of Assam. The Assam Legislative Assembly was vested with power to legislate on all subjects included in the State and Concurrent Lists of the Seventh Schedule so far as the plain districts are concerned. It had power to legislate on 26 subjects of common interest—hills and plains. These 26 subjects included Public Order, Police, other than village police and town police, in the hill areas, High Court, the Assam Public Service Commission, Prisons, Historical Monuments of National Importance, State Highways, State Waterways, and water supplies and irrigation works of State importance. The list also included industrial projects involving an investment of Rs. 50 lakhs and regarded as of State importance and also elections.

Although all these subjects remained with the State legislature in relation to the Autonomous State, the hill areas occupy an advantageous position in regard to their legislation. All Bills relating to these subjects should be referred to the Standing Committee consisting of all the members of the Assam Legislative Assembly from the hill areas and a few others of the Assam Assembly, after the first reading.

It may be remembered that a similar arrangement existed in the House of Commons, Britain—the Scottish Committee, consisting of all the members from Scotland. All

Bills relating to Scotland were referred to the Scottish Committee after the first reading. According to a convention the decisions of the committee were accepted by Parliament. In Assam also there would be a Standing Committee in the Legislative Assembly. All Bills relating to the subjects of common interest would be referred to it. The Assam Legislative Assembly would undertake legislation on these subjects only after the receipt of a report from a Standing Committee on the Bills referred to it. This provision was intended to persuade the APHLC to believe that no legislation would be undertaken by the Assam Legislative Assembly which would adversely affect the interests of the hill areas and that the hill leaders would have adequate opportunities to express their views and influence the decisions of the Assam Legislative Assembly on subjects of common interest.

List C containing subjects of common interest had a double purpose. It was intended to satisfy public opinion in the plains that reorganization of the State of Assam would not affect the integrity of the State. It was also intended to secure unity in action in regard to these subjects.

Besides the subjects of common interest, the division of powers also contemplated concurrent subjects included in List B. This list included some of the subjects of the State List and some from the concurrent list in the Seventh Schedule. They are twelve in number. They included schemes of agriculture which would benefit the whole of Assam, the conservation of certain forests, the removal of prisoners, the transfer of property and the jurisdiction of all courts. In regard to these matters, both the Assam and the Autonomous State Legislatures would have power to legislate. But the legislation of the Assam State Legislative Assembly would have precedence over that of the Autonomous State. If a legislation of the Autonomous State Legislature offended any existing legislation on any subject included in List B to the

extent to which it was offensive, it was void. However, it was presumed that even such legislation would not be void provided the Governor of Assam had given his assent to it. Thus, the division of powers between the State of Assam and the Autonomous State was pragmatic.

Cabinet. The Government of India scheme contemplated two Cabinets, one for the Autonomous State and the other for the State of Assam. While the Cabinet of the Autonomous State would not contain any non-tribal, the Cabinet of Assam must contain adequate number of representative from the hill areas.

The Bill for the constitution of the Autnomous State of Meghalaya was introduced in Lok Sabha on 10 December, 1968. But it was opposed by Sri Chand Goyal on the ground that it would induce the other tribals to make a similar demand. Goyal argued that the people of Kumaon Hills were demanding a Hill State for themselves in Uttar Pradesh. Further, the Bill would bring into existence triarchy. But the House granted leave for the introduction of the Bill. On 20 December it was referred to a joint Select Committee. The Committee consisted of six members of Parliament from Assam. The total strength of the Committee was forty-five, thirty from Lok Sabha and 15 from Rajya Sabha. While the Committee was being constituted Abdul Ghani Dhar moved an amendment for the circulation of the Bill for public opinion. Balraj Madhok was very critical of the Bill. G.G. Swell objected the provision in the Bill for the nomination of certain number of members.

The basic idea which induced the Government of India to constitute the State of Meghalaya was: "The area is very important and therefore necessary to give concessions to the people in this area."

When the Bill was taken up for discussion on 25 March,

1969, the two members of the Swatantra Party, Ranga and Lobo Prabhu, pointed out a number of defects in it. First, the provision for the nomination of certain number of members would bring into existence two classes of members. It would reduce the importance of those who were elected and the status of the legislature. The Meghalaya Legislative Assembly would not have the same status as the Assam Legislative Assembly. Another difficulty was as to who should be endowed with this power, the power to nominate the members of the Legislative Assembly—the Governor, the Government of Meghalaya or the Government of India. If this power was entrusted to the Government of Meghalaya it might nominate partymen or those who were defeated at the polls, or who had helped the party in power. Again, the principle of nomination offends the democratic principle. When all the elected bodies contain elected members, the existence of nominated members in the Assembly would be an anachronism. The Home Minister Chavan contended that nomination was intended to secure representation of the minorities.

On 24 December, 1969, the Bill for the creation of the Autonomous State of Meghalaya was passed by the Lok Sabha and the Rajya Sabha with the support of almost all the members of all parties. On 2 April, 1970, the Autonomous State was inaugurated.

Legislature

The Meghalaya Legislative Assembly shall consist of not less than 35 and not more than fifty members. All of them shall be elected by single member constituencies by direct vote. The Governor was authorised to nominate more than three members to represent the minority communities in Meghalaya which were not represented or not adequately represented therein. This provision might be considered as an offence against the democratic principle. But in Meghalaya

there were a number of minorities, Hindus and Muslims. These minorities might not be able to secure representation by a direct vote. And yet their interests had to be protected. Majority rule was not always a satisfactory one. It was very often brutal and trampled upon the liberties of the minorities. If all shades of public opinion were to be represented in the Legislature it was essential that nomination was necessary.

Until the Legislative Assembly of Meghalaya was established a provisional legislature was brought into existence consisting of 35 members. The members of the provisional legislature were elected by an electoral college in each autonomous District. The electoral college consisted of all the elected members of the Autonomous District Councils by proportional representation and by single transferable vote. The Provincial Legislative Assembly should cease to operate as soon as the Legislative Assembly was constituted under the Meghalaya Act.

The Provisional Legislative Assembly was dominated by the APHLC. So for all practical purposes the Provisional Legislative Assembly of Meghalaya was a uni-party legislative assembly. Parliamentary democracy contemplates the existence of a strong opposition.

Division of Powers. A regards the division of powers, 61 out of the 66 entries in List 2 and four from List 3 of the Seventh Schedule of the Indian Constitution were included in Part A of the Second Schedule of the Meghalaya Act. Of the remaining five of List 2 four were included in Part C—the Concurrent List. It must, however, be admitted that the Meghalaya Legislative Assembly had no power to legislate on all subjects included in List 3 of the Seventh Schedule to the Indian Constitution. To that extent it occupied a position of inferiority to that of the Assam Legislative Assembly. Further, while the Assam Legislative Assembly occupied a position of parity with the Union Parliament with

regard to subjects included in List 3, the Meghalaya Legislative Assembly did not occupy that position.

Again the Meghalaya Legislative Assembly had no jurisdiction over public order and police. This was a vital power denied to Meghalaya. The reasons for this denial were not explicable. Although the Meghalaya Legislative Assembly was denied of this power, it was vested with village and town police. Why were police and public order denied to Meghalaya? I believe prestige politics bedevilled the issue. The people of the Brahmaputra Valley were opposed to the formation of Meghalaya. When the formation of Meghalaya became an accomplished fact, the Congress leadership was subject to severe criticism by some of its opponents that it was responsible for the dismemberment of the State. To escape this criticism the Congress leaders said that the integrity of the State would be affected if there was no common police. So police and public order on the one side and prestige politics on the other conspired to keep police with the State of Assam.

The denial of police power to Meghalaya had however one advantage. It facilitated the birth of Meghalaya without labour pains. The Congress leaders were able to persuade the people of the Brahmaputra Valley to believe that the integrity of the State of Assam was not affected by the formation of Meghalaya. This is politicians' language.

Though Meghalaya was denied of this police power it shared the administration of the subject as a part of the common Cabinet and common legislature.

Again, agriculture was not completetly under the control of Meghalaya. Agricultural schemes designed to benefit both the State of Assam and Meghalaya have been included in the Concurrent List.

Further, Meghalaya had no control over water supplies, irrigation canals, drainage and embankments, water storage

and water power in relation to hydro-electric and navigation projects financed by the Government of Assam and declared to be the projects of State importance. There are very few projects of this kind in the State. They were excluded from the purview of Meghalaya because their financing, control, administration and utilization of power required a wider administrative area than that of Meghalaya, a complex administrative machinery which Meghalaya might not be able to provide.

As regards forests, all forests were not vested in Meghalaya. Forests in catchment areas of the projects referred to above were excluded from its control. The Sixth Schedule did not authorise the District Councils to control forests. But Meghalaya secured almost complete control over this subject.

Another important subject which Meghalaya obtained was education of all kinds including university education.

The Meghalaya Bill proposed that it should control the chiefs and headmen of the Scheduled Tribes. But the Act omitted this. From the above it is clear that Meghalaya secured all vital powers excepting Police.

But the fact must be admitted that the constitutional status of Meghalaya was less than that of Assam. First, Assam was a unit of the Indian Administration but not Meghalaya. Second, Assam was directly represented in both the Houses of Union Parliament but not Meghalaya. Third, Assam was represented in the Union Cabinet but not Meghalaya. Fourth, Assam was represented in all All India Councils such as the National Development Council but not Meghalaya. Fifth, Meghalaya might be treated as an agent of an agent. That is, the Meghalaya Act says that the Government of Assam might give directions as to the way in which executive power should be exercised by Meghalaya. Further, Meghalaya should not exercise its ex-

ecutive power in such a manner impeding or prejudicing the exercise of power by the Government of Assam. About all, the Government of Assam might direct the Government of Meghalaya to undertake agency functions.

Although the Government of Assam might entrust the Government of Meghalaya with agency functions, Section 61 of the Meghalaya Act had no imperious outlook. The Section read as follows. "The Government of Assam may, with the consent of the Government of Meghalaya, entrust either conditionally or unconditionally any of its functions to it. But the Act also said that the Government of Meghalaya might also entrust any of its functions to the Government of Assam.

The acceptance of Autonomous State by the APHLC brought into existence intra-party conflict. The extremists who were opposed to the formation of autonomus State left the party and formed Hill State People's Democratic Party. They seemed to have gained some importance in certain areas. To counteract their influence the APHLC requested the P.M. on 3 September, 1970 to declare Meghalaya as a State since Manipur and Tripura had already been declared States. On 14 September K.C. Pant, the Minister of State, India, visited Shillong. The APHLC requested him to declare Meghalaya as a State. On 19 September the APHLC requested the Government of India to take immediate steps to declare full statehood for Meghalaya. On 30 September, the Meghalaya Legislative Assembly passed a resolution by a unanimous vote requesting the Government to convert the Autonomous State into a full-fledged State. On 2 October the Meghalaya Cabinet met the P.M. at Gauhati and again on 28 and urged her to declare Meghalaya as a full-fledged State. On 10 November the P.M. informed the Lok Sabha that the Government had decided to accept in principle the Meghalaya Demand for statehood. On 21 January, 1972 the P.M. inaugurated the State of Meghalaya.

The declaration of Meghalaya as a State benefited her in some ways. First, it is represented in the Rajya Sabha (Upper House of the Indian Parliament) by one and in the House of the People by two. The Bill proposed that Meghalaya should have one representative in Lok Sabha but representation was made for the increase of her representation to two so that the two distinct units of Meghalaya may be represented in it.

Again, the Meghalaya Legislative Assembly shall have sixty seats, fifty of which shall be reserved for the Scheduled Tribes which was not a sound provision. The idea behind reservation is to secure representation for the recognised minorities who cannot successfully contest the general constituencies. It was strange that this principle was applied to the majority community. It may be noted that the Meghalaya Act of 1970 provided for the nomination of representatives of the minorities. The Legislative Assembly of the Autonomous State consisted of three nominated members, one Assamese, one Bengali and one Nepali. But in 1972, the nominated element was eliminated.

Later on by an amendment to the Constitution the reservation of seats for the Scheduled Tribes in Meghalaya was eliminated.

It was also laid down that the provisional legislative assembly of the Autonomous State of Meghalaya would also be the provisional legislative assembly of the State of Meghalaya. This provision was subject to certain amount of criticism. It was argued that the provisional legislative assembly of the Autonomous State was indirectly elected by the members of the District Councils, formed under the Sixth Schedule. The District Councils were elected on issues which were fundamentally different from those of the Legislative Assembly. Therefore it was argued that the Legislative Assembly elected by the District Councils was not representative in character. Since the Legislative Assembly was not

elected by the vote of the people, the Government of Meghalaya was also unrepresentative in character. Therefore it was demanded that Presidential Rule should be imposed immediately after the State of Meghalaya was formed. All this argument was theoretically correct. But the critics did not realise the fact that if Presidential rule had been imposed it would have provided enough material to the existing government to exploit public sentiment. Therefore the Central Government did not impose Presidential rule and elections were held in March 1972.

The Meghalaya State shall have a common High Court. Provision has been made for the establishment of a Bench in Meghalaya or the High Court itself may sit anywhere within its jurisdiction with the approval of the Governor. The establishment of a common High Court has serious implications. It brings into existence common law and common customs and common interpretation of law.

Though the Act does not say specifically that Meghalaya shall have a common Governor, it has a common Governor. Specific mention of common Governorship was not made because a situation may arise when the appointment of separate governors for separate units may be necessary. Since the Governor is a constitutional head, there should be no difficulty in having a common Governor. There is a common titular head for Great Britain, Northern Ireland, the Dominions and the British Empire. But it may be noted that sometimes ago the Nagas demanded a separate Governor for Nagaland.

Though the High Court and the Governor are common, the Service Commission is not common. It is presumed that all the political units did not wish to have a common Service Commission though it was most desirable, provided certain safeguards are made.

The State Electricity Board and the State Warehousing

Corporation would continue to function under the direction of the Central Government for a period of two years. In the meanwhile the successor States may constitute their own State Electricity Board and their own State Warehousing Corporation and take over from the existing Board or Corporation the assets, rights and liabilities in the State.

As regards services the Act contemplated a joint cadre for the I.A.S. and a Joint Cadre for the I.P.S. and a joint cadre for the Indian Forest Service for the States of Assam and Meghalaya. The initial strength and composition of each of the joint cadres shall be determined by the Central Government. The members of each of the said services on the Assam cadre shall be allocated to the joint cadre. Those selected for promotion to the All India Services from the Assam State Civil Service shall be allocated to the Joint Cadre of the same service.

The Central Government is authorised to appoint one or more Advisory Committees for the purpose of assisting it in regard to the discharge of any of its functions connected with this matter and for ensuring fair and equitable treatment to all persons affected by these provisions.

All the Assembly and Parliamentary constituencies shall be single member constituencies. As far as practicable they should be geographically compact. While determining the boundaries of the constituencies, regard shall be paid to physical features, existing boundaries of the administrative units, facilities for communication and public convenience. The Assembly constituency must be within a parliamentary constituency. It should not be spread over more than one parliamentary constituency. The reserved seats for the Scheduled Castes should be assigned to constituencies in which they were larger in number. Similarly seats reserved for the Scheduled Tribes should be assigned to constituencies shall they were larger in number. The Election Commission shall determine the boundaries of the constituencies. The Election

Commission shall be assisted by certain number of associate members. The Members of the House of the People of the area concerned plus six members of the State Legislature shall constitute the associate members. The associate members should have no right to vote or sign any decision of the Commission.

CHAPTER XIV

Elections to the Legislatures

During the period 1874 to 1937, all the tribal areas in North-East India were classified as backward areas and therefore excluded from the membership of a legislature. However, a Khasi, Rev. J.J.H. Nichols Roy was elected to the Assam Legislative Council from the British portions of the Khasi Hills from 1920 to 1937. He was the only tribal that was elected to the Legislative Council continuously from 1920 to 1957.

Besides Rev. Nichols Roy, the Governor nominated Jaggin Laskar, the best available Garo,to the Assam Legislative Council. He did not know the language in which the proceedings of the Council were conducted. He did not attend the meetings of the Council and ultimately he resigned his membership of the Council. The Governor nominated a Welsh Missionary, Rev. Evans, to represent the tribals. But his experience was limited to the Khasi Hills and therefore the Hill Areas of North-East India were practically unrepresented.

Under the Government of India Act, 1935, the Garo Hills, the Khasi and Jaintia Hills and the Mikir Hills were declared as partially excluded areas and therefore were represented in the Assam Legislative Assembly. Five seats

were reserved for the tribal areas in the Legislative Assembly and one in the Legislative Council and one seat for women (Shillong) in the Assembly.

Mikir Hills. The first general election under the Government of India Act, 1935, to the Provincial Legislative Assembly was held in February 1937. As the Mikir Hills was a partially Excluded Area, one seat was allotted to it in a House of 108. The total number of electors in the Mikir Hills constituency was 171 because franchise was limited to the Mouzadars, gaonburas, chiefs, those that passed the Middle School Examination, etc. For the one seat there were four candidates, Khorsing Terang, Mohan Sing Mouzadar and Tenkursing Ingty. Of the 171 voters, as many as 128 exercised their franchise. That is 74.85 per cent of the voters voted. The successful candidate Khorsing Terang polled 53 votes and the nearest rival polled 27 votes.

The second general election to the Assam Legislative Assembly should ordinarily have been held in 1941-42 but was postponed till the end of the second world war. It was held in 1945. The number of electors increased from 171 to 294 because of improvement in the registration of voters. For the single seat allotted to the Mikir Hills there were three candidates. The Congress set up Khorsing Terang. But he was opposed by two independents, Birendranath Teron and Samson Sing Ingti. The percentage of poll was 70 per cent. In 1937, Khorsing Terang was elected by a minority vote. In 1945 he was elected by an absolute majority of the votes polled.

After Independence, election to the Assam Legislative Assembly was held in February 1952. The number of electors in the Mikir Hills increased enormously from 294 in 1945 to 67,652 in 1952. But the number of votes polled in 1952 was 24,734 or 36 per cent of the total number of votes.

The Congress set up two candidates for the two seats

allotted to the Mikir Hills, Nihang Rongphar, for the Mikir Hills West and Khorsing Terang for the Mikir Hills East. Both of them were opposed by Independents. Nihang Rongphar was opposed by two independents, Bajong Tiso and Riswel Teron. Khorsing Terang was opposed by Akhil Chandra and Be Song. Both the Congress candidates were elected by an absolute majority of the votes polled in their respective constituencies.

The second general election to the Assam Legislative Assembly was held in 1957. There was an increase in the number of electors from 67,652 in 1952 to 77,988 in 1957. The increase may be attributed to increase in the population and also to better registration of voters. But the percentage of votes polled was very poor. It was 31.51 per cent of the total number of votes polled in the Mikir Hills East and 23.72 per cent in the Mikir Hills West.

The Congress set up two candidates. They were Barelong Terang for the Mikir Hills East and Chatrasing Teron for the Mikir Hills West. Barelong Terang was opposed by three Independents, Soi Soi Terang Raideng Ingti and a lady candidate Sojani Rajiyung. The Congress candidate and his immediate rival Soi Soi Terang were members of the District Council for two terms and therefore have had some political experience but not the lady candidate Sojani Rajiyung. Raidang Ingti polled 8.93 per cent of the votes polled and Sojani Rajiyung 10.93 per cent. Both of them forfeited the election deposit. Sojani Rajiyung was the first and the last lady candidate to contest election in the Mikir Hills for an elective seat. The Congress candidate Barelong Terang polled 32.11 per cent of the votes polled and the independent candidates Soi Soi Terang 48.03 per cent. Thus the Congress which won all the seats in the Mikir Hills in 1947 and 1952 was defeated in the Mikir Hills East.

In the Mikir Hills West the Congress candidate Chatra-

sing Teron had an easy walk over his rivals. He was opposed by Dilong Engti who polled 8.22 per cent of the votes polled and forfeited his deposit. Master Bajong Tiso who contested against Chatrasing Teron polled 19.01 per cent of the votes polled. It may be remembered that Bajong Tiso contested unsuccessfully for the Assembly seat in 1952 against Nihan Rongphar. Thus, Chatrasing Teron won a decisive victory having polled 72.77 per cent of the votes polled

The third general election to the Legislative Assembly was held in 1962. The total number of electors increased from 77,988 in 1957 to 90,351 in 1962. The Congress set up Soi Soi Terang for the Mikir Hills East. It may be remembered that in 1957 Soi Soi Terang contested the election as an Independent candidate, against the Congress candidate Barelong Terang and Raidang Ingti. Soi Soi Terang won the election. In 1962, Soi Soi Terang contested the election as a Congress candidate against Barelong Terang who contested this time as an Independent candidate. Perhaps Barelong did not get the Congress nomination. Raidang Ingti was set up by the APHLC. Thus, the same three persons that contested against each other in 1957 were again locked up in a triangular contest in 1962. Soi Soi Terang was elected by a minority vote because he polled 7,059 votes of the 16,181 votes polled.

For the Mikir Hills West there were two candidates, Chatrasing Teron and Kathar Basa Ingti. The first was set up by Congress and the second by the APHLC. Chatrasing had an easy walk over his rival. He polled 10,020 votes of the 15,189 votes polled.

The fourth general election to the Legislative Assembly was held in 1967. The number of seats for the Mikir Hills was increased from two to three. The number of electors also increased from 90,351 in 1962 to 1,11,780 in 1967. The Congress set up candidates for all the three seats. Soi

Soi Terang contested as a Congress candidate the Bokojan seat. He was opposed by Raidang Ingti (APHLC) whom he defeated in 1957 and 1962. This time Soi Soi Terang polled 67 per cent and Raidang Ingti 33. Thus, Raidang Ingti was defeated at the hands of Soi Soi Terang for a third time.

The second Congress candidate was Chatrasing Teron. He contested the Howraghat seat. His opponent was Barelong Terang who was defeated by Soi Soi Terang in 1957 and 1962. Barelong was badly beaten by Chatrasing because he polled just 5,000 of the 18,000 votes polled. This is his third defeat for the Assembly seat. He is in the company of Raidang Ingti in the matter of defeats.

The third Congress candidate was Dhaniram Rogpi who contested the Baithalangsu seat. He was opposed by an APHLC candidate Longsadarpo Katharson. His defeat at the hands of Dhaniram Rongpi was worse than that of Barelong Terang. He polled a little more than 25 per cent of the votes polled. Thus, the Congress won all the three seats in the Mikir Hills.

The fifth general election to the Legislative Assembly was held in February 1972. Mikir Hills was allotted three seats as in 1967. For the Bokojan seat there was straight contest. The candidates were Sarsing Terang and Soi Soi Terang. Soi Soi Terang was the Congress candidate. Sarsing Terang was an Independent. Soi Soi Terang was again elected by a thumping majority. He polled 15,981 of the 22,447 votes polled and trounced his rival.

For the Howraghat seat there were two candidates, Chatrasing Teron and Barelong Terang. Chatrasing polled 20,119 of the 26,557 votes polled. Barelong was defeated for the fourth time. But he did not forfeit his deposit.

For the Baithalangso seat there were four candidates and the Congress candidate Dhaniram Hongpi defeated all the three rivals and polled an absolute majority of the votes polled. Two of his rivals forfeited the deposit.

Of the three successful candidates, two were elected for the fourth term and one for a second term.

North Cachar Hills. North Cachar Hills was an excluded area under the Government of India Act, 1935 and therefore not represented in the Assam Legislative Assembly. For the first time North Cachar Hills was represented in 1952. North Cachar Hills was allotted one seat in the Assembly. In 1952, there were 19,986 registered voters. Of them 6,517 exercised their franchise which is less than 33 per cent of the total number of voters. The contest was straight. Both the candidates were Independents. Joy Bhadra Hagjer was elected.

In 1957 again there was contest for the single seat. This time, Joy Bhadra Hagjer contested as a Congress candidate and he was opposed by an Independent candidate H.M. Hafiongbar. Joy Bhadra Hagjer polled 42.36 per cent of the votes polled whereas Haflongbar polled 57.64 per cent.

In 1962 there was straight contest for the seat in the Assembly. The candidates were the same. There was only one difference. While Joy Bhadra Hagjer contested as a Congress candidate, Haflongbar contested as an APHLC candidate. There was neck to neck race and Joy Bhadra Hagjer was elected by the slenderst majority—15 votes more than his rival. The poll was not bad. 51.11 per cent of the voters exercised their franchise.

In 1967, again there was contest for the Haflong seat. Again, there were only two candidates, Joy Bhadra Hagjer (Congress) and Gokul Chandra Hojoi (APHLC). This time Joy Bhadra Hagjer polled 66 per cent of the votes polled.

In 1972, there was no contest and Joy Badra Hagjer was elected unanimously. Joy Bhadra Hagjer died in 1974

and in his place S.C. Daolgupu was elected after defeating his rival Sonaram Thaosen.

Thus, from 1962, Congress was able to win the Haflong seat.

Mizo Hills. Under the Government of India Act, 1935, Lushai Hills was an excluded area and therefore not represented in the Legislative Assembly. It was in 1952 that it was represented in the Assam Legislative Assembly. Before 1952, Saprawnga was nominated to the Lok Sabha. But he did not like the Delhi political climate. Perhaps he thought that he would be lost in that mighty ocean of parliamentary life and would become a backbencher in Mizo politics. He returned to the Lushai Hills and contested a seat in the Assembly. Under the Indian Constitution, the Lushai Hills (now called Mizoram) was allotted three seats in the Assam Legislative Assembly. The total electorate in the Lushai Hills in 1952 was 1,22,241. There were three single member constituencies. Two parties contested election—the M.U. and the U.M.F.O. The contest was straight. The number of votes polled was 38,175 in all the three constituencies. The candidates of the M.U. were R. Denguthuama, R. Thanhlira and Saprawnga. The U.M.F.O. set up C. Thuamluaia, Lalhmingliana, and Rokhuma. The U.M.F.O. was badly beaten. All the three candidates set up by it were defeated by a decisive majority. Of the 38,175 votes polled, the Mizo Union polled 29,094 votes while the U.M.F.O. the remaining 9,060. In other words, the M.U. polled 9,698 per seat whereas the U.M.F.O. polled 3,020 per seat. Evidently, the M.U. was very popular because it advocated the cause of the commoner who were being oppressed by the Chiefs, whereas the U.M.F.O. advocated the cause of the Chiefs. As a matter of fact some of the chiefs were members of the UMFO. The M.U. consisted of a number of young men, enthusiastic for social work and not yet contaminated by hunger for power, with a defi-

nite programme to promote the happiness of the common man. Thus, the M.U. was the radiant sun round which all other planets revolved.

R. Thanhlira resigned his seat in the Legislative Assembly as he was elected to the Council of States (Rajya Sabha). Lalbuaia was elected uncontested in the by-election held to fill up the vacancy caused by the resignation of R. Thanhlira. R. Denguthuama also resigned his membership of the Assembly with effect from 16 August 1954. In the vacancy caused by the resignation of R. Denguthuama Lalmawia of the U.M.F.O. was elected in a by-election.

In 1957, the second general election was held to the Legislative Assembly. The number of seats available for contest was the same as in 1952—three. Similarly, all the constituencies were single member constituencies. But the number of parties and the number of candidates contesting the three seats were not the same as in 1952. There were no uncontested elections. The candidates also were not the same as in 1952. But the percentage of poll was better in 1957 than in 1952.

Let us now consider the candidates that contested the elections to the Legislative Assembly. In 1952, Denguthuama contested the Lunglei seat but in 1957 it was Ch. Chhunga that contested the seat, on behalf of the M.U. The UMFO, however, nominated C. Thuamluaia who was defeated in 1952. In 1952, the M.U. candidate was successful. In 1957 he was defeated and the seat was won by U.M.F.O.

For the Aijal East there were three candidates. In 1952, the U.M.F.O. set up Lalhmingliana as its candidate but he was defeated miserably. Therefore, he was eliminated, and in his place, U.M.F.O. principal leader Lalmawia was nominated. It may be remembered that Lalmawia was elected to the Assembly in a by-election held in 1954. In the meanwhile there was a split in the Mizo Union. Those who

seceded from it designated themselves as M.U.R.W. (Mizo Union Right Wing). The M.U.R.W. set up one of the defectors from the M.U. a former C.E.M. Lalsawia. The M.U. set up R. Thanhlira who defeated his U.M.F.O. opponent in 1952. Thus, there was a triangular contest for the Aijal East seat. But the contest was really between the M.U. and the U.M.F.O. The fortunes of the M.U. candidate were not bright. In 1952, he polled a crushing majority over his U.M.F.O. rival. In 1957, there was neck to neck race with the U.M.F.O. rival and Thanhlira was defeated by a slender majority of 157 votes. Thus, in 1957, the U.M.F.O. secured two seats.

For the Aijal west there were three candidates. All the three candidates were new. Saprawnga who contested this seat in 1952 was the C.E.M. Therefore he was not set up. The M.U. set up A. Thanglura as its candidate. Rokhuma who was set up by the U.M.F.O. in 1952 was not set up in 1957. In his place J. Malsawma was set up. The M.U.R.W. set up Dr. Khawma as its candidate. Thanglura was no doubt elected but by a slender majority of 328 votes and the percentage of votes polled by him was much less than that polled by Saprawnga in 1952.

The outcome of the second general election was that the Mizo Union was not successful so far as the Assembly elections were concerned. Of the 1,08,332 registered voters, just 42,486 were polled. Of the 42,486 votes the M.U. polled 19,660, U.M.F.O. 18,954 and the M.U.R.W. 3,875. From the above it is evident that the MU lost its ground to the opposition. Its popularity was declining because it polled only 706 votes more than the U.M.F.O.

The third general election to the Legislative Assembly was held in 1962. In 1960, the M.U. became a constituent part of the APHLC and the APHLC set up its candidates for the three seats available for contest. In 1962,

there was a slight increase in the number of voters, from 1,22,241 in 1952 to 1,26,635 in 1962. But the percentage of poll was more or less the same as in the previous years. The number of candidates was less in 1962 than in 1957.

For the Lunglei seat there were three candidates, Saprawnga, Dengthuama and Sapzova. It may be remembered that in 1952, Saprawnga contested the Aijal West seat and Dengthuama the Lunglei seat as the MU candidates. Both were elected. In 1954, Dengthuama resigned the Assembly seat and did not contest in 1957 the Assembly seat. In 1962, he rebelled against APHLC and contested as EITU candidate. The third candidate was a dark horse. The contest was really between Saprawnga and Dengthuama. Saprawnga was elected by a minority vote. Thus, the contest was between one time comrades.

Let us take the Aijal East seat. In 1957, there were three candidates for a single seat. It may be remembered that in 1952 there were three candidates for this seat. Lalmawia was elected by a minority vote defeating R. Thanhlira of the M.U. and Lalsawia of the MURW. In 1962, as a result of understanding between the MU and the EITU, Lalmawia did not contest. Instead, he made way to the APHLC candidate R. Thanhlira. Lalsawia, who was in the MU in 1952, drifted to MURW in 1957 and then to Congress in 1962, was the second candidate. Thus, there were only two candidates for the seat. Thanhlira beat Lalsawia very badly. It may be remembered that in 1957, Thanhlira polled only 5,180 votes of the 12,844 votes polled but in 1962 he polled double the number of votes polled (10,321) in 1957.

For the Aijal West seat the contest was straight. In 1957, the MU set up Thanglura against UMFO candidate J. Malsawma and the MURW candidate Dr. Khawma. Thanglura polled an absolute majority of the votes polled.

In 1962, Thanglura left the MU and joined Congress and contested against the MU candidate Ch. Chhunga. It may be noted that in 1957, Chhunga contested from the Lunglei constituency. In 1962, he shifted to Aijal west and contested against his former comrade A. Thanglura. Thanglura was very badly beaten by Chhunga. Chhunga polled 16,070 votes of the 21,841 votes polled. Thus all the three seats in the Mizo Hills went to the APHLC. The Congress which entered the field for the first time fared rather miserably.

The APHLC contested the general election to the Assembly in 1962 on the issue of Hill State. The demand for the Hill State was not conceded. The APHLC to demonstrate its strength called on its members in the Legislative Assembly to resign. Thanhlira refused to resign. Saprawnga and Chhunga as loyal partymen resigned.

In the meanwhile the MNF became very popular. In the by-elections held on 24 July, 1963, the APHLC set up Saprawnga for the Lunglei seat. He was opposed by a candidate of the MNF, L. H. Lalmawia. The MNF candidate was elected. For the Aijal West, Bawichhuaka and not Chhunga was set up by the APHLC. He was opposed by a MNF candidate John F. Manliana. Manliana was elected. Thus, the APHLC lost two seats in the Assembly.

The fourth general election to the Legislative Assembly was held in 1967. But the political parties and the Independents did not wish to contest the election because of the threat held out by the MNF against those who would contest the election. Only one nomination was filed for the Lunglei seat but it was rejected as it was not a valid nomination. For the Aijal East and Aijal West seats the same candidate filed the nomination as a Congress candidate. Thanglura was declared elected for the Aijal West. Later on in a by-election held for the Aijal East seat John F. Manliana, a former leader of the MNF but surrendered to the Security Forces, was elected un-contested.

In 1972, Mizo Hills district was converted into a Union Territory. The general election to the Mizoram Legislative Assembly was held in March 1972. For the purpose of the general election, Mizoram was divided into three divisions, Aizawl, Lunglei and Saiha. Each sub-division was divided into a number of constituencies. There were 30 constituencies in all. Of them 21 were in Aizawl sub-division, five in the Lunglei sub-division and four in the Saiha sub-division. The Saiha sub-division is also known as the Pawi-Lakher region. There was no reservation of seats for any community as in Meghalaya because Mizoram is entirely a tribal area, distinct tribes occupying distinct areas. Therefore, the question of representation of minorities did not arise.

Let us consider the election to the Mizoram Legislative Assembly. The total number of registered voters was 1,57,007 and the total number of votes polled was 1,15,185. Thus, more than 70 per cent of the voters exercised their franchise. The number of votes rejected was 3,996 which did not affect the result of any election.

The number of candidates that contested the 30 seats in the Assembly was 156. There were no uncontested returns. The number of straight contests was also few. In some of the constituencies the number of candidates for a single seat was as many as nine.

Of the 156 candidates 62 were independents, 29 Congress, 25 MU, 21 Mizo Labour Party and 18 of the Socialist Party. Thus, there were four parties in the field, two national and two local and the inevitable Independents. Of the 156 candidates there were only three representing the fair sex. This is a surprising thing because in Mizoram the rate of literacy among the females is the highest in the country. They occupy a position of social equality in Mizoram and yet they do not seem to take active part in politics. Of the three ladies two contested the election as Independents and

the third was set up by the Socialist Party. Unfortunately all the three lost their deposits. Thus, the Mizoram Legislative Assembly was an all male assembly.

Of the 30 successful candidates 21 belonged to the Mizo Union, six to Congress, and three Independents. All the three Independents were from the Pawi-Lakher Region. Thus, the Socialist and the Mizo Labour Party were routed and not a single candidate set up by them was elected.

Of the 30 successful candidates, as many as 23 were elected by a minority vote. Of them 16 belonged to the MU, four to Congress, the remaining three Independents.

The number of candidates that forfeited the deposit was 74 which is nearly fifty per cent of the total number of candidates that contested the election. Of the 74 as many as 44 were Independents, 10 of the Mizo Labour Party and all the 18 candidates set up by the Socialist Party and two of the Congress. It is noteworthy that no Mizo Union candidate lost his deposit.

The number of votes polled by the political parties and the Independents was as follows.

Name of the Party	No. of candidates	No. of votes polled
The MU	25	41,645
Congress	29	34,331
Independents	62	24,649
Mizo Labour Party	21	24,549
Socialist Party	18	1,704

The Congress set up its candidates in all but one constituency—Pupang in the Pawi Lakher Region. The Mizo Union set up its candidates in 25 constituencies in the Aizawl and Lunglei sub-divisions. It did not enter the Pawi Lakher Region. The Mizo Labour Party set up its candidates only in one sub-division, the Aizawl sub-division. It

did not enter the Pawi-Lakher region and the Lunglei sub-division. The Socialist Party which entered the Mizoram politics for the first time set up its candidates in the Aizawl sub-division only. It was the first Left party that entered the Mizo Hills. It was also the second national party to participate in the general election to the Lok Sabha and the Mizoram Legislative Assembly.

The highest number of votes was polled by the Mizo Union candidates. Hrangaia, an old horse who had been in Mizo Politics since 1952, polled 2,606 votes, the highest vote for the Assembly election. The next highest vote was polled by another Mizo Union candidate, Saprawnga, a moderate in Mizo politics with vast political and administrative experience for more than two decades. The third highest vote was polled (2,290) by the present Chief Minister of Mizoram Ch. Chhunga.

The number of votes polled by the successful candidates was as follows.

Name of the Party	No. of candidates	No. of votes polled	Average per seat
Mizo Union	21	35,302	1,681
Conrgess	6	9,283	1,547
Independents	3	3,729	1,243

In other words, 66,871 votes were wasted which is inevitable wherever the single member constituency system and simple majority system are adopted. It may be said that the Mizoram Legislative Assembly does not represent a majority of the voters. It represents 48,314 of the 1,57,007 registered voters. Each successful candidate polled on the average 1,610 votes.

One significant feature of the 1972 general election to the Mizoram Legislative Assembly was that the Mizos had no stomach for Leftism. As a consequence, the Socialist

Party was torn to pieces. It polled 1,704 votes of the 1,15,185 votes polled. Similarly, the Mizo Labour Party was badly beaten. It polled 1,704 votes of the 1,15,185 votes polled even though the leader of the Party is an experienced politician who had two decades of service in the Mizo Hills. He himself polled 346 votes of the 2,613 votes polled in his constituency and narrowly escaped the forfeiture of deposit. Of the 18 candidates set up by the Socialist Party, one-third polled less than fifty votes each and eleven polled less than 200 and on the average 94 votes by each candidate.

The Garo Hills. The Garo Hills was declared as a backward area under the Government of India Act, 1920. It was, therefore, not represented by an elected member. But the best available Garo Jaggin Laskar was nominated to the Assam Legislative Council. He did not understand English, the medium through which the Council transacted business. He got bored of his membership of the Council and resigned it.

Under the Government of India Act, 1935, the Garo Hills was a partially excluded area and was therefore represented in the Assam Legislative Assembly by two members. The first general election to the Assam Legislative Assembly under the Government of India Act, 1935, was held in February 1937. For the Garo Hills North seat there was a straight contest between Benjamin Momin and Jaggin Laskar. The number of registered voters was 539. Franchise was limited to gaonburas and to those that passed the middle school examination. Of the 539 voters, as many as 422 exercised their franchise. Benjamin Momin polled 242 votes and his rival 180. Benjamin Momin was elected.

For the Garo Hills South, there were three candidates, Jobang Marak, Muniram Marak and Ramsing Sangma. There were 767 registered voters. Of them 552 exercised their franchise. Jobang Marak polled 276 votes, Muniram

Marak 164 votes and Ramsing Sangma 112 votes. Jobang Marak was elected. Thus, two Garos, Benjamin Momin and Jobang Marak, represented Garo Hills in the Assam Legislative Assembly during the period 1937 to 1945.

The next general election should have been held in 1942 but because of the Second World War, it was held in 1945-46. For the two seats there were ten candidates. For the Garo Hills North, there were five candidates, Mody Marak, Aaron Sangma, Benjamin C. Momin, Jaggin Laskar, and Bronson Momin. It may be noted that Benjamin C. Momin and Jaggin Laskar contested against each other in 1937, and Benjamin was elected. In 1945-46, both of them again contested the same seat along with three others. The number of electors increased enormously from 552 to 1,383 but the percentage of poll was only 46. Mody Marak was elected by a minority vote.

For the Garo Hills south also there were five candidates. Except Phukan Sangma who was set up by Congress, all others were Independents. For the first time a National political party entered the field. It may be remembered that in 1937, Muniram Marak and Jobang Marak contested against each other and Jobang Marak was elected. In 1945, Maniram Marak avenged the defeat he suffered at the hands of Jobang Marak. Muniram Marak polled 330 of the 794 votes polled —a minority vote. Thus, the Garo Hills was represented by two persons, Mody Marak and Maniram Marak.

Under the Indian Constitution, the Garo Hills secured four seats in the Assam Legislative Assembly. The first general election to the Assembly was held in February 1952. In 1952, a regional party, the GNC, contested the general election. It set up its candidates for all the four seats. One of them was returned uncontested—Harrison Momin from Bagmara. In the other three constituencies, there were three candidates in each. Of the three successful candidates, two be-

longed to the GNC and the other was an Independent. For the Tura seat there were three candidates. The GNC candidate Emerson Momin was elected by a minority vote after defeating Nohu Sangma and Jenden Marak. For the Phulbari seat there were three candidates, Bronson Momin, Emonsing Sangma and Phukan Sangma. Emonsing Sangma who contested unsuccessfully in 1945 as an independent candidate contested the 1952 election again as an Independent candidate successfully by defeating Phukan Sangma of the GNC and the Independent candidate Bronson Momin. It may be remembered that both Phukan Sangma and Bronson Momin contested for a seat in the Assembly in two different constituencies in 1945 and were defeated. For the Dainabhubi seat there were three candidates, Aaron Sangma, Prabodh Chandra Geison and Nallindra Sangma. Aaron Sangma who forfeited his deposit in 1945, contested successfully as a GNC candidate in 1952 and polled a minority vote.

We shall now consider the results of the second general election for the Assembly. There were nine candidates for the four seats. In three constituencies, there was straight contest. For the Bagmara seat there were two candidates Maniram Marak and Emerson Momin. Emerson Momin was elected in 1952 for the Tura seat. In 1957 he was shifted to Bagmara. Maniram Marak was elected to the Assembly seat in 1945. He did not contest in 1952. In 1957, he stood as an Independent candidate but was defeated by Emerson Momin. For the Tura seat there were two candidates, Mody K. Marak and Noho Sangma. Mody K. Marak was elected in 1945 but did not contest in 1952. Noho Sangma contested as an Independent candidate in 1952 and as a Congress candidate in 1957 and was defeated on both the occasions. For the Pulbari seat also there was straight contest between Emonsing Sangma and Capt. Sangma. Emonsing Sangma contested the Assembly seat for the third time. He lost it in 1945 and won it in 1952. In 1957, there was longed to the GNC and the other was an IIndependent. For

neck to neck race between him and his rival Capt. Sangma. The gallant Captain won the election by a slender majority of 170 votes. For the Dainadubi seat there were three candidates. It may be remembered that Harrison Momin was shifted from Bagmara to Dainadubi to contest against two others. Aaron Sangma and Nallindra Sangma. It may also be remembered that Aaron Sangma contested in 1945 as an Independent candidate, in 1952 as a GNC candidate and in 1957 as a Congress candidate. Nallindra Sangma contested in 1952 and 1957 as an Independent candidate. Harrison Momin of the GNC defeated both Aaron Sangma and Nallindra Sangma and polled an absolute majority of the votes polled only one-third of the votes polled. Therefore Capt. contested while the Congress lost all the three it contested.

Let us now consider the third general election. For the Bagmara seat there were three candidates. Capt. Sangma who contested the Pulbari seat in 1957, shifted himself to Bagmara. Perhaps he thought that Emonsing Sangma would give him a tough fight and that Bagmara would be a safe place for him. The candidates that contested against him were not sufficiently strong. One of them was Nitar Marak who forfeited his deposit. The Congress candidate polled only one-third of the votes polled. Therefore Capt. Sangma polled an absolute majority of the votes polled.

For Dainadubi seat there were three candidates. Nallindra Sangma who contested in 1952 and 1957 as an Independent candidate was set up by the APHLC in 1962. He had two rivals, the old Aaron Sangma who has been contesting since 1945, set up by Congress, and Jonathan Sangma, an Independent candidate. Nallindra Sangma was at last successful and he polled an absolute majority of the votes polled.

For the Tura seat, there were three candidates. In 1957, it was contested by Mody K. Marak and Noho Sangma. In 1962, Mody K. Marak did not contest. The APHLC set up

Emerson Momin who contested the Tura seat in 1957 as GNC candidate. He had two rivals, the old Noho Sangma who contested in 1952 and 1957 unsuccessfully and Jenden Marak. Both of them were defeated by Emerson Momin who polled an absolute majority of the votes polled.

For the Pulbari seat there were three candidates. The Congress set up the old Emonsing Sangma who has been contesting since 1952, elected in 1952 but defeated in 1957, Bronson Momin of the APHLC who contested in 1952 as an Independent candidate but did not contest in 1957 and a new candidate, Hemson Marak. In 1957, Emonsing Sangma was defeated by Capt. Sangma but in 1962, Emonsing Sangma defeated his two rivals and polled an absolute majority of the votes polled. While in 1957, the GNC won all the four seats in the Garo Hills, in 1962, it lost one seat for Congress. For the first time Congress was able to obtain a foothold in the Garo Hills.

In 1962, the APHLC contested the Assembly election on the issue of the Hill State. Since the demand for the Hill State was not conceded the APHLC called upon its members to resign their assembly seats. Two members from the Garo Hills elected on the APHLC ticket, Emerson Momin and Nallindra Sangma, did not resign. Capt. Sangma alone resigned. In the by-election held in 1963, he was again elected defeating his old rival Dingmin Nengnuiza.

We shall now consider the 1967 general election. For the Bagmara seat Capt. Sangma contested as a APHLC candidate for a third consecutive term. He was opposed by the Congress candidate Singjam Sangma and a CPI candidate Rodorsing Marak. Capt. Sangma had an easy walk over his two rivals and polled an absolute majority of the votes polled.

For the Dainadubi seat there were four candidates, Aaron Sangma, Nallindra Sangma, Mody K. Marak and a Congress candidate. Both Aaron Sangma and Nallindra

Sangma contested the same seat in 1952, 1957 and 1962. Aaron Sangma was elected in 1952 as a GNC candidate but defeated as a Congress candidate in 1957 and 1962. In 1967 Congress did not nominate him for the seat. It nominated some other person. Nallindra Sangma was defeated as an Independent candidate in 1952 and 1957 but was elected as a APHLC candidate in 1962. The APHLC did not nominate him again in 1967 because he did not resign in 1962 when called upon by the party to resign on the issue of hill State. It nominated Mody K. Marak who was elected by an absolute majority of the votes polled. The Congress candidate was defeated and the two Independent candidates lost their deposit.

For the Tura seat there were three candidates, Ghorsing Marak set up by the APHLC, Emerson Momin and Janden Marak. Ghorsing Marak defeated his rivals by an absolute majority of the votes polled. Emerson Momin, it may be remembered, was elected in 1952, 1957 and 1962 by the GNC but refused to resign it in 1962 when called upon to do so. Therefore in 1967, the APHLC did not nominate him. The Congress nominated him but was defeated. Janden Marak lost his deposit. This is his second defeat.

For the Pulbari seat there were four candidates. Bronson Momin was set up by the APHLC. He contested unsuccessfully the Assembly seat in 1952, as an Independent candidate. He did not contest in 1957. In 1962, he contested as a APHLC candidate but was defeated by Emonsing Sangma. In 1967 Emonsing Sangma again contested as a Congress candidate but was defeated. The third and the fourth candidates lost their deposits. This in 1967, all the four seats were won by the APHLC. The Congress which won the Pulbari seat in 1962 lost it in 1967. The CPI which entered the Garo Hills for the first time in 1967 with two candidates was routed and its candidates lost their

security deposit. Thus, the GNC won three of the four seats in 1952, all the four in 1957, and three in 1962 and four in 1967. Emonsing Sangma alone has the unique distinction of defeating the GNC on two occasions.

In 1971, the Garo Hills became a part of the Autonomous State of Meghalaya. When Meghalaya became a State. the Garo Hills was allotted 24 seats in a House of 60. Of the 24 seats 20 were reserved for the Scheduled Tribes. The total number of electors was 1,48,286. Curiously enough the number of female voters was greater than the number of male voters. But the percentage of votes polled was poor. It was only 36.2 per cent of the total number of votes. Of the votes polled Congress polled 19.8 per cent, CPI 0.9 per cent, APHLC 39.4 and the Independents slightly more than the APHLC 39.9. For the 24 seats there were 59 candidates. Of them 34 were Independents, 18 APHLC, 6 Congress and 1 CPI. Of the 34 Independents only two were elected. The APHLC won all the 18 seats it contested. The Congress set up five candidates and won four. Again, of the 34 Independents as many as 16 lost their deposits. There were three uncontested returns. Of them Capt. Sangma was one. For the remaining seats, there was straight contest in ten constituencies; there were three candidates in each of the eight constituencies; and four candidates in each of the three constituencies. Of the 24 successful candidates three were elected by a minority vote. The highest vote was polled by Munindra Rava (2,801) of the APHLC but the margin between him and his rival was not great. The next highest vote was polled by a Congress candidate William Cecil R. Marak (2,550) with the largest margin of 1,769 votes. The lowest number of votes was polled by H.R. Marak 63. The notable defeat was that of Bronson Momin in two Assembly constituencies and also in the Parliamentary constituency.

The Khasi and Jaintia Hills. Before 1937, the Khasi

and Jaintia Hills was declared as a backward area and therefore not represented in the Assam Legislative Council. But Rev. J. J. M. Nichols-Roy represented the British portion of the Khasi Hills from 1930 to 1937. Under the Government of India Act, 1935, the Khasi and Jaintia Hills were declared as partially excluded areas and therefore represented in the Assam Legislative Assembly, by three members, elected from three single member constituencies, Jowai Shillong and Shillong-Women. We shall now consider the details of the election held in 1937. For the Jowai seat, there were three candidates, Rev. Gatpoh, Larsing Khyrim and Sorendra. The total number of electors was 10,707. Of them 55.78 per cent exercised their franchise. Gatpoh polled 75 per cent of the votes polled, Larsing Khyrim 926 and Sorendra 720. Gatpoh was elected.

For the Shillong seat there were three candidates, Ajra Singh Khongpai, Macdonald and Rev. Nichols-Roy. The number of electors was 6,154 of which 77·59 per cent exercised their franchise. Rev. Nichols-Roy was elected.

For the Shillong-Women seat there was straight contest between Miss Mavis Dunn and Barlina Diengdoh (Mrs. Taylor). The number of electors in this constituency was 2,199. Of them 1,228 exercised their franchise. Mavis Dunn polled 938 votes and she was elected.

All the three elected to the Assembly contested as Independents. Two of them polled an absolute majority of the votes polled. Rev. Nichols-Roy polled a minority vote. The percentage of poll was good. The highest number of votes with the largest margin was polled by Gatpoh.

The next general election was held not in 1942 but in 1945-46. A National Party—the Congress—set up its own candidates. There was no other party contesting the elections. For the Jowai seat there were three candidates. Two of them contested the election held in 1937, Gatpoh and

Larsing Khyrim. The third candidate was a Congress candidate Wikingsing Shullai. Gatpoh and Larsing Khyrim contested as Independent candidates. In 1937, Gatpoh defeated Larsing Khyrim. In 1945-46, Larsing defeated Gatpoh and thus avenged the defeat he suffered in the hands of Gatpoh. But Larsing Khyrim was elected by a minority vote because the Congress candidate gave him a tough fight.

For the Shillong seat there were three candidates. They were the same candidates who contested the same seat in 1937. In 1945, Rev. Nichols-Roy was set up by the Congress and was elected by an absolute majority of the votes polled, though he polled a minority vote in 1937. In 1946, the number of electors in this constituency was double the number of 1937 and the percentage of poll was very good.

For the Shillong-Women seat, Congress set up Mrs. Bonniely Khongmen. She had three rivals, Mavis Dunn and Berlina Diengdoh who contested against each other in 1937 and Mrs. T. W. Shadap. Bonniely Khongmen polled an absolute majority of the votes polled. T. W. Shadap polled just six votes and therefore forfeited the security deposit. Thus, the Congress which entered the Khasi Hills for the first time to contest the Assembly elections won two of the three seats it contested. The percentage of poll was good.

Now let us consider the results of the first general election to the Legislative Assembly under the present constitution. The Khasi and Jaintia Hills was allotted five seats to be elected from five single member constituencies. Five national parties and three regional parties contested the five seats. There was no uncontested return. In two constituencies there was straight contest, in two there were three candidates in each and in the remaining one there were as many as eleven. Of the 21 candidates that contested the five seats, there were ten Independents. The Congress set up only one candidate, K & J Darbar four, all other parties one each.

For the Shillong seat there were eleven candidates. The total number of electors was 27,870. Of them 14,188 exercised their franchise. Rev. Nichols-Roy polled 4,458, a minority vote. His immediate rival G. G. Swell polled 3,172 votes. Of the eleven two were women. Both of them forfeited the security deposits. Two of the eleven candidates polled 75 per cent of the votes polled, Larsing Khyrim 926 members of the old Legislative Council. Rev. Nichols-Roy won the election for a third consecutive term.

For the Jowai seat there were three Independents. One of them was Larsing Khyrim who contested for a third time. In 1937 he was defeated by Gatpoh. In 1945 he defeated Gatpoh and in 1952 he was defeated by Kistobin Rymbai who polled a minority vote.

For the Nongstoin seat there was a straight contest between Ajra Sing Khongphai and T.W. Roy. Ajra Sing Khongphai like Larsing Khyrim was contesting for a third time. In 1937 and 1945 he contested against Rev. Nichols-Roy and was defeated. In 1952, fortune smiled on him and he defeated T. W. Roy of the K. & J. Darbar, with a thumping majority.

For the Nongpoh seat also there was straight contest between A. Alley and Sirendro. Alley was elected.

For the Chirrapunji seat there were three candidates, Welson Chingmen, Maham Singh and Delington Khylleb. Maham Sing contested as K & J Darbar candidate and he polled an absolute majority of the votes polled.

Thus, in 1952, the five seats were won by five different political parties. The Congress contested only one seat and won it. K & J Darbar contested four seats and won one seat. Two Independents won two seats and the fifth seat was won by a regional party.

We shall now consider the 1957 elections to the As-

sembly. There were 18 candidates for the five seats. For the Jowai seat there were five candidates. One of them was Larsing Khyrim who had been contesting since 1937. We had already noted the success and failure of Larsing in the previous elections. In 1957, he was set up by the EITU. He avenged the defeat he suffered at the hands of Kistobin Rymbai in 1952. In 1957, Kistobin Rymbai contested as a Congress candidate. Larsing Khyrim, however, polled a minority vote. Knowell Poshna who contested against him lost his security deposit. So also the fifth candidate Prosperly Chyne.

For the Nongpoh seat there was straight contest between Aaron Alley of the Congress and Jormanick Siem, an Independent candidate. Jormanick Siem polled a decisive majority of the votes polled. He contested the election for the first time.

For the Shillong seat there were four candidates. Actually the contest was between the Congress candidate Bonneily Khongmen and the E.I.T.U. candidate B. M. Roy. It may be remembered that Mrs. Khongmen contested the Shillong-Women seat in 1945 against Mavis Dunn and was elected. In 1952 she was elected to the Lok Sabha. She returned to State politics in 1957 to be defeated by B. M. Roy. One of the four candidates that contested this seat forfeited the security deposits.

For the Nongstoin seat there were four candidates. The veteran Ajra Sing Khongphai was one of them. All others were new. The EITU set up Henry Cotton who won the election by polling an absolute majority of the votes polled. S. A. Chyne lost his deposit.

For the Chirrapunji seat there were three candidates. Two of them were veterans—Rev. Nichols-Roy and Maham Sing. Rev. Nichols-Roy who contseted in 1945 and 1952 as a Congress candidate left the Congress and

contested as an Independent. In 1945 and 1952 he contested the Shillong seat. In 1957, he shifted himself to the Chirrapunji. Perhaps he thought that his political rival B. M. Roy would give him a tough fight. In Chirrapunji also there was neck to neck race between him and the EITU candidate T. Cajee, and he polled a minority vote. Maham Sing knew his fate but contested on principle as a Congress candidate.

Thus, in 1957, a national party Congress, a regional party EITU and independents contested the election. The Congress lost all the five seats it contested. The EITU won three of the five seats it contested. The EITU was successful because its platform was an emotional issue—separate State for the Hill areas.

In 1962, there were 17 candidates for the five seats in the Khasi and Jaintia Hills. Two parties contested the election, the Congress and the APHLC, on the issue of separate State for the Tribal Areas. The APHLC demanded a separate State for the tribal areas and the Congress was opposed to it. The issue was therefore an emotional one as in 1957. For the Jowai seat, there were four candidates. All the four were veterans contesting the same seat for a second time. Larsing Khyrim was the oldest of them. Enowell Poshna who forfeited his deposit in 1957, contested in 1962 as a APHLC candidate and defeated his rivals, Larsing Khyrim, Kistobin Rymbai and Chyne. Of course Poshna polled a minority vote.

For the Nongpoh seat there were three candidates, B. B. Lyngdoh of the APHLC, Ajra Sing Khongphai of the Congress and Jormanick Siem an Independent. Ajra Sing was contesting for the fifth time since 1937. In 1937 and 1945 he was defeated by Rev. Nichols-Roy. In 1952 he was elected as an Independent. In 1957 and 1962 he contested as a Congress candidate and was defeated on both the occasions. Jormanick Siem was elected in 1957 as an Indepen-

dent and in 1962 he lost the security deposit. B. B. Lyngdoh contested for the first time as a APHLC candidate and polled an absolute majority of the votes polled.

For the Shillong seat there were four candidates. The APHLC set up Wilson Reade and the Congress Aaron Alley. Reade entered the field for the first time and he was elected by a minority vote. Aaron Alley was contesting the Assembly seat for the third time since 1952. In 1952, he was elected as an Independent candidate. In 1957 and 1962, he contested as a Congress candidate and was defeated. In 1952 and 1957 he contested the Nongpoh seat. In 1962 he shifted himself to Shillong.

For the Nongstoin seat, the APHLC set up Hopingstone Lyngdoh who polled an absolute majority of the votes polled. He defeated the Congress candidate and two independents. One of the Independents lost his deposit.

For the Cherrapunji seat there was straight contest between Maham Sing and Stanley Nichols-Roy. Maham Sing knew the outcome of the election but contested the election on principle. Stanley Nichols-Roy polled the highest number of votes in the Khasi and Jaintia Hills and the margin between him and Maham Sing was also the largest.

Thus, the APHLC set up five candidates in 1962 in the Khasi and Jaintia Hills and won all of them. The Congress set up four candidates and lost all of them. The CPI and the Independents also went down.

Now let us consider the 1967 elections. In 1967, the APHLC contested all the five seats. The number of candidates for the five seats was nine. Of them two APHLC candidates were returned uncontested. For the remaining three seats there were seven candidates. For the Jowai seat the APHLC set up Edwingson Bareh. Enowell Poshna who was its candidate in 1962, was not renominated because he

did not resign when called upon to do so in 1962. Edwingson Bareh defeated Enowell Poshna in a straight contest.

For the Shillong seat there were three candidates. The APHLC candidate Hoover Hynmiewta polled an absolute majority of the votes polled. In Nongpoh and Cherrapunji there were no contests. In Nongstoin there was contest but the Independent candidates forfeited the security deposits. Thus, the APHLC scored a magnificent victory in the Khasi and Jaintia Hills. The issue on which it fought was highly emotional. Therefore, persons like Maham Sing and Jormanick Siem did not like to contest the election against the APHLC candidates.

In 1970, the Autonomous State of Meghalaya was formed with a legislature of its own. The election of the Provisional Legislative Assembly of Meghalaya was indirect. The existing District Councils were constituted as electoral colleges and they elected members to the Meghalaya Autonomous State Legislative Assembly. The total strength of the House was 41, of whom 18 were from the Khasi Hills, 4 from the Jaintia Hills, 16 from the Garo Hills and 3 nominated to represent minorities. The APHLC was able to win 34 of the 41 seats and thus came to power within ten years after its formation. The three nominated members represented three communities, Bengali, Assamese and Nepali.

In 1972, the State of Meghalaya was formed. The Khasi and Jaintia Hill districts were allotted 36 seats, six for the Jaintia Hills and 30 for the Khasi Hills. For the 36 seats the Congress set up six candidates, the CPI one and the APHLC 31. There was 101 Independents. Thus for the 36 seats there were 139 candidates. The performance of the APHLC in 1972 was poor compared to that of 1967. The Congress contested six seats and won 4. The CPI contested one seat and lost it. The APHLC contested 31 and won 15

and the Independents won 17 seats. Of the 139 candidates 54 forfeited the security deposits. Of the 54 who forfeited the security deposits as many as 50 were Independents and 4 APHLC candidates.

As regards the number of votes polled it was as follows.

		Number of votes polled by			
	No. of electors	*Congress*	*CPI*	*APHLC*	*Independents*
Jaintia Hills	55,039	3,565	—	16,914	18,682
Khasi Hills	2,15,168	7,081	715	37,374	72,928

From the above it is clear that the Independents polled more votes than the APHLC but it should also be remembered that the number of Independents was greater than the number of candidates set up by the APHLC. Again, the average number of votes polled by a APHLC candidate was higher than the average number of votes polled by an Independent candidate. The highest number of votes was polled by Edwingson Bareh and the lowest number of votes by Pilat Khongklian 16. There was no uncontested return.

There was straight contest in 6 constituencies; there were three candidates in 12 constituencies each, four candidates in seven constituencies each, five in six constituencies each, six candidates in four constituencies each and nine candidates in one constituency. Of the 36 successful candidates, 18 were elected by a minority vote. Of the 18, as many as 9 belonged to the APHLC, seven were Independents and the remaining two belonged to the Congress.

Thus, the party responsible for the formation of Meghalaya faired badly at the general election held immediately after its formation. Several who were in the party left it because of temperamental differences. The Congress and the APHLC entered into an electoral alliance as a result of which there was distribution of seats between the two. During the period 1937 to 1974, only two women were elected

to the Legislature. At present there is no woman member in the Assembly from the Khasi and Jaintia Hills. This is surprising particularly when we remember that women play a notable part in social and economic affairs in the Khasi and Jaintia Hills.

Elections to the Nagaland Legislative Assembly

Before 1961, the Naga Hills was represented by three members in the Assam Legislative Assembly. But the fact was that in 1952, the elections to the Legislative Assembly were boycotted by the N.N.C. No Naga sought election either to the Assam Legislative Assembly or to Parliament and no one exercised his franchise in the Naga Hills though all arrangements were made for holding elections.

In the second general election held in 1957, the three seats allotted to the Naga Hills district were filled up without contest. But the members resigned their seats when the Naga Hills district was separated from Assam in December 1957. During the period from December 1957 to 18 February 1961, the Naga Hills was not represented anywhere. In 1961 an interim body (Advisory Council) was established consisting of forty-five members. The Interim body commenced functioning from 18 February 1961.

Elections to the Assembly. The Assembly election was held from 10 to 21 January 1964. For the forty seats, there were 73 candidates. Of them fourteen were elected without a contest. The number of seats contested by two candidates was 20; the number of seats contested by three candidates was five; the number of seats contested by four candidates was one. Thus, there was contest for 26 seats by 59 candidates.

Of the notables that were elected were the four executive councillors, Shilu Ao, Hokishe Sema, R. C. Chiten Jamir and Jasokie and the Chairman and the Deputy Chairman.

As regards the percentage of poll, it was good. It was

never less than 54 per cent. It was between 60 and 70 per cent in three constituencies, between 70 and 80 per cent in 12 constituencies, above 80 per cent in nine constituencies and more than ninety in two constituencies. The percentage of votes polled was 76.57. The highest percentage of votes polled was 93.01 and the lowest was 54.75.

No woman contested for a seat in the Nagaland Legislative Assembly. The Legislative Assembly was an all male Assembly.

Of the 26 candidates elected three were elected by a minority vote.

Two candidates contested for two seats each, Kevi-Chusa and Mhodamo Kithan. The first was defeated in both the constituencies. The second was elected in one and defeated in the second.

The highest number of votes was polled by Govinda Chandra Paira (2.226) and the next highest by Jasokie. The lowest number of votes was polled by Syamlal Munshi.

Of the 59 candidates that contested the 26 seats, nine forfeited their security deposit.

Second General Election. The second general election to the Assembly was held in February 1969. For the 40 seats in the Assembly there were 143 candidates. Partywise distribution was a follows: N.N.O. 40, U.F.N. 30 and the inevitable Independents 73. The U.F.N. supported four Independents. There was no uncontested return. The number of seats where there was straight contest was six. In 1964, there was straight contest in twenty constituencies. The number of seats contested by three candidates was 13, the number of seats contested by four candidates was 10, the number of seats contested by five candidates was three, and the number of seats contested by six candidates was 4. In one constituency there were seven candidates. Thus, while in 1964 there were 73 candidates, in 1969 there were 143 candidates. The reason for the increase in the number of

candidates in 1969 was that the element of fear or threat from the underground was largely absent.

In 1964 there were no women candidates. In 1969, there were two women candidates. One was set up by the U.F.N. and the other was an Independent. Unfortunately, both of them were defeated by their male rivals of the N.N.O.

The N.N.O. won 22 of the 40 seats it contested. Of the 22 five were from the Sema Tribe, five from the Ao tribe, four from the Angami tribe, four from the Lotha and the remaining four from four small tribes.

The U.F.N. won 10 of the 30 seats it contested. The leader of the U.F.N. was defeated in two constituencies. The U.F.N. won four seats in the Ao area, two in the Angami area and another two in the Chakhesang area and one in the Zelang and Lotha areas each. One of the U.F.N. M.L.As defected to the N.N.O.

Of the 73 Independents only 8 were elected, four from the Chakhesang area, two from the Sema area and one from the Ao area and another from the Zeliang area. Of the 8 Independents as many as seven joined the N.N.O. and one U.F.N. As a consequence, the Sema element in the N.N.O. increased to seven, Ao to six and Chakhesang to three. The Semas, therefore, demanded that one of their own tribe should be the Chief Minister.

Let us now consider the number of votes polled by the political parties. The N.N.O. polled 54,502.

U.F.N.	30,110
Independents	54,578

From the above it is clear that the 40 N.N.O. candidates and the 73 Independents polled almost equal number of votes. But the N.N.O. secured 22 seats and the Independents 8. The N.N.O. polled less than forty per cent of the votes polled but obtained 52 per cent of the seats. The U.F.N,

obtained more or less the number of seats in proportion to the number of votes it polled. It was argued that the N.N.O. would not have obtained more seats if the Independents had not beeen there splitting up the vote. This might not have been the case. In all the constituencies where there was straight contest the N.N.O. was successful except in Chazaiba I constituency. Therefore, we may conclude that the Independents were an obstacle in the way of the N.N.O.

It may be noted that the U.F.N. commanded certain amount of popular sympathy. And yet it was defeated at the polls. The reasons are: First, the U.F.N. was over confident of its success. Further, it set up thirty candidates for forty seats and some of them were dark horses. Second, the U.F.N. emphasised again and again that it was merely an instrument for negotiation between the Government and the underground. This raised a question in the mind of the voter. What would it do if negotiations failed again? The U.F.N. had no answer. Third, the U.F.N. had no implicit faith in parliamentary institutions. The voter considered the U.F.N. as an instrument in the hands of the underground. The underground was threatening that it would seek foreign help. The U.F.N. did not realise that contempt of parliamentary institutions implies the contempt of voter. The voter therefore did not like to vote for a party which did not respect him. Fourth, it may be remembered that the U.F.N. was the successor of the Democratic Party which functioned as an opposition party for sometime in the Assembly. The Democratic Party contested 18 seats and won 13 in 1964. But without any reference to the voter the Democratic Party dissolved itself. The voter thought that the U.F.N. which was the successor of the Democratic Party might behave erratically as the Democratic Party had done. Fifth, the Democratic Party contested 18 seats and won 13 in 1964. In 1969, the U.F.N. polled less number of votes than the Democratic Party except in three constituencies. This indicates

the general alienation of the voter. The voter did not like to vote for the U.F.N. Finally, while the U.F.N. was crusading for the resumption of talks with the underground, it did not realise that the underground itself was split up. These are some of the reasons for the defeat of the U.F.N.

Of the 143 candidates that contested the election 24 forfeited their security deposits. Of the 24 as many as 17 were Independents, five were U.F.N. and 2 N.N.O. candidates. If we make a close study of the election results we come to the conclusion that where a seat was contested by six candidates at least two of them forfeited their security deposits. In 1969, the number of candidates that forfeited their security deposits was nine.

The highest number of votes were polled by D.C. Mech (3,186) and the next highest vote by Gobinda Paira (2,762), both of them of the N.N.O. who defeated the leader of the U.F.N. Kevichusa who contested the two seats. The lowest vote was polled by Nokchumeren in Alongtaki constituency.

The notable defeats were that of the leader of the U.F.N. in two constituencies and that of Shrimati Ravoleu.

The notable victories were that of all the six Ministers, the Speaker and the Deputy Speaker.

The third general election to the Nagaland Legislative Assembly was held in February 1974. In every respect the general election of 1974 was different from the previous ones.

	1961	1964	1969	1974
1. Number of seats available for contest	40	40	40	60
2. Number of seats contested		26	40	58
3. Number of seats uncontested		14	—	2
4. Number of candidates		73	143	219
5. Number of candidates set up by N.N.O.		40	40	59

	1964	1969	1974
6. Number set by D.P., U.F.N., U.D.F.	18	30	53
7. Number of Independents	15	73	117
8. Number of Women Candidates	—	2	—

The number of uncontested returns was two, one of the N.N.O. Hokishe Sema, the former Chief Minister, one of the U.D.F. Nuklo Kongyak.

The number of straight contests was very small. It was only nine.

The number of seats contested with three candidates was 26; the number of seats with four candidates was 9; the number of seats with five candidates was 7; the number of seats with six candidates was 4; the number of seats with eight candidates was 3.

The number of candidates that forfeited their security deposit was 42. Of the 42, as many as forty were Independents and the remaining two belonged to the U.D.F. Thus, of the 117 Independents forty lost their security deposit. No N.N.O. candidates lost the deposit. If we look closely into the figures, the deposits were lost in seven of the 26 constituencies where there were more than three candidates. In other words, forfeiture of deposits does not occur frequently in constituencies with three candidates; it does occur frequently in constituencies with four candidates; in all the constituencies with five candidates, there was a forfeiture of deposit; in four constituencies with six candidates there was invariably not only forfeiture of deposit but the number of forfeitures was not less than two. Sometimes it was even three. Thus, in all constituencies with six candidates in each fifty per cent of the candidates lost their deposits. In the three constituencies with 8 candidates in each 11 candidates lost their deposits. So our conclusions are that the risk of losing deposit in con-

stituencies with three candidates is much less. It is much more in all other constituencies. It does invariably occur in constituencies with four and more candidates. In constituencies with six and more candidates fifty per cent of them lose their deposit. The total amount forfeited was Rs. 10,500. How to prevent frivolous candidacy? We suggest that certain reforms should be introduced. First, the amount of deposit should be increased from Rs. 250 to Rs. 500. The candidates spend a large amount of money on elections. Therefore they can afford to pay Rs. 500. I will go to the extent of suggesting that Rs. 1,000 should be prescribed as security deposit.

Second, any candidate who polls less than 20 per cent of the votes polled should forfeit the deposit.

Finally, a strong party system should be brought into existence.

Of the 60 successful candidates, 25 belonged to the U.D.F., 23 to the N.N.O. and 12 Independents. Of the 12 Independents 7 joined the U.D.F. and five N.N.O. Thus, the U.D.F. had a strength of 32 in a House of 60.

Let us now consider the percentage of poll.

The total number of registered voters was	4,05,690
The number of votes polled was	2,89,890
The percentage of poll was	70

The percentage of poll was good when compared to other States. But it was not better than that of 1969. In 1969 the percentage was 76.8.

Sometimes the wastage of votes is substantial. If the number of votes rejected is added to the defeated candidate he would have been elected. But this occurred very rarely. Most often the number of rejected votes was not significant.

Let us now consider the number of successful candidates who were elected by a minority vote. Of the 58 members

elected as many as 36 were elected by a minority vote. That is, about 60 per cent of the members were elected by a minority vote. Of the 36 as many as 15 belong to the U.D.F., 11 to the N.N.O. and another ten were Independents.

Another significant feature of 1974 election was that no woman contested the general election.

The highest number of votes was polled by Vamuzo Phes Ao (4,445). The lowest number of votes was polled by Razohvoyo Kezo (16).

Sometimes candidates were elected by a very slender majority. For instance, Lhouvizier, an Independent candidate, was elected by a majority of seven votes. He polled only 995 out of 5,464 votes polled. A U.D.F. candidate was elected by a majority of 21 votes.

Let us note the number of votes polled by the respective political parties.

N.N.O.	103,505	by	58 candidates
U.D.F.	90,418	by	52 candidates
Ind.	95,417	by	117 candidates

Was there equality in the value of votes. That is, there should not be great differences in the size of constituencies. As far as possible, each constituency should consist of equal number of voters. Otherwise, the value of vote will not be equal. In Nagaland, some constituencies were too small and some constituencies were too big. However, by and large, a vast majority of the constituencies were equal in size. Perhaps geography was responsible for the disparity.

In 1969, 18 were elected for a second term and 22 for the first term. Of the 18 elected for the second term, as many as 15 belonged to the N.N.O. and the remaining three to the U.F.N. Of the 22 elected for the first term eight were Independents, eight belonged to the N.N.O. and the remaining six to the U.F.N.

In 1974, of the 60 elected to the Assembly nine were elected for a third term. Of the nine as many as six belonged to the N.N.O. and only three to the U.D.F. Of the three one was in the N.N.O. but left it and joined the U.D.F. in 1970. Eleven were elected for a second term. Of the eleven 8 belonged to the U.D.F. and the remaining three to the N.N.O. The remaining 40 were elected for the first term. Of the 40, 14 belonged to the N.N.O., 14 to the U.D.F. and 12 Independents.

From the above, we come to the conclusion that in 1974 two-thirds or 66.6 per cent were new to the legislature. It appears that long experience as a legislator is not insisted on. The younger element seemed to have been anxious to get rid of the older element. Of all, Hokishe Sema and Jasoki held office for a longer period than any one.

One of the significant results of the 1974 election was that five of the 13 Ministers of the Hokishe Government and the Speaker were defeated.

CHAPTER XV

Regional Political Parties

In this chapter we shall deal with some of the regional political parties. Let us take the Mizo Hills. Before 1946, there was the Y.M.A. (Young Mizo Association), a non-political body mainly concerning itself with social services. Vanlawma persuaded the Y.M.A. to convert itself into a political party. Y.M.A. informed Vanlawma that it would be better to start a separate political party instead of converting the Y.M.A. into a political party because the Y.M.A. thought that in case it agreed to the proposal of Vanlawma, it might split up. Since the Y.M.A. did not acceded to his request Vanlawma and Dahrawka conceived the idea of starting a political party for the protection and development of the interests of Mizoram. They prepared a constitution and with the permission of the Superintendent they brought into existence a political party on 9 April, 1946. But there was one difficulty. Dahrawka was a Government servant. Therefore, he could not associate himself with the party. The name of the party was **'The Mizo Common Peoples Union'.** Later on it was called 'The Mizo Commoners Union.' An ad hoc committee consisting of Lalbuaia and Hrangaia was formed with Vanlawma as its General Secretary.

The aim of the party was to improve the political and

economic condition of the people and establish better relations between the common man and the chiefs. Because, for some time the relations between the two, the chiefs and the commoners, were not cordial. Therefore, the M.U. was not anti-chief organization to begin with.

Vanlawma urged the chiefs to join the party. The Secretary of the Chiefs' Council pointed out that the party was founded for the promotion of the interests of the commoners and, therefore, the chiefs had no place in it. In order to enable any one to join the party the word party was omitted and the party was designated as the Mizo Union. Even after the change of the name, the chiefs did not join the Mizo Union. But it became popular with the commoners. On 25 May 1946, a conference of the Mizo Union was held at Aizawl. It approved the draft constitution and elected Pachchunga as its President, Lalhema as the Vice-President, Vanlawma as the General Secretary and Thanga as the Treasurer.

Almost immediately after its formation, the party leadership came under fire. Pachchunga was not trusted. He was considered to be a pro-chief man; further, he was a conservative by temperament, training and conviction and therefore not fit for leadership. Again, there were plenty of differences between Pachchunga and the other members of the party. The Pachchunga group wanted that the Mizos should join the Mizos of Arakan. But the group opposed to his leadership wished that the Lushai Hills should be within India. Because of these factors Pachchunga resigned on 4 September, 1946. He was succeeded by Lalhema, the Vice-President. So far there was no Mizo Union in the Lunglei sub-division. On 15 June, 1946, the Mizo Union made its first appearance in Lunglei by holding a public meeing, organized by Saprawnga and Ch. Chhunga, the present Chief Minister, who was then a college student and who failed to pass the I.A. Examination. He was the son of Thianga, a compounder in the Lunglei Hospital. The meeting was

attended by a large number of persons from the surrounding villages. It was presided over by Saprawnga. The programme of the party was not the abolition of the chieftainship but its modification by the curtailment of some of its powers. The General Assembly of the Mizo Union of the South Lushai Hills met on 3 August 1946 at Lunglei and elected Saprawnga as its President, R. Dengthuama as the Vice-President, Vanthuama as the General Secretary, and Lianchama as the Assistant General Secretary. This time the party decided that the chieftainship should be abolished.

On 24 September 1946, the first general Assembly of the Mizo Union of Lushai Hills, both South and North, was held at Kulikawn, Aizawl,. with the permission of the Superintendent. It resolved that in the event of India attaining Independence, the Lushai Hills must be included within the Province of Assam. The General Assembly was opposed to the idea of the Lushai Hills being treated as an Excluded Area. It wished to be represented in the Assam Legislative Assembly adequately. At the same time the General Assembly 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. The General Assembly also resolved that all the areas inhabited by the Mizos should be joined together provided they were continuous to the Lushai Hills district. Thus began the political activity in the Lushai Hills. Before 1946, there was no political activity for all practical purposes because the Superintendent frowned upon it.

This conference removed Pachhunga from Presidentship and elected Lalhema as its President. Here there are two versions. One version is that Pacchunga resigned. The second version is that he was removed from Presidentship of the M.U. A third version is that he continued to be the President of the right wing of the M.U.

Another conference of the M.U. consisting of represen-

tatives from Cachar, Lushai Hills and Manipur was held at Lakhipur, Cachar district, on 21 November 1946, with H. K. Bawichhuaka as the President. It was attended by some Congressmen from the Cachar district. This conference resolved that all the Mizo areas in the Lushai Hills, Cachar district, Manipur State, Chittagong Hills Tract 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 that the Mizos must be represented in the Constituent Assembly.

On 8 October 1946, the General Secretary of the M.U. Vanlawma 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. In other words, the chiefs should not have the power to appoint Upas. It was also demanded that forced labour should be abolished. Third, the district conference should consist of more commoners than the chiefs. The District Conference consisted of 20 chiefs and 20 commoners. This was considered as unfair as the total number of chiefs was only 350. Therefore, the Superintendent was requested to increase the representation of the Commoners in the Advisory Council.

From the above it is evident that the M.U. or at any rate some of its principal members were not against the chiefs. They simply demanded that the powers of the chiefs should be curtailed. Perhaps they realised that the chiefs were an essential part of the political system.

In the meanwhile some of the activities of the President

Lalhema and of the General Secretary Vanlawma were not liked by some of the members of the party. So on 1 November 1946, the M.U. held the Block Officers Conference. Saprawnga moved a motion of no-confidence against the President and the General Secretary and got them removed from office. In their place Khawtinkhuma as President, Lalbaikthang as Vice-President and Vanthuama as the General Secretary were elected. So on 1 November 1946, the M.U. Assembly requested the President Lalhema and the General Secretary Vanlawma to resign. They resigned. The General Assembly elected Khawtinkhuma as President, Lalbaikthanga as Vice-President, Vanthuama as the General Secretary and Lalbuaia as the Treasurer. In the selection of members of the Executive Council, six of the outgoing executive members were dropped. Three of them being offended for not being selected to the Executive Council, held a meeting on 25 March, 1947 and published the news that the office bearers of the Mizo Union were dismissed and represented themselves before the Governor as the representatives of the Mizo Union. In the meanwhile Rev. Zairema also resigned and in his place Thanhlira was appointed as the Vice-President subject to the approval of the next General Assembly The few persons who represented themselves as the office bearers of the M.U. before the Governor were nicknamed by the Mizo Union as Macdonald Party.

There was conflict between the Mizo Union and the Superintendent Macdonald. Macdonald thought that the M.U. was not functioning constitutionally. Therefore, he issued an order on 1 November 1946 prohibiting the M.U. from collecting money for any purpose. "Any one who would violate the rule, would be considered as a cheat and prosecuted," said the order. Macdonald also thought that the M.U. was interefering with general administration of the district. Therefore, he wrote to the President of the M.U., Khawtinkhuma, requesting him to use his good offices and

see that peace and tranquillity of the district were not disturbed. He also said that the M.U. was responsible for sowing the seeds of hatred towards the chiefs in the heart of the common man.

Khawtinkhuma denied all these allegations. While admitting the existence of hatred towards the chiefs, he said that Macdonald himself was responsible for the generation of this hatred towards the chiefs because he brought into existence a district conference consisting of equal number of representatives of the chiefs and the commoners. Khawtinkhuma further argued that the oppressive rule of chiefs was mainly responsible for the generation of this hatred in the common man. Again, the chiefs were not the real owners of all land. The Government was the real owner of all land and yet the chiefs sold fertile lands and appropriated the sale proceeds for themselves. Therefore, Khawtinkhuma suggested that the **Ramhual** system should be abolished—the system of ownership of land by Government should be abolished—because it was the chief source of conflict. Here again it may be noted that the President of the M.U. did not suggest the abolition of chieftainship but the curtailment of its powers.

Macdonald suggested to Khawtinkhuma the dissolution of the Mizo Union so that peace in the district might not be disturbed. Khawtinkhuma did not agree to this. 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".

On 3 January 1947, the Mizo Union wrote to the President of the Constituent Assembly that the Mizo Union representative should be included in the Advisory Committee for the Tribal Areas of Assam. It also said that if it was

excluded from the Constituent Assembly, it would frame a constitution for the Mizos. They also said that they would 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.

When the Bardoloi Committee visited Aijal on 17 April 1947, the Left Wing submitted a memorandum stating that the Mizoland should be a part of India for a period of ten years after which they would decide what they would do with themselves. During this period they would govern themselves through a District Council. The Right Wing of the M.U. demanded Independence. The two co-opted members of the Committee, Khawtinkhuma and Saprawnga, on behalf of the Mizo people agreed to be a part of India.

The M.U. existed during the period 1946 to 1974. In 1974 it was merged with the I.N.C.

The Mizo National Front

On 29 October, 1958, the Mizo District Council passed a resolution that "with the flowering of the bamboos in the Mizo district (the) rat population has phenomenally increased and it is feared that in the next year (1959) the whole district would be affected. As a precautionary measure against the imminence of famine, following the flowering of bamboos, the District Council feels that the Government be moved to sanction to the Mizo District Council a sum of Rs. 15 lakhs to be expended as a test relief measure for the whole of the Mizo District including the Pawi Lakher region".

The Government thought that the tradition of flowering of bamboos, the consequent increase in rat population and famine might not come true. Therefore adequate measures were not taken up. But the tradition proved correct. Bamboos flowered. Rats multiplied in millions and caused devasta-

tion so suddenly and so completely as predicted by the local people that the Government was taken by surprise. There was tremendous discussion on the subject in the District Council and the relief measures taken by the Government were halting and inadequate. Ultimately the Government spent several lakhs afterwards on relief measures though ineffectively. In the Pawi Lakher region, there were starvation deaths. Some persons who went to receive relief fainted and died on the way. Riangs and Chakmas ate wild arui (a kind of grass). The members of the District Council were very angry with the Government of Assam. "If we continue to be neglected....the people's feeling will be for secession from Assam," said Pu Vanlalbuka.

The Birth of the M.N.F. It was at this time that a group of young men came together to render famine relief and organized themselves into Mizo National Famine Front. This organization rendered yeoman service to the suffering poor. The leader of this group was Laldenga, formerly an assistant in the District Council.

After famine was over this social service group converted itself into a political party known as the Mizo National Front, popularly known as the M.N.F. It contested District Council elections but was badly beaten. The leader of the party Laldenga himself was defeated. But in the bye-elections held as a result of the resignation of the APHLC candidates, it was able to capture two seats in the Assam Legislative Assembly.

On the 30 October, 1965, the M.N.F. submitted a memorandum to the Prime Minister of India. The Memorandum said, "The Mizos, from time immemorial, lived in complete independence without foreign interference.... Their administration was like that of the Greek City State of the past..... Their territory or any part thereof had never been conquered or subjugated by their neighbouring States.....

The Mizos are a distinct nation, created and moulded and nurtured by God and Nature. The Mizos had never been under the Government of India.... "Therefore, the Mizos demanded the creation of Mizoram, a free sovereign State to govern itself to work her own destiny and to formulate her own foreign policy. If independence was not granted they would fight for it, not by violent means but by non-violent means. The Memorandum said, "Though known as head-hunters and martial race, the Mizos commit themselves to a policy of non-violence in their struggle and have no intention of employing any other means to achieve their political demand. If, on the other hand, the Government of India brings exploitative and suppressive measures into operation, employing military might against the Mizo people as is done in the case of Nagas, which, God forbid, it would be equally erroneous and futile for both the parties, for a soul cannot be destroyed by weapons".

The assurance contained in the memorandum that the M.N.F. would employ non-violent means was intended to hoodwink the Government so that they might not take any preventive measures. The memorandum was signed by Laldenga as the President, and S. Lianzuala as the General Secretary.

Just at this time, there was dissatisfaction in the Mizo district. The M.N.F. was becoming more and more popular. It attracted the younger generation into its fold. The older generation felt that a Phizo might appear on the scene in this difficult country also. The demands put forward and the arguments advanced by the M.N.F. bore a disturbing resemblance to the developments in Nagaland. Many loyal Mizo officials advised the Government to make up its mind as to what was the maximum that could be offered to the Mizos and offer it forthwith in one instalment rather than allow itself to be bumped from concession to concession. As a working rule this advice was entirely sound. The

Government of Assam was not able to meet the situation. The M.N.F. were preaching openly complete Independence. To counteract this kind of propaganda, the Mizo Union demanded separate Statehood for Mizoram on the model of Nagaland. A very important officer told the present writer sometime in 1964, that the Mizo Hills should be "plucked"—to use his own expression—out of Assam and constituted into a separate administration like Tripura or Manipur. If this advice had been heeded in 1964, all the disturbances that had taken place would not have occurred in the Mizo Hills. General Manekshaw (now Field Marshal) also thought that the best way by which the military would be able to deal with the M.N.F. activities was by placing the district under the military administration and divest the Government of Assam of its control over it. But Chaliha was opposed to the plucking of Mizoram from Assam and therefore the Government did not accept the suggestion of General Manekshaw.

On 25 December 1965, one Laimana of Lunglei was murdered in the Mission Veng at Aizawl. Laimana was a member of the M.N.F. but was suspected of being a spy of the Government. It appears that the Government was able to get information about the collection of arms and ammunition by the M.N.F. and their location. On the 28th February 1966 an explosion took place at the electric Veng. At 1 a.m. on March 1966, three plateless jeeps and one truck were parked in front of the Aizawl sub-treasury. The Treasury guards were over-powered and cash worth Rs. 64,000 was looted along with rifles and ammunition. The telephone exchange was cut off. Within a few hours after all this the M.N.F. declared Independence. The Declaration of Independence seems to have been drafted by one who was familiar with the American Declaration of Independence. In style and content it resembles the American one.

"In the course of history," says the Declaration, "it be-

comes invariably necessary for mankind to assume their social, economic and political status to which the laws of nature's God entitle them. We hold this truth to be self-evident that all men are created equal and that they are endowed with inalienable fundamental human rights and dignity of human persons and to secure these rights, Governments are instituted among men deriving their just powers from the consent of the governed and whenever any form of Government becomes destructive of this, it is the right of the people to alter, change, modify and abolish it and institute a new Government laying its foundation on such principles and organise its powers in such forms as to them shall seem most likely to effect their rights and dignity. The Mizos created and moulded into a nation and nurtured as such by Nature's God, have been intolerably dominated by the people of India in contravention to the laws of nature".

The Declaration of Independence indicates very clearly that there was a good deal of preparation for the revolt. Yet Chaliha's Government was either ignorant of what was happening in the Mizo Hills or did not realise the gravity of the situation. The revolt broke out simultaneously in all important places. The number of persons that participated in the revolt was some thousands, and not a few as was stated in the Press. Some important towns like Kolasib, Sairang and Champai were captured by the rebels. Several vehicles belonging to the Government and private persons were seized by the M.N.F. On 3 March Assam Rifles Patrol Duty vehicles were ambushed at Aizawl and on the same day the Aizawl town was attacked. On 5 March Lunglei town was captured by the rebels and the sub-Treasury was looted. The S.D.O. was kidnapped. The Assam Rifles at Lunglei was overrun. The Assam Rifles and the Assam Police were not able to meet the situation. Therefore, the army was re-

quisitioned. The army was compelled to resort to air bombing. In the meanwhile security forces arrived at Aizawl on 5th March and the Assam Rifles was relieved of the seize by the M.N.F. The army moved towards Lunglei and threatened to bomb it because it was completely under the control of the rebels. The Church Fathers interfered and requested the army that the town should be spared of bombing and the unnecessary killing of the innocent. They promised to secure the consent of the rebels of non-resistance to the army. There was practically no resistance to the security forces. On 7 March the Vice-President of the M.N.F. communicated his proposal for talks between the Government and the rebels. The Deputy Commissioner rejected the proposal and called on the rebels to surrender. It appears from all this that the M.N.F. commanded the tacit consent of most of the people. Otherwise rebellion on such a large scale would not have occurred. However, within one month most of the important places were cleared of the M.N.F. and the hard core of the M.N.F. retreated into the jungles and deep valleys. The Pakistan Government helped the Mizo rebels substantially with arms and ammunition and this fact has been admitted impliedly by those who were in the underground for some years. Most of those that had taken part in the rebellion belonged to the age group of 20 to 35.

What were the factors responsible for this large-scale rebellion? The M.N.F. was able to enlist the tacit sympathy and open support from all types of persons. First, the second battalion of the Assam Regiment was disbanded without making any provision for its rehabilitation. These discharged army personnel, without employment, suddenly swelled the streets of Aizawl. They were dissatisfied with their position. They were recruited by the M.N.F. for the cause of Mizo Independence. They did not understand the meaning of their activities. Yet the prospect of Independence and

the consequent affluence appealed to them and they joined the M.N.F.

The second class of persons whose sympathy the M.N.F. was able to enlist were the ex-chiefs. Saprawnga admits that the abolition of the chiefs, all at once, meant that a class of persons who enjoyed certain privileges were suddenly deprived of their livelihood and were reduced to poverty. It is true they were paid compensation but there was no equity in the payment of compensation. It was alleged that educated chiefs were paid more and the uneducated less. Further, some of the chiefs spent away whatever compensation they got and were reduced to beggary. They thought that the Mizo Union and the Government were responsible for their plight. They were angry with both and supported the M.N.F. which was opposed to the Mizo Union.

The third class of persons who supported the M.N.F. were the unemployed youth. They thought that the Mizo Union was a conservative party and not progressive enough because it consisted of propertied persons who were not kindly disposed towards the proletariat.

The fourth class of persons were the Pakistanis. Pakistan was anxious to give as much trouble as possible to the Government of India. The Pakistani intelligence personnel visited the Mizo Hills and equipped the rebels with arms and ammunition.

Fifth, the Government of Assam unwittingly helped the M.N.F. The Chief Minister Chaliha played politics. He was angry with the Mizo Union. In order to weaken it, he pampered and patronised the M.N.F. instead of taking drastic action against it even after he was informed of its activities by his intelligence men. The leader of the M.N.F. Laldenga played a double game. On the one hand he was assuring the Chief Minister that he and his party were wedded to constitutional and non-violent methods for the achievement

of their objectives and on the other he was collecting arms and ammunition. The Chief Minister who was constantly sick and never dynamic in his acts took considerable time to realise the meaning of his acts. This procrastination was partly responsible for the outbreak of rebellion.

Sixth, the Mizo Union was also partly responsible for the outbreak of the rebellion. This has been admitted by some of the leaders of the Mizo Union. It may be remembered that the Mizo Union as a constituent part of the APHLC contested the 1962 general elections to the Legislative Assembly and captured all the three seats allotted to the Mizo Hills. The APHLC promised a Hill State to the electorate. When the demand for the Hill State was not conceded the Mizo Union leaders sowed the seeds of hatred in the minds of the youth that the Assamese and the Assam Government were imperialists, out to dominate the hill people. This feeling was already there but it was considerably strengthened by the propaganda carried on by the Mizo Union leaders.

Seventh, a psychological factor also helped the M.N.F. The youth particularly in the hill areas have developed a critical attitude towards traditional authority of the parents and of the government. The term morality has been asked to explain its position. As a consequence, obedience to the church and parents has been undermined. Otherwise how to account to the spilling of blood in the Mission Veng where the sanctity of life is preached. One can see this spirit in the streets of Aizawl.

I discussed this question with the former "Chief Justice" of the Underground Government, John F. Manliana. Manliana informed the present writer that if the Hill State demand had been conceded by Prime Minister Nehru in 1964, there would have been no rebellion. But Saprawnga questions why the M.N.F. preached independence instead of confining itself to Statehood. Manliana answered that the

word 'Independence' carried an emotional appeal which pierced through the hearts of the young. That was the only means by which the M.N.F. could become popular. -Manliana was correct.

Another factor responsible for this separatist tendency was the language issue. The Mizo District Council opposed the Assam Language Act, 1960. The Mizos were afraid that Assamese language would be imposed on them somehow or other. It might be argued that the Language Act also provided for English as the medium of instruction in the hill areas. But man is guided by emotions and impulses. The instinctive hatred of the tribals towards the **Vais** (people of the plains) was simply strengthened by the Assam Language Act.

Underground Government. The M.N.F. set up its own Government. It had a President and a Council of Ministers in charge of Home, Defence, Foreign, Finance and Public Information. There was also a Parliament with a Speaker and members who were all selected by an Executive Committee. The whole of Mizoram was divided into four administrative divisions, each under a Chief Commissioner. Each division was divided into four sub-divisions and each sub-division was under a Deputy Commissioner. There was a national judiciary headed by a Chief Justice. In each administrative area there were judges for the administration of justice. There was also a Mizo National Army under a Chief of Staff who was assisted by others. The pay of all officers was Rs. 15 per month—equal pay for unequal work.

Control of the M.N.F. How to contain the M.N.F. activities? General Manekshaw, who was in charge of operations against the M.N.F., thought that the Mizo district should be taken over by the military from Assam administration as the latter was not in a position to manage the district. The Government did not accept the advice as it might produce serious political consequences. Since its view was not

accepted, the Military devised **Operation Security,** the grouping of the villages. The immediate aim of the grouping was to facilitate effective military operations against the underground elements who had taken control of the interior villages. It was found that it was practically impossible for the government to provide security to all the villages. It was said that the M.N.F. went to the villages and at the point of sword they extracted money, shelter and food. How to prevent this and deny food to the underground? So far as the villagers were concerned they were in a helpless condition. Therefore, the grouping of the villages was taken up. This was the proximate aim of grouping.

The ultimate aim of grouping was the promotion of the economic development of the people. The Planning Commission recommended as early as 1965, that tiny villages should be grouped together so that social services could be provided to them and at the same time enable them to sell their produce profitably. This was considered as essential due to the nature of the terrain of the district which rendered it difficult to construct a network of communications connecting all the villages.

Grouping of villages was done in six sectors, Seling-Champhai road, Seling-Rata Road, near about the border of Manipur, Lunglei-Demagiri Road, Lunglei-Lawngtlai Road and along the western border. In all these sectors there was military to control them. In every sector, all the houses were numbered. At the entrance of each house there is a plate containing the basic information about the family. The plate was intended to deny shelter to the M.N.F.

Grouping of villages was of two kinds, voluntary and compulsory. The difference between the two was this. Where grouping was voluntary, no compensation was paid. But where grouping was compulsory, compensation was paid for the properties left behind.

There were four categories of grouping. The first was the **Protected Progressive Village** (PPV) scheme. The PPV scheme was submitted by the Deputy Commissioner, Mizo District on 1 December 1966. At first each centre was under the control of the army. A major was in charge of each centre. He was responsible for the protection of each centre and also for the provision of all the necessities of life to the inhabitants of the centre. Civil Officers were posted merely as observers so that they might take over the administration of the centre ultimately. In February 1967, the administration of the PPV centres were taken over by the Civil Officers. The number of persons moved into the PPV centres was 50,000 from 106 villages. The order issued by the military indicated the route by which the persons should move and the time within which they should move. Immediately after the villages were vacated all the buildings in it except places of worship were destroyed. The PPV grouping was started on 4 January, 1967.

Each PPV has a village council, consisting of all the Presidents of all the villages which were grouped together, local political leaders of the Mizo Union, Congress Party Church elders, and others as might be decided upon by the area officer. The Mizo District Council constituted a village council in each PPV in 1967.

The inhabitants of the PPV were given free rations for a period of one year which cost the Government Rs. 71 lakhs. In addition each family was given one bundle of corrugated zinc sheets for roofing their houses. They were also supplied, free of cost, various agricultural seeds and implements and the Border Road Task Force employed them for the construction of roads. Each centre was provided with medical assistance. This grouping was a success from the military point of view because it isolated, by and large, the M.N.F. elements. For security reasons no one was permitted to carry food outside the centre.

The second type of grouping called N.G.C. (New Grouping Centres) was ordered by the District Magistrate. Forty new Group Centres were established. It involved the movement of 65,000 persons from 184 villages. After the inhabitants of these villages moved out of their village, the old village was destroyed. These forty centres were divided into six sectors.

The third category of grouping was voluntary group centres involving a movement of 110 villages organised into 26 centres. The people of their own accord moved into these centres. Practically, these centres came into existence long before and they were simply recognised.

The fourth group was called extended loop area involving 63 villages divided into 17 groups.

The military claimed that the grouping system enabled it to contain the activities of the M.N.F. particularly when we remember the topography of the Mizo Hills. But there were complaints against grouping of the villages. The human aspect of grouping must be taken into account. The first complaint was that compensation should have been paid to all and not merely to those who were compulsorily shifted; that the so-called voluntary shifting was in fact compulsory shifting. The Government in order to avoid payment of compensation took signatures on blank papers and used them for shifting people from one place to another. How far this is true I cannot say. It must be said that there must have been some amount of compulsion for moving the people from their original villages to the new. There must have been some amount of psychological suffering and physical torture when the villagers were asked to shift from places where they lived for ages. But of course this cannot be escaped. Security is far more important than the bodily suffering of some persons.

The Cost of M.N.F. Activities. Now let us look into

the cost of M.N.F. activities. It appears that the total cost in terms of money runs into several crores. We do not have reliable information. The Mizo District Council gives some information on this subject. This indicates the extent of cost.

1.	The number of houses burnt	841	
2.	The cost of furniture destroyed	Rs.	83,93,476
3.	The cost of merchandise burnt	Rs.	1,19,97,053
4.	Free rations to the PPV	Rs.	71,00,000
5.	Rehabilitation grant	Rs.	64,00,000
6.	Compensation to the villagers shifted	Rs.	1,00,000
7.	Ex-gratia grant	Rs.	53,000
8.	Maintenance allowance to the families of the security prisoners	Rs.	4,00,000
9.	Test relief grant	Rs.	5,00,000
10.	Employment generation schemes	Rs.	60,00,000
	Total	Rs.	4,09,23,629

This expenditure is only a part of the total expenditure. It is practically impossible to give the exact cost of the M.N.F. rising. It is also possible that in order to claim a compensation the merchants and private individuals might have exaggerated the cost of destruction.

The Future of the M.N.F. Most of those who had been associated with the activities of the M.N.F. have been disillusioned and left the Underground. One can see them in large numbers in the streets of Aizawl. Yet there are some who are still in the underground. But it is very difficult to know who is in the underground. One of those whom I met in Aizawl informed me that he was in the underground for six years and left it in February 1972. But he has a son three years old and his wife lived with her parents in Aizawl. This fact indicates that it is not possible to know how many are still in the underground. One of the

former leaders of the M.N.F. who was the backbone of the M.N.F. and also who broke the backbone according to the Intelligence Department, informed the present writer that there are about 1,000 still in the underground somewhere near the border between the Chin Hills of Burma and India. Will they surrender and come overground? This is a difficult question to answer. It must, however, be said that the backbone of the M.N.F. has been broken by two factors. First is the grouping of the villages. The second is the formation of Sovereign Bangladesh. Therefore several of the underground rebels have come to the surface and taken to peaceful activities. Bawichhuaka, a former C.E.M. of the Mizo District Council, informed the present writer that the remaining M.N.F. can be induced to come over to normal life provided they feel that Government has real power in its hands. At present, the Legislative Assembly and the Council of Ministers according to him are merely facades. The real power is in the hands of the Lt.-Governor. Bawichhuaka is a seasoned politician. The language of seasoned politicians is almost always vague which students of political science cannot understand. The Government has real power. The Ministers are free to come to any decision under the Constitution. The Lt.-Governor for all practical purposes is a constitutional head. It is true that the Ministers must function within the limits laid down by the Constitution. But Bawichhuaka contends that the citizens of the Union Territory are second class citizens. Therefore Statehood must be conceded to Mizoram. Once Statehood is conceded the M.N.F. will disappear. This is not a valid argument. The M.N.F. is fighting for Independence and not for Statehood. Those who want to fight on some pretext or other will continue to fight for all time to come, whatever may be the constitutional status of Mizoram. The present writer believes that the only means by which the menace of the M.N.F. may be eliminated is by the economic development of Mizoram. This is no easy task in Mizoram.

United Mizo Freedom Organization (U.M.F.O.)

In the fifties of the present century another party came into being in the Mizo Hills. Lalmawia, the founder of the party, was at first an officer of the army. After his release from the army, he joined the Burmese Civil Service. On the eve of Burmese Independence, he was given a choice either to remain in Burma or to opt out to India. Since he hailed from the Lushai Hills (now Mizoram) he chose to come to India. When he was in Burma he conceived the idea that it would be to the advantage of the Mizos to be a part of Burma because the border between Mizoram and Burma is greater in length than with India and Pakistan. Further, the Lushai Hills are contiguous with the tribal areas of Burma. Finally, the language spoken in the Lushai Hills and in the tribal areas of Burma bordering the Mizo District was Lushai. So Lalmawia discussed the possibility of the union of the Lushai Hills with the hill areas of Burma with the tribal chief Zahrelian, the son of Thangtinlian, the Chief of the Falan Hualango who subsequently became a Minister in the U Nu Cabinet. Lalmawia and Zahrelian both agreed that they should unite together in their own interests. From my discussion with Lalmawia I understood that both of them conceived the idea that Lushais in India and Burma, having common language and common territory, should form an Independent State—**the Chin State.**

After his return to India, Lalmawia started the pro-Burmese movement. Ninety per cent of the chiefs supported the movement and an association known as the U.M.F.O. was formed. The first president of the U.M.F.O. was Lalbaikthanga and the first general secretary was L. H. Liana. To obtain the support of the Burmese Government, Lalmawia led a good will mission to Burma in December 1946 and saw the Prime Minister of Burma U Nu and his colleague U Ba Sawe and discussed the possibility of the union of the Mizo Hills with Burma. U Nu who happened to

be a great friend of Jawaharlal Nehru did not like to cause any embarrassment to the Government of India. Again, the tribals were giving enough trouble to the Burmese Government. Above all, when Burma was facing a critical situation immediately after Independence, it was India that supplied arms and ammunition to the Burmese Government to quell the internal rebellion. So U Nu while expressing his happiness at the prospect of the Mizo Hills joining Burma laid down the condition that substantial majority of the people of the Lushai Hills should support the proposal. Evidently, the Burmese Government discouraged the idea of the Lushai Hills joining Burma for obvious reasons. U Nu might have learnt that the Lushais had already decided to join India and that the Mizo Union commanded greater following in the Lushai Hills than the U.M.F.O. Thus, Lalmawia did not receive much encouragement from the Government of Burma. Of course U Nu told Lalmawia, "If you can join us we shall be happy". This is a courteous way of saying 'we do not want you'. After his return from the goodwill mission Lalmawia realised that the proposition—union with Burma—was out of question. In the meanwhile the President of the U.M.F.O. Lalbaikthanga joined government service and Lalmawia became its president. In the first general election to the Legislative Assembly the U.M.F.O. did not secure even one seat. It was in the bye-election held in 1954 that Lalmawia was elected to the Assembly.

In 1954, Lalmawia thought that the amount of autonomy granted to the Autonomous districts was not enough and that something should be done to obtain greater autonomy so that they might develop the Lushai Hills rapidly. The U.M.F.O. thought that the best means by which this could be accomplished was the formation of the Hill State comprising all the Hill Areas in Assam, at least the tribal belt in Manipur, if not the whole of Manipur, N.E.F.A. and

the tribal areas of Tripura. The proposal was not accepted by the S.R.C. When the E.I.T.U. was formed in the Lushai Hills, the U.M.F.O. was merged in it.

The Mizo National Council (M.N.C.). When the M.N.F. took part in the general election of 1962, some of the members of the U.M.F.O. who were extremists, did not like the idea of contesting elections. So they formed a new party known as the Mizo National Council with R. Vanlawma as its President. The programme of the party was of course Independent Mizoram. The means by which they would achieve the end was violence. But the party did not make much progress and was not popular with the people. It, therefore, disappeared.

East Indian Tribal Union (E.I.T.U.). The rules framed under the Sixth Schedule authorised the Government to nominate certain number of members to the District Councils. In exercise of this power, the Government nominated non-tribals to some of the District Councils on the ground that the interests of the minorities should be protected. The tribals did not relish the presence of non-tribals in the District Councils. Therefore Capt. Sangma, the C.E.M. of the Garo Hills District Council, convened a meeting of the representatives of the tribal areas to discuss matters connected with the promotion of tribal welfare. The meeting was held in Tura in December 1952. It resolved to form the Tribal Union.

The programme of the Tribal Union was the formation of a North-East Tribal State which would include the whole of Manipur, the present Nagaland, all the tribal areas of Assam and the tribal belt of Tripura. The Tribal Union did not wish to include the whole of Tripura because it was afraid of Bengali domination.

The first President of the Tribal Union was B. M. Roy. Later on the Tribal Union was christened as East Indian

Tribal Union. B. M. Roy was succeeded by B. M. Pugh. When the S.R.C. visited Assam the E.I.T.U. demanded the formation of a separate State for the hill areas. The demand was not conceded. In 1957, the E.I.T.U. set up four candidates in the Khasi Hills. Three of them were successful. It set up its candidates in the Khasi Hills only. In 1958 the E.I.T.U. co-operated with the Chaliha Ministry. Chaliha appointed Capt. Sangma as a Cabinet Minister, Lalmawia as Minister of State, the nominees of the E.I.T.U. In 1960, when the language riots broke out, the representatives of the E.I.T.U. withdrew from the Chaliha Ministry and joined the APHLC. As long as the E.I.T.U. existed B. M. Pugh was its president.

The Garo National Council (G.N.C). Under the Government of India Act, 1935, the Garo Hills was a partially excluded area. The administration of the district was mainly concerned with the maintenance of law and order. It was not concerned with the administration of social services. It was, therefore, felt that there should be some political organization to agitate for the provision of essential social services. After Independence the future of the Garo Hills came up for discussion. To deal with all these problems the Garo National Council was formed with Mody K. Marak as its President. He was succeeded by Emon Sing Sangma. He was succeeded by Capt Sangma.

The G.N.C. promised to provide good roads, efficient medical relief and the protection of the Garo language. In 1960, it decided to fight for a separate Hill State. The G.N.C. controls the District Council since 1952. In 1962, the G.N.C. became a constituent part of the APHLC.

APHLC. The APHLC was brought into existence under compelling circumstances. On 22 April 1960, the APCC declared that Assamese should be the State language. The immediate reaction to this decision was the

meeting of the All Assam Hill Leaders Conference at Tura on 28 April 1960 under the chairmanship of Rev. B. M. Pugh. The Conference vehemently opposed the decision of the APCC. But Chaliha accepted the decision of the APCC and declared that Assamese would be the State Language and that necessary legislation would be introduced in the next session of the Legislative Assembly. Sangma was unhappy at the decision of the Chief Minister. He, therefore, convened a meeting of the leaders of all the political parties in the autonomous districts on 6 July 1960. The Naga Hills was not represented. The leaders decided to form the All Party Hill Leaders Conference. Thus came into existence the APHLC which was destined to play a vital role in the formation of Meghalaya.

Composition of the APHLC. The APHLC consisted of all the members of the District and Regional Councils, five representatives from each political party in the autonomous districts which subscribed to the aims and aspirations of the APHLC, five additional delegates from the host district, one representative from each newspaper in the tribal areas and two invitees of the Chief Executive Member. Every delegate must subscribe to the aims and aspirations of the APHLC.

The APHLC constituted a Council of Action which consisted of the C.E.M.s, the M.P.s and the M.L.A.s, two representatives from each political party and four nominated by each district branch. All the members of the Council of Action must subscribe to the aims and aspirations of the APHLC.

The Executive Committee of the APHLC had a Chairman, two vice-Chairmen, a General Secretary, two Joint Secretaries, one Assistant General Secretary, one Treasurer, and eleven members. It represented all the Autonomous Districts except the Naga Hills.

With the announcement of the Scottish Plan, several left

the APHLC. At present all the political parties are not members of the APHLC. It is confined to the districts of the Khasi, the Jaintia and the Garo Hills.

The third APHLC which met at Halflong demanded the establishment of a separate State. It had to fight for separation for eight long years. The Government of India proposed a series of plans for the reorganization of Assam. But the APHLC consistently demanded a separate State and ultimately succeeded in its aim.

Manifestoes. The programme of the party is realistic and not revolutionary. In 1962, the APHLC promised the people of all the hill areas that it would make every effort for the establishment of the North-Eastern Hill State; that English would be the medium of instruction in schools and colleges; that it would be the official language of the State until it is replaced by Hindi. It also promised that the District Councils would be continued. It would develop the economic condition of the hill areas. It would increase the standard of life of the individual and finally it would protect the minorities living in the tribal areas.

In 1967, the APHLC promised the tribals that the foundation of the Hill State would be laid on firm foundation. It would promote the solidarity of the people of the Hill State; it would protect the minorities in the tribal areas; it would eradicate social evils and illiteracy; it would make the Hill State self-sufficient in agriculture; it would provide a better system of education for the children of the State; it would introduce democratic decentralization; it would bring into existence planned and scientific exploitation of the mineral resources of the region.

The 1972 election manifesto is an improvement over the previous ones in several respects. The Manifesto promised the people of Meghalaya that it would make an all-out effort towards self-sufficiency in food through increased agricul-

tural production by encouraging the farmer to take to modern methods of cultivation. It would provide financial assistance and incentives in the matter of irrigation, land reclamation and procurement of seeds and fertilisers. It would enrich the State by judicious and scientific exploitation of the mineral resources. It would eradicate illiteracy and bring about a change in the system of education so as to ensure the children of the State a useful and meaningful course of studies. It would provide the best available facilities for the intellectual growth and development of the youth. It would expand and improve social services. It would create employment opportunities for the people of the State. It would eradicate social evils and thereby promote a healthy social life. It would undertake new schemes for the economic development of the border areas. It would formulate schemes for the development of the urban areas, particularly Shillong, Jowai and Tura. Finally it would protect the minorities.

A close study of the election manifestoes of the APHLC indicates that though the APHLC is regional in character, it has a national outlook. It promised to continue English as the medium of instruction in schools and colleges and thereby facilitate the emotional integration of the whole of North-East India. In this region there are 192 languages and dialects in use. Excepting English no one else has a chance of becoming the lingua franca of the region. The best colleges in this region are in Shillong and they attract the best students in the region who are likely to provide leadership in the field of politics, public administration and education. These colleges contain more students from the plains than from the hills. The APHLC, again, took a leading part in the establishment of the North-Eastern Hill University with English as the medium of instruction. Its doors are open to all in this region. The Hill University is expected to bring about a national outlook in the people of this region and develop a common consciousness of a common end.

Apart from this, the programme of the APHLC promises an egalitarian society—a society in which every one would get enough to eat, enough to drink and enough to clothe.

One good feature of the election manifestoes of the APHLC is that it does not make an appeal to parochial feelings and narrow prejudices. It does not make any reference to any religion or any language because it realised that they were divisive forces. It dispelled the feeling that the APHLC would promote Christianity when it assured protection to minorities of all kinds.

The Naga National Council (N.N.C.). In 1945, Charles Pawsey, the D.C. of the Naga Hills, brought into existence the Naga Hills District Tribal Council. In 1946, the Naga Hills District Tribal Council was named as the Naga National Council. The N.N.C. was the first political party formed in the Naga Hills. Its programme was to bring about amity and understanding among the different tribes. It generated political consciousness in the Naga people. At first it was a social and a cultural organization. In course of time it became political. It took intense interest in controversial politics. It conducted a plebiscite on the political status of the Naga Hills district. It boycotted the general elections to the Assam Legislative Assembly and to the District Council. It demanded complete independence for the Naga Hills. When the Government of Inda did not concede its demand for independence it adopted the Gandhian methods to achieve its objective. When the Gandhian methods were found to be ineffective, it took to violent methods under the leadership of A. Z. Phizo. The Government of India banned it and ordered the arrest of Phizo.

The Nagaland Nationalist Organisation (N.N.O.). The N.N.O. originated in the First Naga Peoples' Convention at Kohima in August 1957, under the leadership of Dr. Im-

kongliba Ao. The founders of the N.N.O. were Shilu Ao, Hikoshe Sema, R. C. Chitten Jamir. Thepfulo Nakhro Angami and John Bosco Jasokie. It was formed to mitigate the untold sufferings of the Naga people as a consequence of the conflict between the Indian Security forces and the Naga underground, to restore peace in the Naga Hills and to advance the general welfare of the Naga people. It declared that it would adopt constitutional methods for the satisfactory settlement of the Naga problem. It proclaimed that the Naga Hills shall be a part of India.

As regards its programme, it promised in 1969 to modernise agriculture so that Nagaland may become self-sufficient in regard to essential commodities within a period of five years. It would construct communications for the rapid development of Nagaland. It would provide free medical facilities, expand the provision of education, provide employment, and supply all the necessities of life. Above all, it would strive to establish solidarity among the Nagas. It would attempt at the integration of the contiguous areas inhabited by Nagas with Nagaland. Finally, it promised a stable and clean administration to the people.

The 1974 Manifesto. In 1974, the N.N.O. issued a lengthy manifesto. It began with the enumeration of the achievements of the N.N.O. Then it made a number of promises to the people of Nagaland. First, it would support any concrete proposal, from any one, for the good government of Nagaland. It would rehabilitate any one in the underground who would renounce violence and adopt constitutional methods for the achievement of their aims. It would try to establish unity among all the sections of the Nagas. It would bring about the integration of all the areas inhabited by Nagas and contiguous to Nagaland provided the inhabitants of such areas desire integration with Nagaland. It would not rest content until all the areas legally belonging to the Nagas are restored to them. It would

strive for a fair and just demarcation of the International boundary between Burma and India. The N.N.O. also promised that the 16 Point Agreement with the Government of India would be implemented fully.

Second, dealing with the development of the Tuensang district, the N.N.O. promised the all-round development of the district. The Tuensang district would be given financial assistance so that it may make rapid progress. More students from the district would be sent for technical training and higher education; the children of the soil would be given adequate representation in the services. Agriculture and industry would be developed to increase the standard of life of the people. In the previous manifestoes so much stress was not laid on Tuensang. Two factors were responsible for laying emphasis on the development of Tuensang. First, for the first time the members from Tuensang would be elected directly by adult franchise All these years they were elected indirectly by the Regional Council. The number of members that would be elected from the Tuensang area was 20. The second faotor was the Minister representing the Tuensang area in the Sema Ministry was asked to resign. Therefore, to pacify the people of the Tuensang district special emphasis was laid on the economic development of the district.

Third, the Manifesto dealt with the development of the basic industry of the State—agriculture. The N.N.O. promised that agriculture would get top priority. Scientific cultivation would be introduced and self-sufficiency in food grains would be achieved. The hill slopes would be brought under horticulture schemes.

Fourth, the N.N.O. promised the people of Nagaland the development of small-scale industries with a view to maximise production and supply goods at a cheaper rate and at the same time provide employment to the people.

Fifth, the N.N.O. would investigate the sources of power supply and make the State self-sufficient so far as power was concerned.

Sixth, the N.N.O. would press for the establishment of a separate university for the State of Nagaland.

Seventh, the N.N.O. would promote the welfare of the youth by meaningful programmes.

Eighth, all the non-gazetted and non-technical posts in Government would be reserved for the indigenous local people.

Ninth, the N.N.O. would bestow special attention on the development of rural areas.

Tenth, the N.N.O. would try for a separate High Court for Nagaland.

Finally, the legitimate rights of the minorities would be protected.

A comparative study of the manifestoes of the N.N.O. of 1964, 1969 and 1974 clearly shows that the 1974 Manifesto is far better than the previous ones. Again, a comparative study of the Manifestoes of the two political parties in Nagaland, the N.N.O. and the U.D.F., shows that the N.N.O. laid emphasis on economic development of Nagaland whereas the U.D.F. laid emphasis on the establishment of peace. In other words, the U.D.F. was more concerned with the settlement of the Naga political problem than with economic development. The N.N.O. on the other hand thought that peace had come to stay and therefore stress must be laid on economic development. It seems to me that the manifesto of the N.N.O. is more reasonable than that of the U.D.F. Of course in Nagaland not manifestoes but personal factors play a vital part, at the time of election.

In 1971, the N.N.O. suffered a division over its failure

to solve the Naga political problem. As a consequence, it was defeated in 1974.

The United Front of Nagaland (U.F.N.). Besides the N.N.O. there was the U.F.N. This was the only opposition party in the Nagaland Legislative Assembly. Before the formation of the U.F.N. there was the Democratic Party. It contested elections in 1963. When the negotiations between the underground and the Government began in 1964, all the members of the Democratic Party in the Assembly resigned en bloc on 8 December 1964. All the members of the defunct Democratic Party joined the U.F.N. and contested the election in 1969.

The programme of the U.F.N. was that the State Goverment and not the Defence Department that must deal with the underground. The fundamental rights guaranteed to the individual must be respected. There should be no discrimination between the Nagas and the non-Nagas in matters relating to agriculture. In this connection Kevichusa accused the N.N.O. that it treated the non-Nagas as second class citizens.

It has been observed that the U.F.N. and its precursor, the Democratic Party, is the parliamentary wing of the underground Nagas. It sought to be a bridge between the underground and the Government of India.

In 1971, there was a crisis in the N.N.O. The C.M. served quit notice on two of his colleagues in the Cabinet, T. N. Angami and A. K. Imlong, one Deputy Minister T. Sangathan and the Deputy Speaker V. K. Kiditus on the ground that they were tacitly supporting a section of the M.L.A.s who adopted a hostile attitude towards the Government. The dissidents formed the United Parliamentary Group with the Opposition the U.F.N. on 2 March 1972, which ultimately resulted in the formation of the U.D.F. on 19 July, 1972.

In 1974, the U.D.F. contested the third general election to the Nagaland Legislative Assembly. The election manifesto promised the Naga people that it would take all possible steps to achieve, by constitutional means, a final negotiated settlement of the Naga political problem; that it would bring about the unification of all the contiguous areas inhabited by Nagas; that it would work wholeheartedly for the unity and integrity of the people of Nagaland; that it would restore civil liberties; that it would secure the release of all political prisoners; and that it would rehabilitate the victims of political administrative injustices.

The party also promised to secure the greatest all-round development in the field of social, educational and economic undertaking. This would include equality of opportunity to all citizens in matters of employment and commercial undertakings; development of communications; provision of employment opportunities to the youth; preservation of Naga customary rights, usages and traditions and finally the development of rural areas.

Finally, it promised clean and efficient administration.

CHAPTER XVI

Formation of Governments : Assam

In this chapter we shall note the extent of tribal participation in decision making. During the period 1874 to 1927 they had no share in Government. No tribal was included in any Cabinet until the year 1927. It was in1927 that Rev. Nichols-Roy was appointed as Minister for Medical Services by Sir John Kerr. He held office for a term. He was the first tribal to be appointed as a Minister.

After the inauguration of Provincial Autonomy in 1937, the first Saadulla Ministry was formed on 1-4-1937. The Ministry included Rev. Nichols-Roy as a Minister for Local Self-Government. When the second Saadulla Ministry was formed on 5-2-1938, the Reverend was again included in the Ministry. He was not included in the first Bardoloi Ministry which was formed on 20 September 1938. The Bardoloi Ministry was directed to resign by the High Command on the issue of war. The Ministry submitted its resignation on 7 November 1938. On the same day the third Saadulla Ministry was formed and on 5 December 1939, a Khasi lady, the first and the last, Miss Mavis Dunn was included in the Ministry. On 25 December 1941 the third Saadulla Ministry was ousted and the administration of the Province came under Governor's Rule under Section 93 of

the Government of India Act, 1935. From 25-12-1941 to 25-8-1942, there was no Ministry. The fourth Saadulla Ministry was formed on 25 August 1942. Again Saadulla included Miss Mavis Dunn in the Ministry. The Ministry resigned on 23 March 1945 and the fifth Saadulla Ministry was formed on 24 March 1945 as a result of an understanding between Saadulla and the Opposition. It did not include a hill tribal. It remained in office till 11 December 1946. Gopinath Bardoloi formed his second Ministry under the Government of India Act, 1935. He included Rev. Nichols-Roy. Thus, Rev. Nichols-Roy, after being in political wilderness for 8 years ten months and six days entered the Bardoloi Ministry. The second Bardoloi Ministry resigned on the eve of the inauguration of the New Constitution.

Bardoloi formed his first Ministry under the present constitution on 26 January 1950. Rev. Nichols-Roy was included in the Ministry. Bardoloi died on 6 August, 1950. Bishnu Ram Medhi formed the care-taker Government on 9 August which included Rev. Nichols-Roy. When Bishnu Ram Medhi formed his first Ministry he retained Rev. Nichols-Roy.

After the first General Election in 1952, Bishnu Ram Medhi formed his second Ministry on 25 February. This time, he included not only Rev. Nichols-Roy but also Saprawnga from the Mizo Hills as Parliamentary Secretary. But Saprawnga was not satisfied with his position as a Parliamentary Secretary. He resigned in 1954. There were plenty of differences between the Chief Minister Bishnu Ram Medhi and Rev. Nichols-Roy with regard to the distribution of portfolios. The Reverend desired to be Minister for Tribal Affairs. The C. M. did not agree to this. The Reverend resigned in the later part of 1956. In his place, Aaron Alley from the Khasi Hills was appointed as a Minister. On 19 April 1956, Jaybhadra Hagjer from the North Cachar Hills

was appointed as a Deputy Minister. Thus, there were two tribals in the Ministry.

After the second general election held in 1957, Bishnu Ram Medhi was again elected as the leader of the C.L.P. Since Rev. Nichols-Roy had already left the Congress, the only Hill Tribal Congress M.L.A. available for appointment as Minister was Chatrasing Teron. He was included in the Ministry and assigned the protfolio of Tribal Affairs on 22 April 1957. On 17 May Khelhouse Sema, an Independent M.L.A. from the Naga Hills, was sworn as Deputy Minister. He resigned the Deputy Ministership on 3 December 1957 as Naga Hills District ceased to be a part of Assam from 1 December.

There were plenty of differences within the Congress about the leadership of Bishnu Ram Medhi. Therefore he resigned "for reasons of health." On 28 December 1957 Bimala Prasad Chaliha was appointed as C.M. He dropped Chatrasing Teron for various reasons. The most important one was that major tribes like the Khasis, the Garos and the Lushais were not represented. The E.I.T.U. was persuaded by Nehru to join the Chaliha Ministry. The E.I.T.U. agreed. Sangma from the Garo Hills and Lalmawia from the Mizo Hills who were members of the E.I.T.U. were appointed as a Cabinet Minister and Minister of State. But it may be noted that while selecting tribals for Ministership, Chaliha did not like to give undue importance to the E.I.T.U. Therefore he selected A. Thanglura from the Mizo Hills as Chief Parliamentary Secretary on 4 January 1958. On 27 May Larsing Khyrim from the Khasi and Jaintia Hills was appointed as Deputy Minister.

The honeymoon between Chaliha and the E.I.T.U. did not last long. On the language issue Sangma and Lalmawia resigned from the Chaliha Ministry. In the place of Sangma, Maham Singh was appointed Minister on 15 September 1961.

But Maham Singh was defeated in the general election held in 1962 and he resigned on 6 March 1962.

After the third general election Chaliha formed his second Ministry on 16 March 1962. This time Chaliha was compelled by circumstances to include Chatrasing Teron in the Ministry whom he dropped in 1958. Not only Chatrasing Teron, Emonsing Sangma also was appointed as a Minister of State on 16 August 1962. Jaybhadra Hagjer who was Deputy Minister in 1956 and who was in the APHLC for sometime left the APHLC and rejoined Congress and he was appointed Minister of State on 12 December 1966. Thus, Chaliha's Ministry consisted of three tribals from three tribal areas.

Chaliha formed his third ministry on 16 March 1967. The C.L.P. contained four tribals. Three of them were included in the Ministry, Chatrasing Teron and Jaybhadra Hagjer as Cabinet Ministers and Soi Soi Terang as Deputy Minister. Chatrasing Teron and Soi Soi Terang came from the Mikir Hills and Jaybhadra Hagjer from the North Cachar Hills.

Chaliha resigned on grounds of health on 6 November 1970. Mahendra Mohan Choudhury was elected leader of the C.L.P. He included all the four tribals in the C.L.P. in his Ministry—Chatrasing Teron, Jaybhadra Hagjer and A. Thanglura as Cabinet Ministers and Soi Soi Terang as Deputy Minister.

Mahendra Mohan Choudhury resigned on 30 January 1972. The C.L.P. elected Sarat Chadra Sinha as its leader. On 7 February the Sinha Ministry was formed but it did not include a single tribal.

After the fifth general election held in 1972, Sinha was elected leader by the C.L.P. Sinha formed his Ministry on 17 March but no tribal was included in his Ministry. It was on 19 April that Chatrasing Teron and Jaybhadra

Hagjer were appointed as Cabinet Ministers. Jaybhadra Hagjer died while in office. In his place S.C. Daulagupu was appointed as Cabinet Minister on 12 October 1974.

Formation of Government in Nagaland

On 17 February 1961, Dr. Imkongliba Ao, the President of the Naga People's Convention, was elected Chairman (Speaker) of the Interim Body. Shilu Ao was elected Chairman of the Executive Council. The other members of the Executive Council were Jasokie Angami, Hokishe Sema, R. C. Chitten Jamir and Akum Imkong Chang. The members of the Interim Body desired that Dr. Imkongliba Ao should be the Chairman of the Executive Council but he preferred to be the Chairman of the Interim Body. The Interim Body was inaugurated on 18 February 1961.

The State of Nagaland was inaugurated on 1 December 1963. The Executive Council was abolished and a Council of Ministers was established. The first Chief Minister was Shilu Ao. He selected all the members of the Executive Council of the Interim Body as Ministers.

In 1964, the first general election to the Nagaland Legislative Assembly was held. By this time the N.N.O. came into existence and Shilu Ao was elected as its leader. He formed a nine member Ministry. He retained all the Ministers of the previous Interim Government and added M. Kithan as a member of the Cabinet, N. L. Odyuo, Zulutemba Ao as Ministers of State, P. Damo as a Deputy Minister.

In the first part of August 1966, his colleagues expressed a want of confidence in Shilu Ao. Shilu Ao resigned on 13 August 1966 and on 14 August a new Ministry headed by T.N. Angami who was the Speaker of the Legislative Assembly was formed consisting of eleven members, six Cabinet Ministers, three Ministers of State and two Deputy

Ministers. They were T. N. Angami, the C. M. Hokishe Sema, R. C. Chitten Jamir, John Basco Jasokie, Akum Imlong and Mhondamo Kithan as Cabinet Ministers, N. L. Odyuo, Ihezhe and P. Damo as Ministers of State and Netsutso Theyo and Zulutemba Ao as Deputy Ministers. The Angami Government remained in office till the next general election held in 1969.

In 1969, there were three aspirants for the office of C.M.—Hokishe Sema, N. L. Odyuo and Chitten Jamir. Akum Imlong could not aspire the office although he had the largest following in the Assembly because all the 12 representatives from Tuensang Area were elected indirectly. Some of the supporters of the Hokishe Sema persuaded him to contest for the office but he refused. The C.M. Angami thought that he should pave the way for the unanimous election of Hokishe Sema by not contesting himself for the office. He perhaps realised that all the principal tribes should have a chance of having a C.M. of their own. The first C.M. was an Ao, the second was an Angami and the third chance should go to a Sema. Further, the Sema element in the Assembly was seven.

The Angamis no doubt made an untenable claim that the C.M. of Nagaland should always be an Angami because the capital of the State is located in the Angami area. But in the interests of party solidarity T. N. Angami refused to contest and thereby facilitated the unanimous election of Hokishe Sema as the leader of the N.N.O. in the legislature. Hokishe Sema, it may be remembered, had previous administrative experience. He was the Finance Minister since 1961. Of all the Ministers that Nagaland had he was one of the best. He commanded great respect for his ability, efficiency, clear thinking, boldness and drive.

The Sema Ministry consisted of 16 members, six Cabinet Ministers, five Ministers of State and five Deputy Minis-

ters. Evidently the number of aspirants was increasing year after year. The size of the Ministry was definitely large when compared with the strength of the N.N.O. in the Legislature and the population of the State. The biggest tribes, the Aos and the Semas, had each a representative in all the three ranks; there were two Angamis in the Cabinet rank, one Lotha in the Cabinet and another in the Ministry of State, two Changs, two Chakesangs, one Regma and one Konyak in the Ministry. The Cacharis and the Kukis were not given representation in the Ministry.

In October 1971, there was a crisis in the N.N.O. The C.M. requested his two Cabinet Ministers, T.N. Angami and Akum Imlong, one Deputy Minister T. Sangatham and the Deputy Speaker K. K. Kiditus to quit the Ministry on the ground that they were encouraging a section of the M.L.A.s to adopt a hostile attitude towards party leadership. As a consequence, the strength of the Ministry was reduced to 13. The Sema Ministry continued in office till 1974 when it was defeated in the General election. The U.D.F. secured 25, the N.N.O. 23 and the Independents 12 seats in the Legislative Assembly. Of the 12 Independents seven joined the U.D.F. and thereby enabled it to form the Government.

The leader of the U.D.F., Vizol, whom the Manchester Guardian described rather incorrectly as the world's only head of Government with no surname, is a pro-Phizo man. His sympathies were with the underground. The Governor L. P. Singh entertained a doubt whether Vizol and his followers would respect the Indian Constitution. Therefore, he asked Vizol for certain assurances before entrusting him with the reins of Office. Vizol gave the necessary assurances, the most important of them was that he and the U.D.F. would respect the Indian Constitution.

The Vizol Ministry was as big as that of the Sema

Ministry. It consisted of six Cabinet Ministers, seven Ministers of State and two Deputy Ministers. Later on the strength was increased to 17. The total strength of the U.D.F. in the legislature was 32. Thus, 60 per cent of the members of the U.D.F. in the legislature were Ministers. The Governor L.P. Singh advised Vizol to have a small Ministry. But political pressure was so great that Vizol could not act according to the advice of the Governor. On 25 February 1974, the Vizol Ministry was sworn in. It was a representative one.

The Vizol Ministry was in office for 378 days. On 8 March 1975, there was a crisis in the U.D.F. Tokheho Sema, a powerful member of the U.D.F., rejoined the N.N.O. along with seven other M.L.A.s. Altogether, eleven M.L.A.s left the U.D.F. As a consequence, the Vizol Ministry lost its majority in the legislature. Vizol resigned. On 9 March N.N.O. elected John Bosco Jasokie as its leader in the legislature. It may be noted that Jasokie held office since 1961. He was one of the few senior members of the legislature.

What were the reasons for the fall of Vizol Ministry? The first and the most important one was the Tuensang factor. The M.L.A.s from the Tuensang and Mon areas were essentially N.N.O. at heart but because of personal factors they joined the U.D.F. Second, the performance of the Vizol Ministry was not up to the expectation. Vizol was personally sincere but not his followers. Third, the Speaker and his Deputy decided to support the N.N.O. Till 1971 Speaker Kiditus was in the N.N.O. The final factor was the interception of two China bound gangs of hostiles. This caused immense embarrassment to Vizol. The top leaders of the U.D.F. were assuring the Governor of their loyalty to the Indian Constitution and at the same time were undermining it. They were playing a double game according to Tokheho Sema.

On 10 March 1975, John Bosco Jasokie, the leader of

the N.N.O., formed the N.N.O. Ministry. The Jasokie Ministry was bigger than that of Vizol. Seven of the Ministers were those who defected from the U.D.F. The Jasokie Ministry consisted of seven Cabinet Ministers, seven Ministers of State and three Deputy Ministers. Later on two more were added and the total strength of the Ministry was 19.

Nine days after the formation of the Jasokie Ministry ten M.L.A.s defected to the U.D.F. and thereby reduced the strength of the N.N.O. to 27 in a House of 60. Jasokie did not accept this claim. He maintained that he commanded a following of 35. In the meanwhile a further complication arose. There was a change in the leadership of the U.D.F. The leadership of the U.D.F. was taken over by S. C. Jamir. The situation was further complicated by the partisan attitude adopted by the Speaker, who adjourned the House at a critical moment to save the Jasokie Ministry. The situation was therefore fluid. In these circumstances the Governor L.P. Singh came to the conclusion that Presidential Rule was absolutely necessary. He did not recommend the dissolution of the Legislative Assembly though he thought that it was the logical course. Therefore the Assembly was suspended so that the M.L.A.s might have an opportunity for reflection. It may be noted that defections were not based on any principle. They were mainly due to the greediness for power and money. Both the N.N.O. and the U.D.F. indulged in this nefarious affair. Therefore on 22 March 1975 Presidential Rule was imposed on Nagaland for the first time after its constitution as a State. Even after the imposition of Presidential Rule there was no political stability. Therefore the Assembly was dissolved on 20 May 1975.

Meghalaya. When the Autonomous State of Meghalaya was formed in 1970, the APHLC was called upon to form the Government. It had a recognised leader Sangma. He was the natural choice for obvious reasons. He was in the forefront of the movement for the formation of Megha-

laya. He had the qualities of leadership. He maintained the APHLC as a well-knit party. Further, he was a moderate and a constitutionalist. The people always look for a leader who is in the middle of the road to form the Government. Apart from these facts, Sangma was the only leader in the APHLC who had previous administrative experience. He was a successful C.E.M. of the Garo Hills District Council, which was the only District Council which functioned successfully so far. He was also a Cabinet Minister in the Chaliha Ministry in charge of Tribal Affairs and therefore had an understanding of the problems with which tribals were concerned. As chairman of the APHLC he maintained discipline in the party.

In the selection of his colleagues Sangma experienced no difficulty because the party had some persons who had rendered creditable service to it. The people of Meghalaya expected Sangma to take them into his Council of Ministers. One of them was Stanley D. D. Nichols-Roy. He was the general secretary of the Party continuously throughout the period of the struggle for the Hill State. He inherited the qualities of a seasoned politician from his illustrious father Rev. Nichols-Roy. He was taken into the Council of Ministers. The second was B. B. Lyngdoh who supplied the sinews of political warfare to the party. Stanley Nichols-Roy and B. B. Lyngdoh were Khasis. From the Jaintia Hills Edwingson Bareh was taken as a Cabinet Minister. Bareh was the C.E.M. of two District Councils, the Khasi Hills and the Jaintia Hills. To maintain the balance between the districts, Sanford Marak was taken from the Garo Hills. Sangma the C.M. himself comes from the Garo Hills.

There were others who aspired office. One of them was Prof. R. S. Lyngdoh, an intellectual who helped the party in drafting several memorandums for submission to the Government. Since two Khasis, one Jaintia had already been taken into the Council of Ministers, R. S. Lyngdoh

could not be accommodated in the Ministry. Therefore he was shifted to Speakership. Speakership is a political balm applied to heal political wounds of the disappointed aspirants of office. Since a Khasi was selected for the Speaker's post, a Garo Grohon Singh Marak was selected for the post of Deputy Speakership. Later on D. D. Pugh was taken as a Minister of State.

After the general elections to the Legislative Assembly, Sangma was again elected as the leader of the party in the legislature. He retained the existing Council of Ministers with slight changes. Grohon Sing Marak who was the Deputy Speaker was taken as a Minister of State. In his place Singjam Sangma was appointed as Deputy Speaker. Singjam Sangma was a Congress M.L.A.

All the Ministers were decently educated. They came to office with some amount of administrative experience. They belong to the emerging middle class in the developing countries. All of them are moderates.

Attempts were made to unseat the Sangma Ministry. During the winter session of the Assembly in December 1974 there was lobbying by some of the members of the Opposition, Hoover Hynniewta, Martin Narayan Majaw and J. E. Tariang to throw out the Sangma Ministry. Some of the members of the ruling party were suspected to have been influenced by this lobbying. Further, there was also a demand in the party itself for the expansion of the Ministry. The situation was therefore delicate for Sangma. To strengthen his position and that of his Ministry, Sangma requested Speaker Lyngdoh to join the Cabinet, so that P.R. Kyndiah, one of the aspirants for office, might be dropped in the Speaker's chair. But the Speaker did not like to involve himself in controversial politics. Therefore he declined the offer on the principle that a Speaker while in office should not accept Ministership. Since the Speaker declined

the offer, Sangma had no other alternative but to take P.R. Kyndiah into his Cabinet. Kyndiah was selected because Kyndiah's followers showed signs of deserting the party. Again, some of the members of the Ministry were not satisfied with their status in it. They aspired promotion. So D.D. Pugh and G.S. Marak who were Ministers of State were promoted to the Cabinet rank. Sangma then took three Ministers of State, one from each of the district, P.G. Marbaniang from the Khasi Hills, B.B. Shallam from the Jowai District and Salsang Marak from the Garo Hills.

Mizoram. In April 1972, the general election to the Mizoram Legislative Assembly was held. The M.U. won 21 of the 30 seats in the Assembly. Since the M.U. had an absolute majority in the Assembly, the question of leadership of the Parliamentary party arose. There were two persons for the office, Ch. Chhunga and Ch. Saprawnga. Saprawnga, it may be remembered, was the C.E.M. of the Mizo District Council for a long time and an M.L.A. A moderate with academic qualifications and vast administrative experience, he did not like to take up the job. Therefore Ch. Chhunga was elected by a unanimous vote. Chhunga came to office with vast political experience. He was the president of the M.U. for long years. He did not pass the Intermediate Arts examination. When he was called upon to take up the Chief Ministership, his task in forming the Ministry was not easy. There were many aspirants for office. The old horses like Hrangaia aspired to be Ministers. Chhunga wanted to recruit men with knowledge and administrative experience. Therefore he selected Khawtinkhuma who was the President of Mizo Union in 1946. Khawtinkhuma retired from the Frontier Administrative Service. He was supposed to have administrative experience. Therefore he was selected. Then Chhunga selected Vaivenga and R. Thangliana as Cabinet Ministers, and P. B. Nikhuma as Deputy Minister. H. Thansanga who aspired ministership

was dropped in the Speaker's chair. Hiphei was elected as Deputy Speaker.

The Ministry formed by Chhunga did not satisfy every one. The M.U. was split up into three factions as a consequence—the Ministerial group, the young folk and the disgruntled. The Ministry itself was not functioning in the manner in which it ought to. Charges of nepotism, corruption and favouritism were levelled against it. Therefore there was a demand for the reorganization of the Ministry. In the meanwhile, the two major political parties in Mizoram merged themselves together in February 1974. The result of the merger was the expansion of the Ministry. No one was dropped. The existing Ministers were retained. On 3 May J. Lalsangzuala, the President of the District Congress Committee, was appointed as a Cabinet Minister and Zalawma, another Congressman, as a Deputy Minister. Thus the strength of the Ministry was expanded from five to seven. There was no change in the office of the Speaker and the Deputy Speaker.

The expansion of the Ministry did not bring about peace in Mizo politics. The dissolution of the M.U. brought about a split in the party. A new party known as the People's Conference was started by Brigadier Sailo. The emergence of the People's Conference induced the young Turks in the Congress to demand to reorganise the Ministry. On 18 October 1975, Vaivenga the Education Minister was dropped and in his place Speaker H. Tansanga was appointed Minister of the Cabinet rank. Vaivenga was elected as Speaker. Another change that was made was that Lalsangzuala was also dropped and in his place the veteran in Mizo politics, Ch. Saprawnga, was appointed as a Cabinet Minister. Thus, the Ministry consists of seven members.

CHAPTER XVII

Conclusions

We have so far traced the political developments in the tribal areas in North-East India during the period commencing from 1874 to 1974. What are our conclusions?

First, political developments were not uniform in all places. It was rapid in the Khasi Hills and Jaintia Hills because the capital of Assam was located in the Khasi Hills. In other areas, particularly in Arunachal Pradesh, there was no political development. NEFA was a sleeping giant.

Second, political consciousness was at different stages in different places. It was dominant in the Khasi Hills and dormant in the Garo Hills. There was no political consciousness at all in Arunachal Pradesh.

Third, the Nagas fought for independence and got Statehood. The Mizos rebelled and got a Union Territory. The Khasis and the Garos struggled for sixteen years successfully for Statehood. Arunachal Pradesh got a Union Territory without any effort.

Fourth, the first step in political developments was the establishment of the District Councils in 1952. In 1952, there were only five District Councils. In 1974, there were fourteen District Councils. The District Councils were not a

State within a State. They were created to protect the characteristically tribal political systems.

Fifth, the tribals were not represented in the Legislature, both Provincial and Central, before 1937. They had no Legislative Assembly exclusively of their own, in 1937. In 1974, there were four Legislative Assemblies exclusively for the tribals in North-East India, consisting of a total of 180 members. In Assam, Manipur and Tripura 43 seats are reserved for the tribals in the Legislative Assemblies. Thus, 223 tribals are elected to the various Legislative Assemblies in North-East India. Besides the Legislative Assemblies there are 14 Autonomous District Councils with at least 24 elected members in each.

In 1947, tribals were not represented in both the Houses of Parliament. But in 1974, there were eleven tribals in Lok Sabha and 6 in Rajya Sabha. It may be said that they were over-represented in both the Houses of Parliament.

Sixth, political developments were tremendous in Arunachal Pradesh since 1967. Before 1967, there were no representative institutions and there was no adult franchise. A beginning was made in 1967. A three tier Panchayat system was established in 1969. Adult franchise was introduced in 1971. In 1967, an Agency Council was established. In 1972, Pradesh Council and Counsellors were established in the place of Agency Council. In 1975, a Legislative Assembly was established in the place of the Pradesh Council and a Council of Ministers in the place of Counsellors. For all practical purposes, Arunachal Pradesh is a State.

Seventh, no tribal was appointed as a Minister before 1927. For the first time one tribal was included in the Council of Ministers in Assam. From 1929 to 1937 no tribal was included in any Cabinet both Central and Provincial. Since 1937 they are included in all Ministries in North-East India.

Finally, the Inner Line Regulation was continued throughout the period under review, not in all places but in Nagaland, Arunachal Pradesh and Mizoram. There is no inner line regulation in the Khasi Hills, Jaintia Hills, the Garo Hills, North Cachar Hills and the Mikir Hills. But in all the tribal areas, non-tribals cannot acquire landed property. Further, non-tribal money-lenders and traders must take out a licence to carry on their business.

Problems. The tribal areas in North-East India have a number of problems. The first is their immense diversity, in every respect, racial, religious, linguistic, cultural, and political. We have already noted them in some detail in the first chapter. We shall recapitulate them here. Let us take the geographical location of the area. North-East India is strategically important. She has natural frontiers on three sides and a political boundary on the fourth. She has common frontiers with four political communities: China in the North, Bhutan in the West, Bangladesh in the East and Burma in the South. No other part of India occupies such a strategic position as the North-East. Protection of these frontiers is the first problem.

The second problem is the composition of population. Nowhere in India are there such a large number of tribes as in the North-East India. Nowhere in the world is the composition of population so diverse as in this region. In this, region, there are three distinct groups of people, the hill tribes, the plain tribes and the people of the plains. We are concerned with the hill tribes. This group is the most heterogeneous and at the same time the most picturesque in the whole world. In Assam and Meghalaya there are 23 tribes, in Mizoram 28 tribes, in Tripura 19, in Arunachal Pradesh 24 and in Nagaland 14. These tribes are divided and sub-divided into numerous clans. The Akas in Arunachal Pradesh consist of 11 clans and the Adis also have a number of clans.

Each tribe and sub-tribe or clan has its own distinctive character.

There are small tribes which do not belong to any of the larger tribes but they have their own language, tradition and politico-economic set up. There is very little common among the tribes and sub-tribes except their wildness and profound distrust and antipathy towards each other and outsiders. They speak no common tongue, wear no common dress, worship no common gods, and cultivate no common habits and build no common political organization. Their clans and villages are entirely separate or independent of each other. Inter-tribal feuds are as frequent among them as inter-tribal warfare.

Third, there is also immense religious diversity in this area. There are Hindus, Muslims, Christians, Buddhists, and others. The Christians are concentrated in the hill areas. In Arunachal Pradesh, Mikir Hills and North Cachar Hills, the Christians are not in great numbers except among the Padams. Twenty-three per cent of the Padams are Christians. Buddhism is predominant in some places in Arunachal Pradesh. The Monpas are good Buddhists. Though they come under the Tibetan influence and adopted the Lamaist faith, they are not Tibetans. They are distinct from the Tibetans in many respects. Next to the Monpas, the Kamptis, 93 per cent of them are Buddhists. Next to the Kamptis, the Sherdukupens, 90 per cent of them, the Singpohs, 70 per cent of them are Buddhists. Even though they are Buddhists, they do not belong to the same school but to different schools.

Apart from religious diversity, there is also the linguistic diversity. The total number of mother-tongues in India is 1,652. The number of languages and dialects used in North-East is more than 400.

The languages and dialects spoken in this region are both Aryan and non-Aryan. In no other region are so many

languages used. These languages may be classified into several groups: the Austric family, the Austro-Asiatic, Monkhemer, Khasi, Munda, Tibeto-Chinese, Siamese, Tibeto-Himalayan, Tibetan, etc. It may be noted that Naga is not one language. There are as many languages as there are Naga villages. This statement may sound sweeping but it is a fact. There are forty-seven languages belonging to the Naga group. In Arunachal Pradesh there are 108 languages and dialects, in Assam, Meghalaya and Mizoram 192, Manipur 87, Tripura 112, and Nagaland 95.

Fourth, the tribal areas are located along the international boundary. Kameng, Subansiri and Siang districts in Arunachal Pradesh have a common boundary with Tibet and Burma. Mizoram has a common boundary with Burma and Bangladesh. The Garo, the Khasi and Jaintia Hills have a common boundary with Bangladesh. Nagaland has a common boundary with Burma. Mikir and North Cachar Hills alone do not have a common boundary with any foreign country.

The tribes inhabiting this area have not been touched by the national movement. Many of the tribals have no conception of loyalty to the nation. The spirit of patriotism will have to be planted, manured and watered by sustained effort in the people of this area.

Fifth, there is the problem of security. Neither the snows of Himalayas nor their unscalable heights can guard any longer our frontiers in North-East. We had a friendly Tibet that gave us no trouble. The Chinese were divided. They had their own domestic problems and they never bothered us about our frontiers till 1950. In 1950 this situation had radically changed. Tibet was swallowed by Red China. Again, Red China is no longer divided. It is united and strong.

Further, China has a fine land army which had humbled the Americans in Korea and Vietnam. The leadership of

China is ruthless and would have no scruples in carrying out its intentions. Mao's philosophy may be summed up as folliws: "Settle everything by discussion but keep a million bayonets behind. Power grows out of the barrel of a gun." India had no such guns and no bayonets and therefore her diplomacy was always at a great disadvantage.

There is also immense diversity so far as indigenous political institutions are concerned. The political organization among the tribal communities in this region may be broadly divided into three categories, authoritarian and republican. In between the two there is another type in some areas. The authoritarian type of institutions exist among the Garos, the Mizos, the Singphos, the Kamptis, the Noctes, the Wanchoos, the Konyaks, the Changs, the Semas, the Kukis, the Chins, the Riangs and the Chakmas.

The republican type exists among the Monpas, the Akas, the Sherdukupens, the Tangdas, the Adis, the Angamis, and the Nagas of Manipur.

In between the two models, there are the Khasis and the Ao Nagas. The Khasi chiefs are not entirely hereditary nor elected. These institutions continue to exist even today. In some places like Mizoram it is true that the authoritarian type of government has been replaced by the republican type.

Another problem is the density of population. The density of population in the tribal areas is much less than the national average. In Arunachal Pradesh the density of population is six per sq. km. It is 16 in Mizoram. It is 36 in the Mikir Hills, 15 in the North Cachar Hills while it is 180 in Assam. The low density of population is an invitation to the overpopulated neighbours to cast their covetous glances upon this region.

The next important problem that the social scientists must note is that along the Himalayas, in the North-East we have on our side of the frontier people ethnologically,

culturally and linguistically not very different from the Mongoloids. The Mizoso for instance, have their kinsmen on the other side of our frontier in the Chin Hills of Burma. Some of the Mizos desired that all the Mizos living in this region and their kinsmen in the Chin Hills should form a separate State of their own.

Here are tremendous problems to Indian statesmanship. It is a challenge to our wisdom and sagacity. If they cannot be solved it is just possible that some of these tribal areas may be lost to India. How to solve these problems? There are two ways by which it can be done-either by integration or by assimilation. Social scientists must make a distinction between integration and assimilation. Unfortunately many a social scientists regard integration as synonymous with assimilation. Integration is not assimilation. Assimilation involves a total loss of cultural life and identity of the group that is being assimilated and its absorption into the dominant group on latter's terms. This generates fear in the mind of the minorities. This leads to antagonism, tension and increasing alienation of each from the other. In a country like India wedded to democracy, the minorities develop a mechanism to defend their rights and protect themselves. This seriously interferes with the building of a strong nation. There are certain minimum norms which must be accepted by all who are concerned with the building of a strong, secular and stable society. We should admit that for building a strong State, cultural identities of the groups need not be eliminated. Instead of emphasising cultural differences, economic interdependence should be encouraged. Therefore, we should not lay emphasis on assimilation but on integration. This can be accomplished by laying emphasis on economic development.

For carrying on this stupendous task we require excellent human material which can subordinate parochial to universal interests. It may be noted that in the tribal areas,

there is acute shortage of human material, particularly the technocrats. We have to recruit them from outside if their economy is to develop at a faster rate. But in some tribal areas, there is the Inner Line Regulation which prohibits the entry of outsiders. We shall deal with this question later on. If political integration is to take place in the tribal areas, certain economic, social and political institutions must be established.

First, there should be a separate Planning Commission for the development of the tribal areas. The Planning Commission at Delhi is not in a position to understand the situation in the tribal areas. The Planning Commission may consist of not only experts but also the Chief Ministers of the tribal States. The first function of the Planning Commission is the techno-economic survey of the whole region. The survey should prepare a scheme for the integrated economic development of the tribal areas. It should identify the mineral sources and water sources and devise means for their utilization.

Second, there should be a separate department for the development of communications of all kinds. The development of communications is a life and death question. With the development of communications, there will be not only free flow of merchandise but also ideas. Ideas are more important than merchandise. They penetrate peacefully and cause a revolution in the outlook of man. So far the capitals of all the States and Union Territories in this region, except Assam, are not connected by rail communications. Lack of perfect communications in China resulted in the rise of war lords. This was recognised by the communists. Therefore when they came to power, they laid emphasis on the perfection of communications without which they would not be able to consolidate their authority. Lack of perfect communications was one of the factors responsible for the defeat of India in the hands of China in 1962. Canadian example

is very appropriate to us. When the British North America Act was brought into force, Canada lacked good communications. Canada therefore developed communications in a deliberate way to unify the country, and make it a nation. We may remember that in Canada there is diversity, religious, linguistic and racial though not to the extent to which we have in this country. So when Durham was sent to Canada in 1839, to study the situation and suggest ways and means for the integration of the country, he suggested the construction of railways from the Atlantic sea board to the Eastern Shore of Cape Heron. The railway was uneconomical but it was constructed for political reasons—nation building. It achieved its purpose. In India, the rulers at Delhi do not understand the situation in the tribal areas. The railway board says that since there are no industries in the region, railways would be uneconomical and therefore their construction would not be undertaken. If we approach the Industries Department for the development of industries in this region so that railway construction might be undertaken, they say that since there are no railways for the transport of merchandise, industrial development would not be possible. In the Mizo Hills there was no road between Aizawl and Lunglei until 1946. Communications between Aizawl and the rest of the country were not perfect. What was the consequence? A separatist tendency developed among the Mizos. They demanded Independence for Mizoram. A great revolt broke out in the Mizo Hills which could be put down at a tremendous cost. Therefore we suggest that the railway board should prepare a scheme for the development of communications in the tribal areas of North-East India. Railways will certainly bring about the emotional integration of the country. The construction of a network of railways by the British for the protection of the British Empire ultimately resulted in the birth of the Indian National Congress which brought about the downfall of the British rule in this country.

The next institution that should be established is a research institute for the whole region to undertake fundamental research. The Government Departments and Ministers have no time for deep contemplation. This Institute may have several wings or centres, the Agro-Economic Centre, the Planning Centre, the Statistical Centre, the Politico-Administrative Development centre, and a centre for sociological studies. Each centre shall have a Director and competent staff. The Research Institute should have a Director General. He should hold office for a term of one year. The seniormost Director of a centre shall be appointed for a term of one year. He shall not be eligible for a second consecutive term. The concerned departments in the existing Universities may be associated with the work of the Institute. Priority should be given to Agro-Economic research for obvious reasons. The soil in many parts is fertile and water resources are abundant. There is plenty of scope for irrigation. There is much scope for the introduction of scientific horticulture. This region is so rich that it can produce enough vegetables and fruits, not only for all the 600 million in the country but also for export. Thus, the North-Eastern Himalayan region presents several unique problems as well as opportunities in agricultural research. The Research Institute will identify the problems and prepare a scheme for their solution. But in the recruitment of personnel for the Institute, merit and merit alone should be taken into consideration. Any institute of higher learning which does not take into account merit is doomed for ever.

Another means by which the political integration of the North-Eastern Region may be brought about is by the introduction of a common language. When we say that there should be a common language we do not mean to say that the mother-tongue should be given up. All that I say is this. Besides the regional language there should be another language common to all the people in this region-rather for the

whole country. This can be accomplished easily because there are many languages and dialects. Most of them are spoken languages. If a common language is introduced it may facilitate the spread of literacy and easy communication. Now the question is what is the language that should be common for all. It is immaterial which one should be common. But it appears to me that Hindi seems to have a better claim than any other.

Not only there should be a common language, there should be a common script. We suggest the Roman script for all languages not only in this region but in the whole country. Roman script has a number of advantages. It is simple. It is convenient for typing and printing. It facilitates the borrowing of new words from all the languages both Indian and foreign. If the three language formula, which is the best for the country, is adopted, it is convenient for students. For under the three language formula every student will have to learn three languages, the language of the region, the language of the Union and an International language. At present, all the three languages are in different scripts. "If Roman script is adopted a student will have to learn only one script. Another advantage of Roman script is that it enables one to learn foreign languages. Further again, Roman alphabet contains just 26 letters and they can be joined together easily to facilitate writing by putting few dots and dashes below and above them. By adopting the Roman script we may be able to liquidate illiteracy within a short time. It is admitted that Roman script is not free from defects. But they can be removed by Indianization. The adoption of the Roman script need not offend our feelings. We have already adopted the decimal system of coinage, the metric system, the Arabic numbers, the European clock and wrist watch, the western calendar, the Christian Era, the European pant and bush-shirt and the hair dress of the English beetles. But it may be noted that Roman script has

already been adopted by most of the tribal languages in this region.

Another way by which the political integration of North-East India may be brought about is by the modification of the Inner Line Regulation. There are two schools of thought. One favours the policy of exclusion of outsiders from the tribal areas and the other favours total assimilation. The first says that the rapid development of the region will unsettle the foundations of the traditional societies. That will bring about revolutionary conditions. Therefore, the tribal areas should be excluded from reforms for a long time to come. The second school says that rapid development of the region requires a vast army of skilled labour. The tribal areas are not in a position to supply it. Therefore, they suggest that the Inner Line Regulation should be abolished. There is no doubt some validity in this argument. We must note the impact of this policy. The tribals will strongly react against it. They will consider that this policy has been adopted with a view to destroy their own institutions and culture. Therefore the Inner Line Regulation should not be abolished. But it should be modified. The Mikir Hills District Council laid down the principle that all land shall belong to the tribal community. No outsider shall be permitted to acquire landed property in the area. This is a sensible policy which the tribal areas may adopt.

Another way by which political integration may be brought about is by the introduction of national political parties. Parties are the best means for the nationalization of the tribals. Some of the tribal leaders may be associated with all India institutions like the A.I.C.C. and its Working Committee.

A political set up is necessary for the co-ordination of the activities of the several tribal political units in this region. The tribal political units, four in number, are very small and

very poor. The development funds must come from the Union Government. All the units have no means to manage their household. It is, therefore, essential that the funds made available to these units are used for the purpose for which they are given most advantageously so that there may be no wastage nor duplication of works. As a matter of fact we suggest a common political set up for the whole of North-East India for obvious reasons.

First, access from one part of the region to another can only be through a third part. If one wants to go to the Garo Hills from the Khasi Hills, he must pass through the Kamrup district. The same is true for the citizens of Nagaland, Manipur and Mizoram.

Second, some of the services like electricity and communications require wider area. The successful formation of the European Economic Council is a pointer in this direction. Many European countries are eager to join that community. These communities which are sovereign have learnt a lesson that they should surrender a part of their sovereignty for the promotion of universal good. Further, any meaningful and long range and large-scale programme of economic development in this region requires a wider area.

Third, there is the problem of security. There had been insurgencies and revolts in some areas. Sometimes these insurgencies overflow the boundaries of the State where they occur and affect law and order of another State. The Naga revolt affected seriously the internal security of the country. The existence of independent police systems does not enable the State concerned to act expeditiously and in a co-ordinated manner. This is the most important reason why a different political system is necessary for the whole of North-East India.

What is the kind of political set up that should be established for the political integration of the region. It may be

a sub-federation of all the several political units in the region. The head of all the political units may be a Deputy President appointed and removed by the President. He shall be assisted by a Council of Ministers which shall consist of at least one representative from each political unit. There shall be a bi-cameral legislature. The Lower House shall consist of representatives elected on the basis of population. In the Upper House there shall be equality of representation of all the political units. Each unit shall have at least five representatives whatever may be its population in the Lower House.

There shall be division of powers between the sub-federation and the Union and between the sub-federation and the political units. In other words, some of the subjects in the Union List, State List and the Concurrent List shall be transferred to the sub-federation.

There shall be a common Public Service Commission for the whole region for the recruitment of public personnel, not only for the sub-federation but also for all the political units. At present there are as many Public Service Commissions as there are States but they are all small and weak. The Public Service Commission of the sub-federation shall be a representative one. That is, all the political units shall have at least one of its representatives in the Commission. But the most important fact is that rules shall be framed for all services and recruitment shall be according to the rules.

There shall be a common cadre for certain services to facilitate the transfer of personnel from one unit to another. The several units in the sub-federation shall be represented in the services of the sub-federation in proportion to their population strength. In other words, there shall be reservation of posts for each unit in proportion to its population strength.

The Union Government should assure the sub-federation for a period of 25 years enough funds for development purposes. The grant must be liberal because this region was

neglected for a long time and therefore very backward in every respect.

Is this scheme practicable? Ideal for the sake of the ideal must be stated. The scheme is not only an ideal one, under the present circumstances it is the most practicable. Already the process is in this direction. There is already a common head, the Governor, for all the five States in this region. There are two Union Territories. They may be converted into States and the same person may be the head of all the States in this region. There is already a common High Court for the entire region. The medium for the transaction of business is not the regional language but a national language—English. Hindi is spreading. The business community transacts its business in Hindi. Hindi Institutes, the Hindi High Schools and Hindi Departments in Colleges and Universities have been established in this region. The Hindi cinema has done a wonderful job for the spread of Hindi. Thus, political integration is taking place at a rapid rate. All that is necessary is to accelerate the process so that we may reach the goal as soon as possible. I am sure that we shall reach the goal.

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