

CONSTITUENT ASSEMBLY

OF

INDIA

**NORTH-EAST FRONTIER (ASSAM) TRIBAL AND
EXCLUDED AREAS SUB-COMMITTEE**

Volume II (Evidence)

Part I

**LUSHAI, NORTH-CACHAR, GARO, MIKIR AND
NAGA HILLS**



**NORTH-EAST FRONTIER (ASSAM) TRIBAL AND EXCLUDED
ARFAS SUB-COMMITTEE.**

CHAIRMAN

The Hon'ble Mr. Gopinath Bardoloi, Premier of Assam.

MEMBERS

The Hon'ble Rev. J. J. M. Nichols-Roy.

The Hon'ble Shri Rup Nath Brahma.

Shri A. V. Thakkar.

Shri Aliba Imti.

Mr. R. K. Ramadhiyani, I.C.S.—Secretary.

CO-OPTED MEMBERS

Shri Khawtinkhuma	}	Co-opted for Lushai Hills Area.
Shri Saprawnga		
Shri Harison W. Momin	}	Co-opted for Garo Hills Area.
Shri Mainram Marak		
Shri S. S. Engti	}	Co-opted for Mikir Hills Area.
Shri K. S. Terang		
Shri Kezehol *	}	Co-opted for Kohima Area.
Shri Khelhoshe		
Shri Surat Daulagopu	}	Co-opted for Haplong Area.
Shri C. T. Tnanga Biets		
Shri Josing Rynja	}	Co-opted for Khasi and Jaintia Hills Area.
Shri Larsingh Khyriem		

*Shri Kezehol has since resigned the membership.

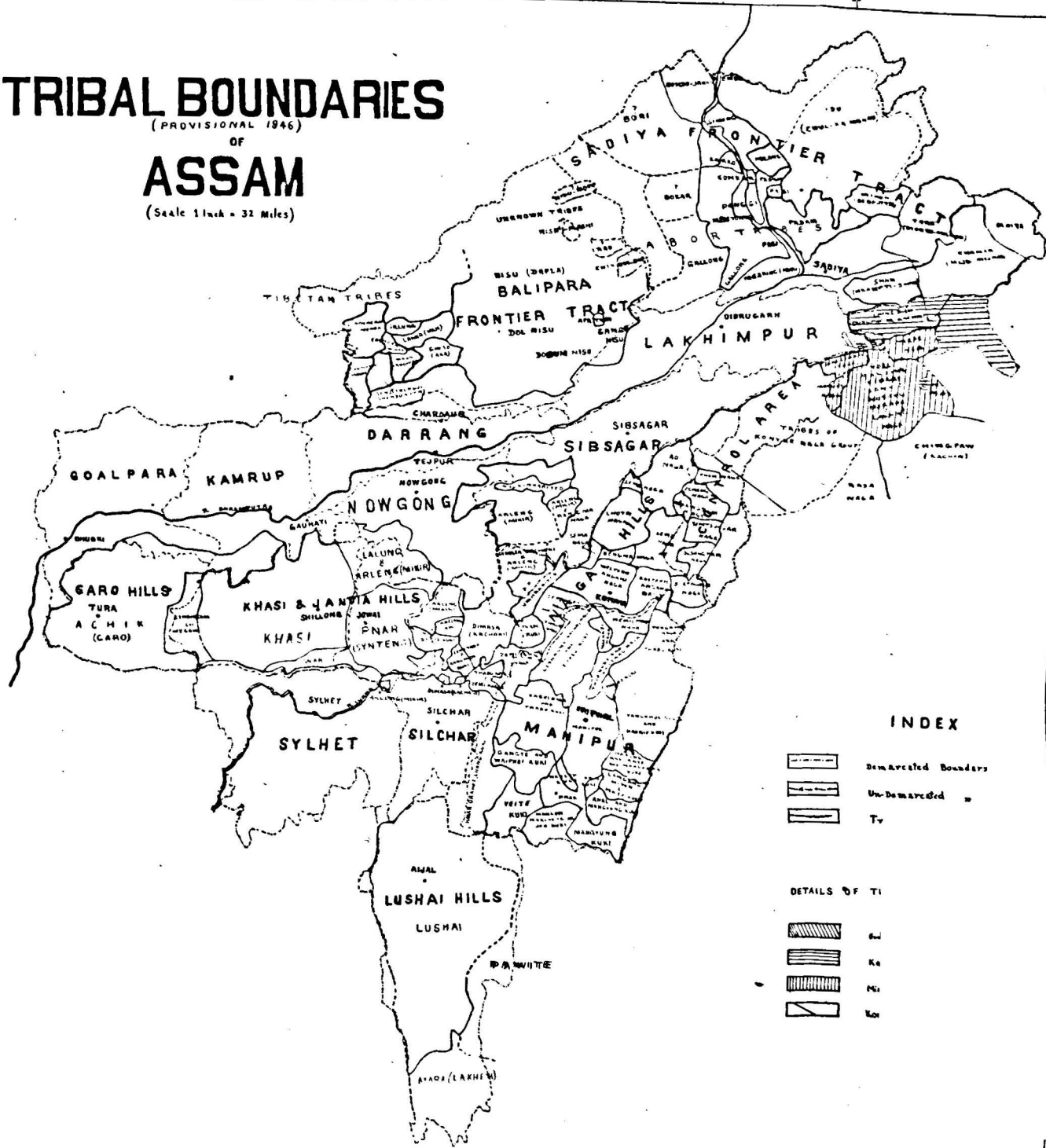
TRIBAL BOUNDARIES

(PROVISIONAL 1946)

OF

ASSAM

(Scale 1 inch = 32 Miles)



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LUSHAI HILLS

**EXCLUDED AREAS SUB-COMMITTEE'S ASSAM TOUR
(LUSHAI HILLS)**

Aijal, dated 18th April, 1947

The Committee interviewed the following representatives of the District Conference :

1. Mr. Liangkhaia.
2. Mr. R. Naulawma.
3. Rev. Zairema, B.Sc., B.D.
4. Pu Kailvia Sailo, B.A.
5. Miss Lalziki Sailo, B.A.

Mr. Chairman: We are very glad to meet you. The first thing I have to say is if you think we have come with any set views, we must disabuse you of that idea. You have already had a note from us. The British Government have made it perfectly clear that from June 1948, they will not be here. It is we who shall have to look to our own Government and therefore it is our duty that we should put our heads together to see how we can do so. Certain problems are very evident. The first is, there must be your own internal administration. There must be various interests. In an orderly society those interests must adjust themselves for the common good of all. Beyond this, we have to think also of the relationship with the Province and Centre. These will be questions which we should address ourselves and give our best consideration. Could we have your views about them?

Rev. Zairema: We are representatives of the District Conference. Some points that we discuss have to be referred to the Conference. This Conference is a newly elected body. The election took place on the 14th April. At the last election one party boycotted the Conference. This Conference is the elected conference of the District. This is not a party. (Further stated in answer to questions). A part of the Mizo Union joined in this. It is difficult to say the number of voters who joined in this election of 20 members. The basis of election was that a group of 10 neighbouring houses was brought together and one man elected by them. In 1941 the number of occupied houses were 25,102, or 2,510 groups. One man will be an elector for 10 houses. These will elect 20 Commoners. Chiefs are all voters. Every Chief is voted. Every 10 members or Commoners is a voter. Every Chief was a voter but every 10 householders had a vote. The procedure followed was: a candidate sends his name saying he wants to be elected. There are lists of candidates and the voters, both Chiefs and Commoners came together and they cast two votes one for a Chief and one for a Commoner. The Superintendent was the originator of this Conference.

Q.—Was there any demand from the people for such an action?

A.—No. Before he started this, no such political movement could be had. No political speech could be made in the Lushai Hills because these are Excluded areas. Since the present Superintendent has come here, the restriction has been more or less lifted. We can

now hold meetings with previous notice to the Chief who might also attend.

Q.—If the Chief does not allow, you cannot go on having meetings without permission?

A.—No. Only 3 days' notice is necessary to the Chiefs.

Q.—Suppose I come here and want to address, I need not take the permission of the Superintendent. But you have to give notice to the Chief?

A.—For the Mizo people it is necessary. He has no powers to refuse. If a man has not committed any criminal offence, he will have to be allowed. Before the Conference in 1946 the Chief could expel anybody. Since the Conference in 1946, the Chief has no power. The Conference has taken away the power of expulsion.

Q.—Why did you have this Conference?

A.—To advise the Superintendent, in matters of customary laws. We had our meeting on the 16th. This is the first meeting after the formation of this Conference. The Mizo Union has been functioning since 9th April last. It was formed to improve the political status of the people.

Q.—Did the Mizo Union have any idea that a great change is coming on account of the impending British withdrawal from India? Did they come into existence because of that?

A.—Not only for that but also for other reasons, e.g., for the improvement of the position of the Mizo people in every way and to promote better understanding between the Chiefs and the Commoners. For a long time an agitation has been going on against the Chiefs as some of the Chiefs are not very good and some of the Commoners are extremists in their attitude towards the Chief. The Mizo Union was started to promote better understanding between these two extremes. The Mizo Union works with a party spirit because it is a party. It is a private organization. It has no right to advise the Superintendent, but this Conference has got the power. This Mizo Union was started with the permission of the Superintendent. The present Conference has not yet done anything but the last one did some work.

Q.—Do you think that the Mizo Union is an Anti-Chief movement?

A.—They say it is not in its aims but it has not followed it. The official idea was good but somehow has been abused. It has been exploited by the people themselves. In the villages the people are ignorant. Naturally they can turn their minds one way or the other.

The first District Conference took place in January 1946. There was none before. Only there was a Chief's Conference. In the Conference of 1946 the Mizo Union decided that the composition of this Conference would be 20 Chiefs and 20 Commoners. In the first Conference the Chiefs elected their representatives and the Commoners elected their representatives but the difference between the past and the present one is the Chiefs are also elected by the commoners now. Previously the Chiefs elected the Chiefs and the Commoners elected their Commoners. The first Conference ended in October last. The

2nd meeting was held in July 1946. This is the second Conference. This contains representatives of all parties. Apart from this, there is a Chief's organization. There is the Mizo Union. This Mizo Union has split into two parts; one is taking part in the Conference and the other is not. Besides this, there is a Chief's Union. This Conference contains representatives from all the organizations. There are 20 representatives of the Chief's Union and there are 20 others. Before 5th April 1947 the Mizo Union supported this Conference and it sent its nominees in for this Conference but suddenly on the 5th April 1947 one section of the Mizo Union decided not to take part and before anything could be done by the other party, it had influenced many of its members not to take part in this conference and many withdrew their names without consulting others. Altogether there are 20 representatives of the Chiefs and 20 others.

Sir B. N. Rau: There are 20 Chiefs and they belong to the Chief's Union. Are there any members who are not Chief's but still belong to the Chief's Union?

A.—No.

Q.—(To Mr. Fu Kailvia Sailo) Do you belong to the Mizo Union?

A.—No.

Q.—Do you belong to the Chief's Union?

A.—No.

Q.—Do you belong to any party?

A.—No. I speak for the District Conference.

Q.—Are you a member of the Conference?

A.—No.

Q.—How many spokesmen are members of the District Conference?

A.—Only two.

Q.—Is there anyone who is not a member of the Chief's Union and the Mizo Union?

A.—Perhaps there is one.

Q.—We are anxious to know what the composition of this body is. 20 Chiefs belong to the Chief's Union? How many belong to the Mizo Union?

A.—Of all the commoners, except one, all belong to the Mizo Union.

Q.—That is, 19 belong to the Mizo Union?

A.—No, not 19. Five are not elected. From the south five seats are omitted.

Q.—40 are not fully in?

A.—Yes.

Q.—What is the composition of the Conference? I mean now?

A.—15 commoners and 18 Chiefs—altogether 33.

Q.—That is to say, seven seats are vacant.

A.—They are not elected.

(A list containing the names of members of the Conference was then handed over to the Chairman.)

Q.—Of the 20 commoners five have not been elected.

A.—They have withdrawn, under the influence of the Mizo Union.

Q.—So the elections have not been held? Is that it? Of the 15 commoners how many belong to the old Mizo Union?

A.—Except one or two of them.

In reply to another question, the following answer was given:

The Mizo Union decided to have their own candidates for members of this Conference and these were the persons who were withdrawn.

The Hon'ble Mr. Bardoloi: The names that are given here are those of the members of the Mizo Union?

A.—Some are members of the Mizo Union. Many of the members did not participate in the election.

Q.—The idea is the Mizo Union boycotted the election?

A.—Yes, at the last moment, some of them did.

Q.—I am not speaking of some of them, but the Mizo Union boycotted the election, i.e., the whole of the Mizo Union.

A.—Yes. At the last moment they refused to participate.

Q.—Can you tell me when this election was held?

A.—Only 4 or 5 days ago.

Q.—From the list you have, can you say who are members of the Mizo Union and who are not?

A.—It is difficult to say.

Mr. R. Vanlawma: I am sure all of them belong to the Mizo Union except one or two. Mr. Lakthangula.

Sir B N. Rau: To which party does Mr. Lakthangula belong?

A.—Non-party.

The Hon'ble Mr. Bardoloi: The Mizo Union as a body boycotted this election by Resolution?

A.—Yes. How can it be otherwise when the Mizo Union was split into two. One party agreed to take part in this election.

Q.—Only one thing I want to know. How are you three (referring to Mr. Pu Kailvia Sailo, Rev. Zairema and Mr. R. Vanlawma) called upon to represent this Conference?

Rev. Zairema: We are interpreters.

The Hon'ble Rev. J. J. M. Nichols-Roy: Have you any memorandum to submit to us?

A.—No.

Q.—(To Miss Lalziki Sailo) I understand that you have not been here for a long time?

A.—I have been away since September, in Aijal and Lungleh.

Q.—Before that you were not here for 15 or 16 years?

A.—I have been here quite a lot. I have been in my own country quite a bit to know what is going on.

The Hon'ble Mr. Bardoloi: The main point is whether you know that the British Government have announced that they are going to leave the whole thing to us so far as the administration of India is concerned and also necessarily thereby including these excluded and partially excluded areas. I don't know whether you are aware of that fact or not.

Mr. Pu Kailvia Sallo: We are aware.

The Hon'ble Mr. Bardoloi: Out of that some of these questions have arisen. Of course, you have read those questions (referring to the questionnaire supplied), have you not?

A.—Yes.

Q.—I hope you have understood the implications of these enquiries and you think that you will have to put them before your Conference, so that you may get some authority from them.

A.—Yes, we will have to consult them first.

Q.—You will be able to give some reply today or some time tomorrow afternoon?

Rev. Zairema: We want to ask certain questions. One thing is we knew that you are coming on the 23rd of March, and during the short time it is rather difficult for us to prepare what we think about all these big problems. For one thing, the people are not educated. Therefore it is very difficult to form opinions on these big questions during this short period. There is one thing. You say that "We want your views". The thing is we have not discussed these things in the Conference. We have discussed some points only and it seems that you are taking it for granted that we would like to join the Indian Union.

The Hon'ble Mr. Bardoloi: No, we don't say anything. I think you are labouring under a difficulty. It is quite clear that if the British Government go away India remains and you remain as part of India. Therefore there is no alternative but to proceed upon that. Either we do not believe the British Government's announcements, namely, that they are going away; or you believe them. If you do believe them, then there is no alternative but to think in that line. Therefore you cannot but think of these questions. They must come into the picture. Take it for granted that Mr. Macdonald is not here. Take away from your mind the idea that Mr. Macdonald will be discharging his present functions, and someone else will take his place. It is from that perspective you have got to think, and tell us. It may be a difficult problem, nevertheless, it is a problem which you must face.

Rev. Zairema: My question was that when you are asking us for our views on this question you are really taking it for granted that we want to join the Indian Union. That means we are not free to choose.

The Hon'ble Mr. Bardoloi: You are free to choose anything. You are free to choose that you will fight among yourselves, but it is orderly government that is going on now everywhere. It is only from

that point of view—from the point of view of orderly government—that that picture comes before us and it seems to me there is no alternative but to think in that line. That is the reason why if the British Government have nothing to do with India you will join us. If you think on the other hand that when the British have left you will not be joining the Union, you can think of that separately. You are entirely at liberty to think in that line. That is not what we have come here to enquire into—that is a subject which is beyond our jurisdiction. Our jurisdiction is confined to the consideration of how you will be expressing yourselves in favour of forming a part of entire India when the British have gone. You are free, of course, to think that you shall not form part of the Indian Union, but the scope of our enquiry does not cover that. On account of certain circumstances we have come here. The Government of India have asked us to enquire into the administration of tribal areas—what it will be when the British go away. That is the scope of our enquiry and beyond that, of course, you may express your views anyway you like, but we cannot go beyond that. Don't you think so, Sir B. N.?

Sir B. N. Rau: The Cabinet Mission's plan contemplates an All-India Union comprising British India and some of the States. The Lushai Hills at present forms part of British India and under the Cabinet Mission's plan Lushai Hills would therefore form part of the Indian Union. We have come here as a Sub-Committee of an Advisory Committee which has been set up by the Constituent Assembly which has been charged with the task of framing a constitution in accordance with the Cabinet Mission's plan, that is to say, a plan which provides for an All-India Union comprising among other areas all those territories which at present are part of British India. Therefore it is on that assumption that we are working. There are two statements. First, British authority will cease after June 1948 and second, that you are part of an All-India Union. We want to find out how you will react to it.

Miss Lalziki Sailo: You want to know what our idea is—whether we join the Indian Union or what we do?

Sir B. N. Rau: We want to know what special provision you need within the Indian Union.

The Hon'ble Mr. Bardoloi: That is the only way in which we can look at things. You can choose but we are not capable of going into that question.

Sir B. N. Rau: We are not taking it for granted that you remain in the Union. We are only asked to enquire the circumstances in which you can form part of the Indian Union. To what extent you can have autonomy; to what extent you will want freedom, to what extent you would like connection or relationship with the Union and the Provinces. These are the questions which we can pertinently enquire into. But we cannot enquire into the question of whether you should form part of the Union or not. That is a scope into which we cannot enter.

Rev. Zairema: (referring to the questionnaire) Point No. 1. Social customs—You mean legislation for customary laws? Can we add other subjects?

The Hon'ble Mr. Bardoloi: Yes. It is only meant for your guidance. You can add to the list.

Rev. Zairema: We can only say just at present—2(b)—this has to be discussed and it will take a very long time for us to give definite answers.

The Hon'ble Mr. Bardoloi: You may not be able to give definite clear-cut answers, but you can surely give us some rough idea.

Mr. A. V. Thakkar: How long a time it will take?

Rev. Zairema: We will have to meet one or two times.

Q.—Will it take three months? Six months?

Rev. Zairema: In a month or so.

Miss Lalziki Sailo: No, we shall require more time.

Mr. A. V. Thakkar: Give some time. Say that you will submit your memorandum after such and such a time.

The Hon'ble Mr. Bardoloi: If you cannot give your opinion within a reasonable time, then we shall have to give our own report. We cannot wait so long as six months. We ourselves have been asked to submit our report within three months.

Rev. Zairema: So you would like us to send in our ideas before that?

The Hon'ble Mr. Bardoloi: Yes. I would like to clarify further that it is not our duty to frame the internal administrative machinery. That you will develop. But in the prospect of what the Constituent Assembly will be able to agree to and on the basis of what we may now be knowing; we wish to know what the set-up would be like. After that set-up has been accepted more or less, then the details will be worked and the local Council or whatever you may call it, will come into operation. Even now you are merely an advisory body of the Superintendent. Therefore all you can do is to let us have a picture. You may not fill the details. The details shall have to be worked out later on. If you want to give it, you can give it. If you don't want to give it, we shall frame our own opinion and we shall have to report within three months.

Miss Lalziki Sailo: That means, you want us to give our opinion within three months.

Mr. A. V. Thakkar: Say, within two months from now.

The Hon'ble Mr. Bardoloi: We shall be coming back again to this place in May. Then we shall consider it if you don't want to give it now.

Miss Lalziki Sailo: It would not be too late if it is within three months?

Mr. Liangkhaia: Let us say "as early as possible".

Mr. A. V. Thakkar: "As early as possible within two months"—because we shall require time to consider your memorandum.

The Hon'ble Mr. Bardoloi: What you feel about your future is something which you can give even today if you want to do so.

Mr. R. K. Ramadhyani: You have had certain elections. It was based on a group of ten houses and election of a commoner and a chief on a joint electorate. Now, similarly, the question is whether you would like to have adult franchise or you would like grouping of houses in the same manner as you have done. These are simple questions on which you should be able to give some opinion even now. Would you like everybody—man and woman—to have a vote or would you like to restrict it to educated persons?

The Hon'ble Rev. J. J. M. Nichols-Roy: Would you like to have the chiefs continue in their work or would you want to do away with them? Do you want to have democratic institutions without considering whether the chief should be hereditary or not. These are questions you should ultimately decide yourself.

The Hon'ble Mr. Bardoloi: If you can answer those questions—you can discuss them among yourselves if you like—but if you answer them, we shall get our minds clear and then we shall frame our recommendations. If you want, there are certain things which you can answer even tomorrow.

Mr. A. V. Thakkar: India will form a Democratic Republic and you will send a representative. The question is how you are going to elect that representative.

Miss Lalziki Sailo: That is a question which requires time to think about.

Rev. Zairema: All points we have to discuss in the Conference.

The Hon'ble Mr. Bardoloi: Then you think that you will not be able to give your opinion by tomorrow?

The Hon'ble Rev. J. J. M. Nichols-Roy: The whole matter is this, that you will have to decide among yourselves considering the fact that the British are going to leave us what kind of constitution you want to have for the Lushai Hills, how you want to govern yourself—either through the Chiefs or you want to have a Council which will be elected by the people, and whether you want also to be connected with Assam and in what manner you want to be connected. These suggestions are given to you, but you will have to think about them yourselves and give us your views. For instance, the question of being connected with India. We have no jurisdiction over that. I myself as a hillman do not think that you can keep out of the Indian Union. But that is entirely for you to consider.

The Hon'ble Mr. Bardoloi: The British system will no longer continue after June 1948. Therefore you have got to devise some means.

Mr. R. Vanlawma: Supposing we are going to join the Union. Do you think there will be stable government in India?

Mr. A. V. Thakkar: Certainly. It is on that supposition that we are acting.

The Hon'ble Mr. Bardoloi: If we cannot have stable government, then we cannot talk of freedom at all.

Miss Lalziki Sailo: That means you want to know our relations with other areas, *i.e.*, with the Provinces, etc.

Mr. R. K. Ramadhyani: At present you are a part of Assam province.

Mr. R. Vanlawma: Whether we continue to be in the Assam province?

Mr. A. V. Thakkar: That is for you to say. As at present you are and will remain a part of Assam.

Mr. R. Vanlawma: You want us to say how we will be connected—whether part of Assam—but what about our internal administration, our laws, our customs, education and so on?

The Hon'ble Mr. Bardoloi: How would you like to protect them?

Miss Lalziki Sailo: Can we have all these things?

The Hon'ble Mr. Bardoloi: Yes. Think about your capacity. Think about your powers and say "We want this, we want that". You are entitled to do that.

Miss Lalziki Sailo: Everything internal, we can say?

Mr. R. K. Ramadhyani: There are certain matters in which you would like to have your own things. It is for you to say what those things are.

Miss Lalziki Sailo: So far as No. 1 is concerned, we will have to think about it. No. 2 also.

Mr. R. K. Ramadhyani: Point about 3 is; you are now a part of Assam. Just as Assam is interested in you, you are interested in Assam and therefore if there is an administration in Assam you will also have to form part of that administration, *i.e.*, you will also have to take part in the administration of Assam as a whole. The question is how your representative should go to the Assam Legislature. That is the idea behind.

Sr B. N. Rau: For example, you will probably want money for education. That is to come from the Assam Government presumably. Therefore you will have to tell the Assam Government how much money you need and for what purposes. Therefore you will have to have somebody in the Assam Legislature to tell them what your needs are. So the question is how many members do you want in the Assam Legislature?

The Hon'ble Mr. Bardoloi: At present you have no members. Again, take the road by which we came. Do you want that road or not? If you do want that road, then you find that the revenues that you collect in your district is not sufficient and with them you cannot have that road. If you want to be completely independent, then you will not have this road. If you want that road and you think that you should have an effective voice also, in that case, you have got to go to the Legislature of Assam, which determines all these matters in order to be able to say that the road should be like this or that. If it is for your good, then it should be like that. Don't you want somebody to say "This is what we want"? The British Superintendent

is going away. So you shall have to have some say through someone else.

Rev. Zairema: No. 4 Ministerial services.

Mr. R. K. Ramadhyani: The Province will have a ministry who will administer the area in accordance with the wishes of the people and also the policy that they want the ministry to follow. For instance, the Khasi Hills are represented in the Assam Ministry. Similarly it may be necessary that for other areas there should possibly be a representative in the ministry.

The Hon'ble Mr. Bardoloi: That is to say, in the executive services, ministry, legislature, everywhere.

Rev. Zairema: The Conference wishes to protest against your selection of co-opted members. I understand that you have got the power to co-opt members.

The Hon'ble Mr. Bardoloi: We cannot take any more members. At the time we co-opted the present two members we knew only about the Mizo Union.

Rev. Zairema: Is it not proper to do this through the head of the district?

Mr. A. V. Thakkar: It was not enjoined on us. It is not even necessary. We cannot think of it. It is the business of the Constituent Assembly to think of it.

The Hon'ble Mr. Bardoloi: The whole thing is changing.

Rev. Zairema: If I am going to co-opt anybody from Assam I have to consult the Assam Ministry?

Mr. A. V. Thakkar: But the Assam Ministry has not done it.

The Hon'ble Mr. Bardoloi: In fact, I am giving the reason of the whole Advisory Committee. We wanted that Lushai as well as the Naga Hills should be represented in this Advisory Committee—not in this enquiry at this sub-committee, but the whole Advisory committee, but then they could not give a number of members. The Constituent Assembly thought that they could only give one member, and it is only on account of that fact that we thought that that organisation in the Naga Hills was better organised and about which there was not so much controversy as in the Lushai Hills—that is one reason. The second reason is that they represented a variety of tribes. That is why, we thought, that a member of the Naga Hills should go to the Advisory Committee. I have also been told that some have found fault with us, for not suggesting a Lushai for the Advisory Committee instead of a Naga. I have already given the reasons for that and if there is any fault I have got to be excused. You have got to place the blame definitely on me and Mr. Nichols-Roy. So far as the enquiry into particular areas is concerned, the Constituent Assembly decided that two members should be co-opted from the particular areas concerned, so that we can know the views of the people and get those views from the members who are co-opted. The representatives may put questions to you, so that we can get information from you. Now, we did not know that there are so many differences here. We found that there was a Mizo Union—a South Mizo Union and a North Mizo Union—and we have only put the President of both the Unions as members of this sub-committee.

Rev. Zairema: You have just nominated these Presidents.

The Hon'ble Mr. Bardoloi: We have nominated them long ago, but perhaps the information did not come to you.

Rev. Zairema: How did you come to know about them?

The Hon'ble Rev. J. J. M. Nichols-Roy: They wrote to us. They corresponded with us. We did not know anything about you. You are a new baby.

The Hon'ble Mr. Bardoloi: Don't draw us into your internal quarrels.

Rev. Zairema: These two co-opted members cannot give the true views.

The Hon'ble Mr. Bardoloi: You are here. We want to hear the true views from you. That is exactly the reason why we have called you.

Rev. Zairema: These two co-opted members are one-sided.

Mr. A. V. Thakkar: You are not one-sided. You give your own views.

Rev. Zairema: This body was not informed at all.

The Hon'ble Mr. Bardoloi: How can you expect us to inform you when we knew nothing of you. It is only four days you have come into being. Before that nobody knew of that body. You are depending too much on your Superintendent, in fact, more than on yourself.

The Hon'ble Rev. J. J. M. Nichols-Roy: Is it not a fact that the Superintendent has been advising you in the matter of this Conference?

Rev. Zairema: No.

The Hon'ble Rev. J. J. M. Nichols-Roy: He has been guiding you?

Rev. Zairema: He started this Conference.

Q.—That is, it did not originate from you?

The Hon'ble Rev. J. J. M. Nichols-Roy: I consider that the Conference is under the influence of the Superintendent whereas the Mizo Union was trying in a nationalistic way to get the view of the people of the Lushai Hills from January, 1946. That is what we understood. But the Superintendent wrote to us that the Mizo Union was not a representative body but the Mizo Union wrote to us that they were true representative bodies. Since no other Lushai organisation wrote to us saying that they were the representatives of the Lushai people we knew that the Mizo Union and the Superintendent were against each other. No chief has said anything to us. The chiefs are in the hands of the Superintendent. Our mission is to see whatever the Superintendent would say and the chiefs would say and the followers of the chiefs would say and then come to our own judgment.

The Hon'ble Mr. Bardoloi: The main thing is that as I have told you, in the circumstances we had to do what we did. There was no option left to us. Our main object was to get hold of such associations.

as were representative of the people and who can speak on behalf of the people and those organisations being the ones that we heard about—I mean the Mizo Union—we had no other option, and by that reason we are not shutting about anybody's views from our enquiry. As a matter of fact, we are ready to hear views from any party, individual, or association. The fact that your District Conference is new, does not detract from our attention to your views.

Miss Lalziki Sailo: So the Mizo Union has been corresponding with the Assam Government?

The Hon'ble Mr. Bardoloi: Every organisation is corresponding with us.

Mr. A. V. Thakkar: You can correspond with us.

The Hon'ble Mr. Bardoloi: Anyway, it is not the Assam Government to blame. This is an advisory body of the Constituent Assembly. So many petitions, representations and appeals are being sent every day to the Constituent Assembly. All these are being taken into consideration. If it is a mistake with us, we are prepared not to limit the enquiry in any way on account of that mistake.

Miss Lalziki Sailo: So the Mizo Union has been corresponding you like frankly. We are prepared to hear that and take it into consideration. You see, you are a baby born on the 14th April 1947. However, all the same, you take your time but give your opinion as early as you can.

The Hon'ble Mr. Bardoloi: What you shall have in the future must be on a democratic basis. It is for you to work out. But for the purpose of our enquiry we shall try to get as many people, as many associations, as would like to give an opinion about your hopes and aspirations.

Secretary (in reply to a question about alteration of boundaries): At the present time the Cabinet Mission plan contemplates the Union of provinces as they exist and the Constituent Assembly cannot enter into the question of altering boundaries or forming new provinces. Whatever we may do will be after the British Government have left. For the time being we are restricted to that. When elections have taken place under the new constitution, you can take that question up. For the present we have to proceed on the present boundaries of the provinces.

Witness: When the British took this country, the Mizos were in one country.

The Hon'ble Rev. J. J. M. Nichols-Roy: When we form the Indian Union, then we can take up these questions. Later on it is upto you entirely what to do. Once the constitution has been framed and India becomes an independent country, then the constituent units may think of recasting the provincial or district boundaries.

Witness: Do you believe that India will be united?

Chairman: These are outside the scope of discussion.

(The meeting then adjourned.)

The Committee met at 2-30 P.M. on the 18th April 1947 the following Church Representatives of the Lushai Hills:

1. Mr. Chhuahkhama.
2. Miss Latki Sailo.
3. Rev. Samuel Davies.
4. Zatlanga.
5. Sapkung.
6. H. Sawiluaia.
7. Rev. B. E. Jones.
8. Rev. Zairema.

Mr. Chairman: (After the Secretary read out the letter from the Joint Representatives of the Presbyterian Church in the North Lushai Hills and of the Baptist Church in the South—Appendix I. Thank you for the good wishes for the Lushai Hills. We have no doubt that they will get a proper place in the new Constitution, after this great change comes in June 1948; it seems to us that your view point has been more or less educational. We should like to get some information re. the expenditure involved, both in connection with primary and secondary education.

Rev. Jones: I am speaking for North Lushai. My friend here will speak for South Lushai. Total monthly grant of the Mission is Rs. 2,037. Government grant which includes all expenditure on education (that includes 69 primary schools and the scholarships, stipends, D.A. of 1-8-0 per teacher) all that comes to Rs. 2,293. That includes the new middle schools mentioned in the report. The High School was started in 1944. Last year Government granted Rs. 300. For the Boys' English Middle School in Aijal having about 250 boys, the Mission grant is Rs. 409. Government does not make any grant to this school. Government grant for the High School is Rs. 300. We supply two teachers who occupy Mission buildings and teach free of cost. One acts as Headmaster, one as Science Master. For the Boys English Middle School Mission grant is Rs. 409. Middle English and Primary School Mission Grant Rs. 184, Government grant for equipment Rs. 15 and D.A. Rs. 18 to teachers of primary schools. There are 6 new middle schools supported entirely by Government. They were started in 1944. Buildings are built by the villagers themselves. Government provide salaries of teachers equal to Rs. 200. Altogether, there is one Mission Boys School maintained by the Mission in Aijal. One Girls School in Aijal is maintained by the Mission and there are 6 middle schools in the villages maintained by Government. Apart from that there are also 3 Middle schools which are privately maintained by the people themselves who collect for the salary of the teachers and we help them in material. I applied for grant but it has not yet come. Primary School Mission grant is Rs. 1,289. Grant by Church is Rs. 260 and now they passed a grant of Rs. 5 D.A. for each private teacher which cost Rs. 850 so that the total Assembly grant is Rs. 1,100, in addition to Mission grant. Formerly until 1946 Government maintained 34 primary schools with a grant of Rs. 439 p.m. Last year they added another 35 schools which cost Rs. 420; in addition Government grant Rs. 1-8-0 to each teacher as D.A. Total Government grant is Rs. 1,129. We have a training school here for primary teachers. A scheme has been prepared in 1939 for sending teachers outside and we were hoping for a Government grant

but that has not come. Last year we trained 20 men teachers; this year another 10 and the expenditure is Rs. 103 p.m. Women teachers get their training in the Girls' Middle English School to which is attached an infant primary department. Then we have 3 Sub-Inspectors who in addition to myself—we get Rs. 135 p.m.—total comes to some-what over Rs. 6,000 p.m. or Rs. 72,000 per annum for 108,000 from North Lushai.

A.—In the South Lushai Hills free schools for boys is 1 and girls 1. Government aided primary schools 82 and other primary schools 70.

The Hon'ble Mr. Bardoloi: On what system is the aid given and what is the amount of aid that is given?

A.—Aided schools are supported by Government on aided system.

Q.—What is the aid that is given?

A.—I am sorry I am not much concerned about the schools. I am the Church Secretary. The proper man has been called to England. However, I just picked up these figures from the Superintendent's office day before yesterday.

EXPENDITURE—GOVERNMENT EXPENDITURE—ON
EDUCATION

1946-47	Rs.	A.	P.	
Government middle schools	6,981	12	0	for whole year
Government aided middle schools and primary	12,819	12	0	..
Boys and girls schools Government aided mission schools	2,955	12	0	..
Scholarships	1,872	0	0	..
Chiefs' sons' ration allowance	244	0	0	..
Total	24,873	0	0	

The Hon'ble Mr. Bardoloi: Is there any other method of education than the method of teaching in the schools, whereby you have been able to get this high percentage of literacy? I mean adult education.

Rev. Jones: One of our main activities in literising the people is of course, by what we call "Sunday schools". Those have been one of the main factors. In every village almost every child, almost every adult, attend on Sunday morning the church for the purpose of education—reading and discussion.

Q.—They are not generally students of primary schools?

A.—Sometimes, they are, and if in a village there is a primary school then they will be. If in a village there is no primary school, then it means that the Sunday school is doing the work of literising the people.

Q.—It is not merely the little boys but the big people?

A.—Yes.

Q.—You teach them letters and have conversations with them?

A.—Yes. They learn reading. We have no difficulty about adult literacy because most of the adults have been found—most of them—to be able to at least read and some of them know to write. I have no doubt that in this area if we are able to overcome the lack of funds, we would be able to literise 90 per cent. within a matter of a very few years. I put up a five-year plan to the Government on that basis, because the basis of education is religious. The Church has played a very important part in education. People have to repeat the Bible. Further, I have had to keep on refusing people to schools, because our teachers are now dealing with too many children. Sometimes, in some of our schools there are 100 children under one teacher simply for lack of funds. It is rather a difficult problem and somewhat different from the one in the plains.

The Hon'ble Mr. Bardoloi: It is the same elsewhere. Every local body is having 200 and 300 schools waiting for recognition. Teachers are not so good as they should be. No impetus is there. I am absolutely certain that some local bodies have 1,000 or 2,000 boys and they are trying to get recognition but they are not getting it. It is therefore very good of you to have done so much.

Rev. Jones: It has been done in the name of the Church and the teachers have to reach a standard. They have to pass through a middle class test. Every teacher before we accept him must have passed in English, and then we have now trained almost all our teachers.

The Hon'ble Rev. J. J. M. Nichols-Roy: What is the percentage of literacy?

A.—This year I cannot give it. In the 1941 census it was 32 for males and 7 for the females, *i.e.*, the highest in Assam.

Since 1941 our primary school population has gone up by over 4,000. By this time it will have gone up by 6,000. The organisation is there; the teachers are there, but the money is not there.

The Hon'ble Mr. Bardoloi: There is lack of facilities for higher education.

A.—Yes, we have only one high school. We have children in this school not only from the Lushai Hills but children from Tripura and now we have children from Silcher. Non-Lushais enter the high school and there again the problem is the problem of money.

The Hon'ble Mr. Bardoloi: There are not much facilities for technical education.

Rev. Jones: I submitted a scheme to Government on those lines two years ago, but again failed. The intention of these new middle schools is to give the boys a technical bias—wood work, hand-craft, carving—these have been given a place in the curriculum.

Q.—Let me just put a little bit of politics into this discussion. Can you say whether you would advocate adult franchise for the Lushai people in any constitutional set-up? I know you would find it rather difficult to answer.

A.—We as church representatives have as far as possible attempted to keep clear of these political entanglements. Our sole aim is to unify the people. As to adult franchise, however, I have no doubt that it would work as well here at least as anywhere else in Assam.

Q.—Thank you. If the people in the plains with lesser percentage of literacy can aspire to that position I think you can.

The Hon'ble Rev. J. J. M. Nichols-Roy: What is the unity that you are meaning in this note that you have submitted to us? Do you find much of disunity?

A.—That is rather a misleading question.

I think we have referred to Church unity.

Q.—In the last paragraph you have said: "We therefore hope that in the task of drawing up proposals for the Mizo people . . . etc. . . . etc. . . . whatever type of government be formed for them, that it shall be one that will not hinder but rather develop what we sincerely believe to be God's work among our people."

Do you mean that? Your religious work?

A.—Yes.

Q.—And building up of the character of the nation?

A.—Yes. Moral and spiritual work.

Q.—You have any suggestions to make in that respect—*i.e.*, in regard to the type of government. Do you have anything in your mind?

A.—No, nothing at all.

Sir B. N. Rau: (In answer to a question from the church representative). Any form of government that may be found necessary, you want that you may be free to do the work of the church. I suppose that you will always be free that way.

Mr. A. V. Thakkar: Has there been any other Mission—I mean like the Ramakrishna Mission—non-Christian—at work here in this area?

Rev. Jones: No.

Q.—May I know why the high school education was not taken up since the last 3 or 4 years?

A.—It was taken up in 1944. It has always been the question of funds. If one attempts something, it fails because of funds. Perhaps the attempt has been a little late. But it has been felt in these hills that primary education is the basis of education and therefore it should be established first and then middle education and then finally high school education.

Q.—Is it a fact that in the south of the Hills the education is much less than in the North?

A.—It is very difficult, I am afraid, to say. It is hardly fair to our friends in the south to answer such a question. The south is more sparsely populated. Here we have bigger villages and it is easier to put a school in a big village than to put two schools in two separate villages.

Q.—Is it due to less communication in the south?

A.—No, roads are also scarce in the north. It is a question I think of the size of the villages. I think most of our villages have got a school at least. The educational missionary is trying to put a school where there is 20 houses and I think, over three-fourths of the villages in the south have got a primary school.

Q.—Has Lungleh any school?

A.—Yes.

Q.—But no High School?

A.—No.

Q.—Is it likely to have one in the near future?

A.—I understand that they have offered a high school, but I do not know what has happened.

Mr. Saprawnga: In 1943 we asked the Government to establish a High School at Lungleh. That was put forward by the South Lushai Educational Association. That did not materialise and the Association collected funds for the purpose of establishing a High School. Now they have collected almost Rs. 3,000. That is all that they have gone so far

The Hon'ble Rev. J. J. M. Nichols-Roy: That means they are beginning to do something.

(The interview of the church representatives concluded).

EX-SERVICEMEN'S ASSOCIATION

Present:

1. Jamedar HRANGKUNGA.

2. Hav. NGURWANGA.

3. Sub. KHAWMA.

4. Naik CHIHINGA.

5. Jun. ZUALA.

The Hon'ble Mr. Bardoloi: You have an Association of yours?

A.—Yes.

Q.—What is the object of this Association?

A.—Primarily, it is for the welfare of the ex-servicemen of this district; secondarily for the affairs of our district also.

Q.—You are now taking part in the politics of your district also?

A.—Yes, to some extent.

Q.—You were engaged in war here?

A.—Yes.

Q.—How far from here was the fighting going on?

A.—It was about 90 miles from here that fighting went on, after Tiddim was occupied by the Japs.

Q.—What is the membership of your Association?

A.—It now numbers about 2,000.

Q.—All in Lushai Hills?

A.—Yes, expecting some more because release is going on.

Q.—You are expecting more?

A.—Yes.

Q.—You were always in the hills or in the plains while in service?

A.—Most of us were in India—i.e., in different parts of India. Some were in Burma.

Q.—What do you do now?

A.—We have gone back to our previous lives. Some are living in the villages, cultivating the land, and some of us who can get Government employment here—they are the lucky ones—do so, but there are not many of them. Employment is very limited.

Q.—Those who have gone to the war and are returning back to their lives now, they were cultivators before?

A.—Yes, most of them.

Q.—Have you any conception of what is going to happen to you in the future? Have you thought of it?

A.—Yes, we have thought of it, but it is difficult to say anything.

Q.—You must have known a lot about the world and known more than most other men.

A.—Considering the present situation in our country, it is difficult to say what is going to happen to us in the future.

Q.—There are certain things which at any rate should be clear to your mind, namely, that the British Government are not going to rule us any more and that we have got to rule ourselves.

A.—Yes, that much we know. But that does not mean that we are going to have independence before the British leave or whether we are going to have it after they have gone.

Q.—Obviously, you cannot have independence before they leave. We are told by the Britishers that they are going to leave us on or before June 1948. So we must be preparing ourselves for the sake of ruling ourselves. Have you got anything of a concrete nature to say?

A.—Yes, we have something to ask you. Unless and until we know something from you we cannot say anything.

H. P. M.: All I can say is that the Britishers have said that they are going away. Now, how do you propose to rule yourselves? That is the question.

A.—We want to ask one thing. That is concerning particularly the ex-servicemen. The British Government have reserved 50 per cent. vacancies in the Government service for the ex-servicemen. Now that is abolished. So, does that mean that whatever we have done for the Defence of India is forgotten and ignored?

H. P. M.: On the other hand it is to give opportunities to the ex-servicemen, as well as to the people that we decided like that. Now, for example, the New India will want possibly a new Army. The Britishers are going away. The British Army also will not therefore be here. There will be more opportunities. Assam is recruiting ex-servicemen. It is only in respect of certain civil services in which you require the highest skill that we wanted to make it equally applicable to all. As a matter of fact, so far as Assam is concerned, I suppose the abolition of that restriction was to the advantage of the service people because all people from Naga upwards were considered to be military and nobody who was serving in these areas was considered to be an ex-serviceman.

Mr. R. K. Ramadhyani: The chances of employment are now going to be greater.

The Hon'ble Mr. Bardoloi: Even today we are recruiting. We shall be glad to have some Lushai friends. It is not a very big army but a battalion. It may be two battalions later on. At present we are recruiting for one battalion. We have started recruiting.

Q.—That is a regular army, I suppose?

The Hon'ble Mr. Bardoloi: It is not a regular army. It is almost as good as a regular army, because the Provincial Governments are not expected to keep armies, they can only keep Armed Police Forces, but this is of almost the same strength and calibre as the Assam Rifles.

Sir B. N. Rau: Did you know about this?

A.—We did not know.

Sir B. N. Rau: You should apply to the Inspector-General of Police, Shillong.

Q.—(By the ex-serviceman). Now supposing the Britishers leave, India as you say is going to be independent.

The Hon'ble Mr. Bardoloi: I don't say that. The Britishers themselves say that.

Ex-service representative: Anyway that is our conception. So, do you honestly believe that so long as these communal differences continue, do you really believe that you can create a United India?

The Hon'ble Mr. Bardoloi: We are actually functioning on that basis. Sometimes on account of the presence of third parties you feel yourself weaker and you always feel that you want somebody else to support. Therefore when such changes take place, periods of anxiety will naturally follow and some differences are likely to arise. But these are questions which you are putting to me. The point is whether you are thinking anything about them yourself.

A.—Our point of view is all those questions—all those things—are difficult for anyone to suggest anything.

Witness: If India attains independence, then we also want independence. By independence I don't mean that we should be isolated. Suppose if we are going to have to manage only our local affairs, then there will be so many other subjects with which we will not be independent. On those subjects we will not be rulers.

Secretary: You will be sharing as one of the units of India. You will not be excluded. You will have as much right as anybody else.

Witness: What we are afraid now is, take the example of Kachar District. There, they were not excluded for a long time since and they were overwhelmed by the majorities.

The Hon'ble Rev. J. J. M. Nichols-Roy: The North Kachar Hills is an excluded area like yourself. There is no overwhelming there. No foreigners are allowed to enter into the Kachar Hills and take any lands but the lower part is populated by the Plains people.

Secretary: What safeguards do you want against that?

Witness: We want our lands to be safeguarded, our religion to be safeguarded, our community to be safeguarded. Taking into consideration all these subjects, it is very difficult to point which side you are

going to choose. If we are not independent, then there will be to a certain extent some mix-up.

Mr. Chairman: There cannot be any mix-up if constitutional safeguards are given to you. You cannot efface yourself out of existence on account of the existence of some people near about you. You can, of course, expect they should not be allowed to exploit you. All that you can demand is protection against encroachment into your rights and mode of living etc.

Witness: We must have some say in the matter in order to see that we have protection regarding certain matters which pertain to you and others. The two Lushai gentlemen are sitting here as Co-opted members. We had no say in the matter. They actually represent one party in the Lushai Hills.

Mr. Chairman: Nobody knew there was any other party. If there was any other party functioning, it was your duty to have let us know. So long as you have not exercised that right you shall always be like this. That is where I want you to take part in whichever thing concerns you.

Witness: Our present position must not be lowered. We want advancement. Take election. We are only 1½ lakhs. Will that be taken on a basis of proportion? If it is on the basis of proportion, we may come out one in thousand and whatever we have to say, that will be very weak. Whether we have the chance to say or not does not matter.

Mr. Chairman: That is the reason why as minority you shall have some protection. The Constituent Assembly in their Resolution has said that the Minorities will be protected, and that the Hills and Excluded areas shall be protected. All these are given.

Witness: It was said that Pandit Nehru has been trying to curtail the protection of minorities.

Mr. Chairman: I am sure you have misunderstood. If you are going to associate Pandit Nehru with the curtailment of the protection of minorities, your information is incorrect. Once more I will try to convince you that in the choice of the representatives who are sitting along with us for the purpose of enquiry is not at all our fault. To the world outside all that was known was that Mizo Union was working and that no other body was known to us. If it was known to us that there were other organizations, then surely we would have tried to associate them. Instead of sitting at home, you might as well have informed us.

Q.—Is it a fact that some branches of the services are not taking part in your Association?

Witness: We have a general assembly. Our association was formed in October after the General Demobilization. That was not recognized by the District Commander and again it was reformed and these four gentlemen were elected Executive Members of the Committee.

The Hon'ble Rev. J. J. M. Nichols-Roy: With what object this Association was formed?

Witness: In our opinion it is necessary to deal with politics. As Mizo ex-Servicemen we are as much concerned as others with what is going to happen and it is necessary for us to consider the matter as far as possible.

The Hon'ble Rev. J. J. M. Nichols-Roy: We understood that the Mizo Union has been formed purposely with the object of dealing with politics. We knew about it only from the papers and also there was communication with Pandit Nehru and others and with us in Assam. So we know only about them. Therefore we had to depend upon the Mizo Union to give us the information about this. No other party gave us any information.

Sir B. N. Rau: In what spheres do you want independence?

Witness: We have been in the army mixing with the Indians for 15 years and we were looked down upon. If such things happen, we don't like it.

Mr. A. V. Thakkar: On the other hand we learn that the Lushais are looked up to.

Witness: We have never considered the question of independence in Defence. Posts and Telegraphs we think that we can maintain ourselves but we have never thought of Railways.

Mr. Chairman: You don't want roads, and higher education? In all Rs. 10,000 a month is being spent from the Provincial Exchequer for your education. Do you think you can manage yourself without Provincial help?

Witness: Yes. We can do that. We have about 2,000 primary schools—that is more or less maintained by us.

Mr. Chairman: You do not possibly know that the Provincial Government pays about Rs. 10,000. If you are independent you will not get that help. Independence in certain matters but relationship in other matters in which you shall also have say—have you thought over these matters? If you want to maintain that road, you want money. Education—the High School is not the final end of education—there are technical studies like Engineering, etc.

Witness: In our opinion we think that we can maintain our education and P. & T. That we discussed. We are not quite sure about defence and communication.

REPRESENTATIVES OF THE CHIEFS

1. Mr. Lalsailova.
2. Mr. Khawkung.
3. Mr. Awksarala.
4. Mr. Sena.
5. Mr. Aichhuma.
6. Mr. Kailuia.

The Hon'ble Mr. Bardoloi: We have not come here with any set ideas. We have come here to listen to your hopes and aspirations. You must have heard that the Prime Minister of England has announced that they are going to quit India and leave all their powers to Indians—and that, not later than June 1948. It is their desire—and our desire—that we must be ready to manage our own affairs when they are gone. The Constituent Assembly that is sitting from time to time in Delhi are thinking out the ways and means by which we can take over this power. We are a body appointed by the Constituent Assembly. We have been asked to come and meet you and to know your wishes and desires as to how you propose to govern yourself in future. Lushai Hills is only a part of India and therefore so far as Lushai Hills administration is concerned, it is for the Lushai Hills people to say what they feel about the future. There are, however, one or two things about which you should know. One of it is the scope of our enquiry. Some of our friends who came just now said—although their opinion was not clear to us—that they should be completely independent and isolated excepting in matters of Defence and Communications. But the main function of this Committee is to see how your interests can be protected according to your wishes and how you can be related to India and the Province. I will give you an instance. For example, your present education in these Hills is only to the high school standard. But definitely if you want to have higher education then you have got to depend on other places and other institutions. Similarly, in the case of road communication. You have got to depend on some agency other than the area in which the Lushai Hills are. Both in regard to Lushai Hills and the people themselves you can leave it to somebody or you can surely, if you want, have a say in that matter. We want to know your opinion and your wishes in regard to this matter. We shall be grateful to you if you will speak unreservedly and open your mind to us.

A.—We are going to have a discussion tomorrow morning in the District Conference where our chiefs will have a say. They are well represented in the Conference and the opinion of that Conference will be the opinion of the Chiefs. I think what they want to impress upon you now is that they were there even before the British came. They were Chiefs and they are still Chiefs and naturally in the new Lushai administration they should like to be allowed to go on as heretofore with some necessary modifications.

The Hon'ble Rev. J. J. M. Nichols-Roy: How many Chiefs were there?

A.—I don't quite remember. There were a few—say 40 to 50.

Q.—How many are there now?

A.—360 in the whole district.

Q.—How did 50 go up to 360?

A.—It happens like this. A chief having several sons sets up his sons in separate villages. They divide the villages among themselves.

Q.—Were they not appointed by the British?

A.—No. They were Chiefs before the British came and of course, the British let them rule the country. But there was no restriction to divide the land between the sons. The eldest son when he comes up is set up in one village and the second, if there is sufficient land, is set up in another village and then also the Government gives some lands to some Government servants in recognition of their services to Government and they become Chiefs.

Q.—The Chiefs were not elected by the people?

A.—No.

Sir B. N. Rau: What power have these Chiefs?

A.—They are responsible for the administration in the villages. They decide petty disputes according to Lushai customs. They try almost all cases except big cases which have to be reported to Government.

Q.—Do they get any payment?

A.—The Chief is paid partly for his work by way of paddy. It is partly for his work as administrator and partly for the land he divides.

The Hon'ble Mr. Bardoloi: What administrative work does he do?

A.—He tries petty cases. He collects the house-tax for Government. They get no remuneration for that from the Government. Previously they got 10 per cent. of the house-tax, but that was abolished years ago. Now they don't get anything.

Sir B. N. Rau: The Chiefs want this system to go on for ever? They want to go on administering justice and collecting taxes for all time?

A.—Yes, that is what they want at present.

Q.—Can a Chief be removed by the Superintendent?

A.—Yes.

Q.—Do they want that also for all time?

A.—They don't want to be removable by the Superintendent.

Q.—Do they want to have the Superintendent kept on for all time?

A.—No.

Q.—What is the system of administration they would like?

A.—They have not thought about that. They will consider this point tomorrow.

Q.—Who is to control the Chiefs or do they want to be under no control?

A.—There should be a District Council and the Chiefs should be under the District Council. The Chiefs are really a sort of village headmen. They are responsible for dividing the land among villagers and for the local administration.

The Hon'ble Mr. Bardoloi: Would the Chiefs have any objection to being elected? There is some discontent among the people today about the hereditary nature of Chiefhood. Is it not?

A.—There is no discontent among the villagers.

Mr. A. V. Thakkar: When a Chief dies and when he has got four or five sons, do they become Chiefs?

A.—Only one becomes.

Q.—Then, during the course of the last 50 years the number of Chiefs has become seven times more. How is it?

A.—This rule was introduced only a few years ago that when a Chief dies he should be succeeded by his eldest son. Previously, the Chief could set up any number of sons in separate villages as Chiefs if he has sufficient lands to make a village.

Q.—So there is now no chance of the number of Chiefs, which is at present about 360, being increased?

A.—Yes, there is no chance.

Q.—Would you agree to the reduction of the number?

A.—There will be trouble if the number of Chiefs is reduced at present drastically.

Q.—You mean it should be proceeded with by slow degrees?

A.—(No answer).

The Hon'ble Mr. Bardoloi: Besides paying to the Chiefs the Mizo cultivators have also to pay tax to Government?

A.—House-tax we call it.

Q.—Is it uniform house-tax?

A.—Yes: Rs. 2 per year.

Q.—What is the average quantity of paddy they pay the Chief?

A.—Six kerosene oil tins. The quantity is the same in the south and north Lushai Hills. But the price varies from year to year and from village to village. It may be Re. 1 per tin.

Q.—Could you tell me if from the money they collect from the people they make any return to them in the form of public works, public amenities like schools or dispensaries or anything like that?

A.—No. They give to the poor people sometimes. It is a sort of pay for the administration of the country.

Q.—Supposing the Government—I mean the Superintendent—instead of allowing this paddy to be given to the Chiefs—makes a money-payment in lieu of that paddy, will that satisfy the Chiefs?

A.—They also pay in cash. If land is not yielding sufficient paddy, the villager pays in cash Rs. 2. If he has not got sufficient paddy, if he thinks that he will not be able to support himself round the whole year, he goes to the Chief and says: "Look here, I have no paddy. Please accept Rs. 2."

The Hon'ble Mr. Bardoloi: What are the duties which these Chiefs perform?

A.—In the first place, he settles disputes of a minor nature.

Q.—By what means?

A.—He is assisted by Elders.

Q.—Do they get anything?

A.—No. They don't get anything except exemption from 'imprest labour' from Government for the help they give to the Chief who is an agent of the Government.

Q.—Secondly, they distribute the land?

A.—Yes.

Q.—Have they got to do it every year? Is 'jhuming' done every year?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols-Roy: You said just now that the Chiefs should be under a District Council. That means an elected Council?

A.—I think so. When the Lushais take over the administration, those people would have to be elected.

Q.—They are willing to be dealt with by the District Council?

A.—Yes.

The Hon'ble Mr. Bardoloi: My point is that supposing instead of allowing the Chiefs to get the paddy directly from the cultivators, the Superintendent for example gives a fixed pay, will that satisfy them?

A.—That depends on the pay they get.

Q.—What is the average income that you get in terms of rupees just at present?

A.—It would be difficult to say.

The Hon'ble Mr. Bardoloi: You know there is an organisation known as the Mizo Union?

A.—Yes.

Q.—Are there any people among you also in the Union?

A.—There are chiefs in the Mizo Union.

Q.—Supposing the District Council is over the Chiefs, are they willing to be dealt with by the District Council if the decision of the Council is against them?

The Hon'ble Rev. J. J. M. Nichols-Roy: Are the Chiefs willing to abide by the verdict of the District Councils?

Witness: Yes. If the District Council is properly constituted by election of the people.

Q.—Do you understand it will have to be elected by the people by adult franchise?

A.—I think they are thinking of the present District Conference where the Chiefs have some weightage.

Mr. Kailuia (in reply to a question whether he held the view that Lushai Hills should not be in the province): We are at present in Assam. There is no reason why we should not continue to be in Assam in the future. I am Assistant Superintendent, Lungleh. I hope to be Chief some day. I am the son of a Chief.

(Interview terminated).

Mizo Union Representatives :

Mr. Vanthuama	}	I
Mr. Dengthuama		
Mr. Lalbuaia		
Mr. R. Vanlawma	}	
Mr. Pachhuanga		
Mr. Zairema		

The two groups shown above had different opinions and Group **II** seemed to partially support the District Conference.

The Committee interviewed the representatives of the Mizo Union at 4-30 P.M. on the 18th April 1947.

Mr. Chairman: You have possibly seen a copy of our questionnaire. We want your views on that. We want to know your views regarding the future. We have already said in the note what the position has come to and how we have got to adjust ourselves to this great change that is coming from 1948 June. Unless we adjust the whole thing from now, we shall be in a bad plight and therefore it is time that we consider about it. The Constituent Assembly appointed a Committee and as members of the Advisory body set up by the Constituent Assembly we have come here to get your views.

Mr. Vanlawma: We will be able to give our memorandum in a few weeks time. Our party feel that this District Conference should be the one body which will have the final opinion. Our opinion is only personal. Our view about the District Council is there should be 20 General seats and 5 Chiefs' representatives in the Council, 2 from Aijal, 1 from North and 1 from South totalling 30. There should be adult franchise. In some cases the use of adult franchise will mean that the tribes which is smallest in number will have their representative and it may mean domination of one by another and in my opinion grouping is the only remedy. A group of 10 houses shall elect one of the representatives and that election has to be done by the house by adult franchise.

Mr. Chairman: It means that the present District Council or Conference has not been a final affair?

A.—The Union is to make a constitution for Lushai District and it wants this Conference to accept that constitution and this Conference is the only body entitled to finalize this question.

Mr. Dengthuama: Our Superintendent has formed the District Conference but the Conference does not really represent the country because the seats are exactly equal from the Commoners and the Chiefs. We are afraid a lot of danger will arise upon that basis. Only 300 Chiefs should have 20 seats and more than 1½ lakhs of people having the same number of seats is a definite injustice. So we cannot participate in that election. On the 5th April we met and we resolved that we cannot participate.

The Hon'ble Rev. J. J. M. Nichols-Roy: In the future constitution of the Lushai Hills do you have an idea that there should be a Council that will be elected by the people and do you want to bring in a few of the Chiefs as suggested?

A.—We have an idea but not finalized. These hills should be divided into 20 circles as now by the Government and from each circle one representative the best man—may be Chief or Commoner—should be taken. Thus 20 will come out and from Aijal 2, from Lungleh 1, North 1 and South 1. It comes to 25 and then a special seat has been considered for the Chief. That should be considered with our President and the President of South Lushai Hills.

Mr. Páchuanga: The first Conference was boycotted for that reason. There is another reason for supporting this Conference. There is this talk of removing Chin Hills Regulation. I had a meeting with the Governor of Assam and after I returned from that meeting there was a meeting of the Mizo Union Councillors where we agreed that we should support this Conference. We decided that let this Conference stand for a time and that in this Conference we shall have our representatives and we shall ask them to accept this Constitution.

Mr. Zairema: We want to have local autonomy for the administration of Lushai Hills. It was proposed, but it has not been finalised. There should be some concurrent subjects. For the administration of the Lushai Hill district there should be an elected National Council.

Sir B. N. Rau: In what respects do you want that your District Council should exercise its autonomy?

A.—(1) Territorial unity and solidarity of the whole Mizo population to be known henceforth as Mizo and Mizorum for Lushai Hills retaining the sole proprietary rights over the land.

(2) Full self-determination within the province of Assam.

(a) with a National Council having the supreme legislative and executive authority within the district, the composition and functions of which to be decided by rules;

(b) any concurrent subjects in which the district may be connected with the Province shall be made by negotiations with the National Council and any legislation may be applied to the district only with the sanction of the National Council and willing consent of the provincial legislature.

(3) Special financial provision by the Centre from year to year until the Mizo people assert they are able to maintain their territorial integrity and self-determination without these financial provisions.

(4) For these it is understood that the democratic system of government in its purest form shall at the very outset be introduced.

The Hon'ble Mr. Bardoloi: This is what you have got to say regarding your future?

A.—Yes.

Q.—Is your opinion also the same individually?

Mr. Vanthuama: Not exactly my personal view. I agree as far as the District Council but not the representation of the constituency. As for the future position, my personal view is that so long as we are economically backward we should proceed under the guidance of the Centre. (But we still have a right to secede from the Indian Union within ten years or so.)

Q.—You want to remain in the Union only to get money out of the Indian Union.

A.—(Nil).

Q.—What will hapen after ten years?

A.—We may cut away or join

Q.—Do you know how your district is at present financed?

A.—We know that about 7 lakhs of rupees is given by the Assam Government.

Q.—So that, the Assam Government will be paying these 7 lakhs of rupees in order that you may secede later?

A.—We are distinct in culture.

Q.—The day you assert isolation, you should be able to manage for yourself.

A.—My personal view is that we must have the right to choose.

Q.—You want the right to choose in every way, but you want somebody to be paying you. Both these things are not perfectly consistent for both the parties.

A.—We know that we cannot support ourselves at present. But we must look to the position of our country.

Q.—You have got some idea of what the Council will be? Will it be more expensive or cheaper?

A.—(Nil).

Q.—You want the Council to raise money for your administration?

A.—Yes.

Q.—If you want to secede later and stay in the Union merely for your convenience, what is there to prevent you from seceding now?

A.—We don't wish to go away from India, but we do not know what the Indian Government will do to us in the future. So far we have been getting protection.

The Hon'ble Mr. Bardoloi: Are you in favour of the British Government?

A.—We don't say that.

Q.—But do you in your heart of hearts want that?

A.—No.

Q.—Do you want to be in the same position with the Indian Government? Instead of Mr. MacDonald there may be Vanthuama or somebody else. Do you want that or not?

A.—No.

Q.—If you don't want that, the other course in democratic institution. If it is to be a democratic institution, do you want to have any share or not in the democratic institutions of the Assam Government or not? These are questions which you will have to answer.

A.—(Nil).

The Hon'ble Mr. Bardoloi: We are unable to discuss the position in which you say that you would like to be independent and would like to manage your own affairs. We are limited by the terms of reference to consider what should be your place in India and in the Province. So long as your country is being administered by the Province, it may be by the Governor in his special responsibility. When the British Governor goes an Indian Governor may come. It may be responsibility of the new governor, who may be an elected person from the plains.

That is the perspective in which you will have to look at the thing. You have every right to think in terms of isolation, but that is something we are not in a position to enquire or even to give any advice upon. All we can enquire into is your hopes and aspirations in relation to your place in the Province or your place in India. The memorandum we have circulated furnishes some of those points for discussion. But your talks seem to me not to furnish any meeting ground.

Mr. Zairema: We want to control immigration and land tenure; also administration of justice.

The Hon'ble Mr. Bardoloi: Why can you not have the same thing in the Province just as it is today?, For example, in the Excluded Areas no outsider can come now.

Mr. Zairema: Our power is still in the hands of the Superintendent now and in the future it should be under the Mizo.

The Hon'ble Mr. Bardoloi: That can come more appropriately with some understanding with your neighbour. Supposing a powerful neighbour is there. Supposing he is aggressive. The Mizo Union shall not have the power to defend the country. That is the logical consequence of thinking that you shall be free to allow people to come in or not. Therefore, you have to think in such terms by which you will have sufficient power for yourself, by which you can prevent a powerful neighbour from coming to your place or you must have some relationship with your neighbour by which you can have an arrangement that outsiders do not come to your territory.

The Hon'ble Rev. J. J. M. Nichols-Roy: In the constitution of Assam for the future, there will be a provision that nobody will come and exploit your land without permission, and the permission may be given with your agreement. There will be provisions like that. The only point is this, if you are thinking seriously about being connected with Assam and that your land should be protected, it can be done through putting in some provisions in the constitution of Assam for this purpose. But if you are thinking alone by yourself, then Assam will not help you.

The Hon'ble Mr. Bardoloi: Many people may fall upon you. Burma may occupy you. Think in terms of independent Mizo country and then you can see things very well. Don't assume things as they are. When you are entirely free and independent, so many things you have got to think of. Education, communication, Posts and Telegraphs, etc. When you find that situation, think whether you can come to the conclusion that with 2 lakhs of people—or even 5 lakhs or even 10 or 20 or 30 lakhs—if you can come to the conclusion that you can stand isolated. In the world of today, Assam with a population of over a crore has not been able to conceive of independence for Assam at all. If there is a hostile neighbour in Bengal, we cannot think of security in Assam. This is the way in which we have got to think.

A.—We shall be in the Indian Union. But we don't know what is going to happen.

Q.—So don't we. I have to tell the Government of India that if Bengal comes and invades me, I am prepared to pay whatever the cost of the protection may be.

A.—Even if we are within the Indian Union you have got to protect us.

The Hon'ble Mr. Bardoloi: The Indian Union will protect you. You say you want the Assam Rifles here. Then you say that your most important point is the protection of your land and control of immigration. Are there any other subjects in which you think you require protection?

A.—I think communications will be in the hands of the Central Government. We have to join the Indian Union. We cannot be completely independent. But outside those Union subjects

Q.—You mean you will join the Indian Union within Assam?

A.—I think we will join the Indian Union through Assam. But as we have already said,—“It is all the more important that the Mizos should be given special financial provision while allowing them their territorial integrity.” In other words, the Centre shall grant special financial provision from year to year for the purpose of development of the country, while we join autonomous Assam through the legislature with adequate representation and also we should be eligible to the Provincial service without any discrimination.

The Hon'ble Mr. Bardoloi: That is a position that can be accepted as reasonable. If you want, I can put matters simply: The first thing is, you want protection of your land and you don't want other people to come and occupy your land. It may be your point of view that it is you who will do it yourself. But you can very well see the want of logic in that. Do you want higher education? Do you want communications? Do you want better medical relief? If you want these, then you know that with the money you have at present you cannot have them. Therefore when you think of these, you shall have to think of joining yourself to some people, to some government. It may be the Government of India. It may be the Provincial Government. The next question is whether you should leave it to the Provincial Government to do it and be entirely at their mercy. For example, if they don't find money they may not give you anything. So the question is whether you want to have some share in the administration, whether you want to have some say in the matter. You can say, for instance, that “My people are suffering in this manner. You have got to find some money for them.” In that case, you can go to the Provincial legislature and raise your voice.

Mr. Dengthuama: We need special help from the Centre and that help will come from the Centre. Besides that we will be our own masters and regarding migration, as we are still backward, the number of people who are going to settle in Mizo, that will be decided by the National Council of the Mizos.

Mr. Chairman: When you are fully developed, your District Council can take that decision. Till then some intermediary should be found out.

Mr. Pachhuanga: Can the District Council prevent migration from the plains?

Mr. Chairman: You must have the power to say that if you are doing in collaboration with some person, if you are doing it as a matter of certain power being given to another party by which it will be made possible.

Mr. Pachhuanga: If we join the Indian Union now there may be difficulties afterwards. In that respect the main danger to the Lushai public is the coming of the foreigners inside the country.

Mr. Chairman: Do you agree that there has been no such thing now?

Mr. Pachhuanga: I agree but how far can it be preserved?

Mr. Chairman: Do you agree that it has been preserved till now to a certain extent. If the same rules continue what objection you will have?

A.—Yes. For this reason we don't like to be bound completely under the Provincial subjects. We are thoroughly afraid that under the provincial subjects we may not be able to preserve our rights and interests. We would like to go to Central Government.

Mr. Chairman: Central Government will not administer.

Sir B. N. Rau: No area could be treated as an Excluded area. You want to join the Indian Union so far as Defence, External Affairs and Communications are concerned. The question is about other subjects. You will probably realise as regards some of the other subjects you may have to have common interests with other parts of Assam. You may want money from other parts of Assam for your needs here. Certain number of concurrent subjects are inevitable. For other subjects you want internal autonomy. On these you are agreed. By communication I mean really Railways, airways, provincial highways, etc. Then which subjects should be connected with the Province of Assam and which should be left completely to you is for negotiation or discussion. So far as concurrent subjects are concerned you must have representatives in the Assam Legislature. As regards other subjects, you want complete internal autonomy to be governed by a kind of National Council. These are not very difficult to arrange provided we know which are the subjects in respect of which you want complete autonomy and which are the subjects you wish to have in common with Assam.

A.—We want time to answer these. When you come back from the Constituent Assembly we shall be ready to discuss.

The Hon'ble Rev. J. J. M. Nichols-Roy: The New Council which you may have will be quite different from what you have now. The members will be elected by adult franchise.

Mr. Chairman: In my opinion adult franchise should be adopted immediately.

Mr. Dengthuma: Yes.

Mr. Pachhuanga: You have to be very careful about giving adult franchise.

There are different tribes and in the case of adult franchise larger tribes will be exploited by smaller tribes. There are some tribes like Lusei, Hnar, Ralte, Paithe, Zo, Darlaung, Kawm, etc.

The Hon'ble Rev. J. J. M. Nichols-Roy: Now you have 10 houses to elect one. You cannot have all these men to represent all men. Supposing he is an elector, he can elect anybody.

Secretary: What about your representation in the Provincial Legislatures?

Mr. Dengthuama: The constituency will be made afterwards. I don't know whether there can be any special protection regarding number of legislative representation.

Mr. Pachhuanga: It is the general feeling that there should be representation in the Provincial Legislatures.

Mr. Dengthuama: When this Advisory Committee was proposed the British Government said it could co-opt men who are not members in the Constituent Assembly itself.

Mr. Chairman: We had one allotted for Assam. The number had to be limited.

Mr. Dengthuama: The position of Lushai Hills in the Sub-Committee has been neglected.

Mr. Chairman: It is beyond remedy at the present stage. I told you, instead of giving it to the Naga Hills we might have given to the Lushai Hills. We thought the Nagas represented a number of tribes. We had reasons also for preferring a Naga member to be in the Sub-Committee.

Mr. Dengthuama: I would like to bring it to notice that the Constituent Assembly itself made a mistake in making the allotment to the Advisory Committee.

(The Committee then adjourned to meet at 10 A.M. on the 19th April 1947.)

The Excluded Areas Committee examined Mr. MacDonald, Superintendent, Aijal, at 9-45 A.M. on 19th April 1947.

Mr. Chairman: I would like to know your reactions about the questions given in the pamphlet. Do you think that Lushai Hills separated from Assam or from India would have a separate existence of its own and would lead a normal civilized life?

Superintendent: They might join Burma. They get on balance probably Rs. 4½ lakhs a year from the Government of India and Assam

and it will be very difficult for them to get on without seriously lowering their standard of living. For improvement they would require more money than is being spent now.

Mr. Chairman: What is the actual revenue derived from the District?

Superintendent: For the three years 1943 to 1946 the receipts were nearly Rs. 6 lakhs from the District itself. Including the cost of Assam Rifles, they spent for that period Rs. 37 lakhs or average of 5 lakhs. Since the High Schools have been started, the deficit is bigger. This includes my pay also. There is no other All-India official. The cost of Assam Rifles is about Rs. 6.3 lakhs every year. Rs. 37 lakhs is the expenditure for 3 years. Of that 19 lakhs is for the Assam Rifles. Difference is Rs. 18 lakhs for 3 years. The average deficit is Rs. 4 lakhs a year.

Mr. Chairman: What is the relationship of Assam Rifles with the administration of this District? Is it necessary that the Assam Rifles should be kept as part of the administration of the Lushai Hills?

Superintendent: At present the Assam Rifles is keeping order in Sylhet and Silchar. In my opinion there is no necessity for the whole battalion. Some are necessary of course. The Government must have a Force, of say 150 men. That includes Treasury Guards and things like that here and at Lungleh. At present they guard the Treasury at Lungleh as well. There is no armed Police here.

Mr. Chairman: Is there no other Police Force?

Superintendent: Yes. There is—unarmed, just for Aijal town and other towns, mostly for dealing with foreigners and foreign customs.

Mr. Chairman: Can you give us a little detail about the administration of the Lushai Hills from the point of view of the necessity for higher type of service and such service which can be locally furnished e.g., you belong to the Indian Civil Service. I don't know whether you have any Indian Police Service person.

A.—No. I am in charge of Police as well. I think all local affairs here ought to be managed by a Constitutional body elected by the District and that they should have their own officers appointed by themselves for the purpose.

Q.—Do you think that the whole thing could be managed by them including executive functions necessary for the administration of the District?

A.—I will not guarantee that it could be done.

Q.—Are you prepared to agree that it will take sometime before it could be done?

A.—Not very long—It depends on the amount of resistance mostly from outside districts obstructing the constitutional progress in this district.

Q.—Your opinion is that the whole district could be immediately managed by a sort of District Council?

A.—Provided that there is no interference from outside by bodies that are too powerful.

Q.—Are there any subjects which you would exclude from the scope of the Council? Do you consider they could manage all subjects?

A.—I don't think they ought to be allowed to wage war. That should come under the scope of the Central Government if there is one.

Q.—Would you think that high judicial matters, *e.g.*, sentences of death could be left to the District Council?

A.—I do. I think they should be. The whole judicial administration should be in the hands of the local body including cases of murder and all that.

Q.—Do you think also that communication which of course means rail connection with plains outside the area could also be adequately left with the people?

A.—This end of them should be left with them.

Q.—There is a deficit of 4 lakhs. Apparently if the district is made over to them what about the deficit?

A.—I wrote a letter in this connection. I tried to put myself in your place. I said let me put myself in the place of an Assam statesman of the immediate post British period and I said that he is well informed about the Lushai Hills. He might think of a solution like this:

“Here is Mizoram over 8,000 sq. miles with a population of 2 lakhs. They are completely different from us in race, religion, laws and land tenure and we have to face the reality that they wish to remain so and are terrified of being engulfed by us. Historically they never belonged to Assam, or to India, but were simply conquered from Indian bases by British Imperialists. So far they have been separately ruled outside our control and we had only to pay so much a year as the District deficit. It is not a very vast sum—only Rs. 3 or 4 lakhs. What are we going to do about it now. We could withdraw all we have there, stop paying anything and let the Mizos depend on themselves. After all, there is nothing much in the country that we want. But what will happen if we clear out? One of these things. The Mizos might throw themselves into the arms of Burma where most of their kindred live. We must remember that Indians and Burmese are none too friendly with each other and that the Burmese occupation of Mizo would be exceedingly awkward and might create unpleasantness. If the Burmese also refuse to undertake the burden, the Mizos, from sheer poverty would relapse into savagery. We should then be back in the position of 60 years ago except that the Mizos are much more formidable and better armed now than they were then, and they will begin robbing and blackmail all along the border. To take punitive measures will be very expensive. It will be much cheaper even in mere terms of cash to pay the District deficit. What about treating this like any other District? Our laws are not suitable for them and our legislators know nothing about them or their problems, like land tenure etc. Who is going to rule the District and under what law? If there is rebellion, and mark you one third of the soldiers of the Assam Regiment are from this District and most of the rest are hill men who would sympathise with them on this issue, and even if we win, what is the point? It will still be a deficit district and

we shall have to pay for it. Why not go on with the British system? Keep them separate under an autocratic officer whom we should appoint. — For one thing, we have to find an officer. It is no good sending a crook. He might be murdered and a rebellion started. It is no good sending a lazy man or a weak man. Anyone with children will find it very difficult. Anyone not willing will regard it as a punishment. Can you spare an officer of the right type? The Mizos will use the catchwords foreign domination etc. There will be friends in our own opposition who will want to embroil it for them. The British can get away with it but we cannot and still we, the Assam Province, would have to pay the deficit.

Surely the best thing is simply to give the Mizos the money they need on conditions which would safeguard us. They would be grateful to us and be friendly. We will tell them you will govern yourselves in accordance with this Constitution which we approve. You will make and administer your own laws, levy your own taxes. You will be governed by us in your foreign relations with Burma and every other country. We may make any decision about levy of customs on Indo-Burma trade passing through Mizoram and above prohibitive trade in things like opium etc. You will maintain peace and good order within Mizoram and prevent Mizos from committing crimes across the border. You will immediately arrest and hand over any non-Mizo if wanted by us. You will not maintain more arms or armed forces than the following which we deem sufficient for your internal security and for carrying out your responsibility under these conditions. You will permit access and all facilities for any officer we may send charged with the duty of ensuring the observance of these conditions. We will pay you on these conditions an annual subsidy of Rs. to be credited to your budget. Any breach of these conditions will be followed by immediate cessation of subsidy.

Secretary: This sounds like a North-West Frontier Tribal agreement.

Witness: Certainly not, if I may say so. I served for 16 months in Waziristan. The allowances are paid to people who have practically no control over the people. In Waziristan there is no constitution, no Government, no public service and no organization of any sort. They fight each other and murder each other.

Mr. Chairman: There are certain lacunae which you have left in your note. If supposing there was an officer as you consider fit, do you think that the Government of India or Assam could maintain the *status quo* here?

A.—Yes, with a suitable officer. They could have great difficulty. It will be next to impossible, because they are already committed to all this policy.

Q.—Do you think it is impossible for an officer like you to manage these Hills even on behalf of the Government of Assam?

A.—If you find such an officer, he might for a short time. But your logical position is so weak that the people would discover it very quickly. After all you are not Imperialists. We are.

Mr. Chairman: Your argument seems to be that one would have to pay blood money for keeping the Mizos satisfied.

A.—My proposal is you should pay money to buy friends.

Q.—You don't consider that to maintain relationship we should pay more money?

A.—If you pay more money to buy friends, that is the best. That is my proposal.

Q.—Don't you think there are certain things which must be common between the Mizoram and other parts of Assam like communication, higher education and things of that kind. Don't you think they would like to have more doctors?

A.—Of course, they are also human beings; but you are not going to exclude them from your schools simply because you are paying something to their Government.

Q.—Do you expect that these facilities should be given by the Government of Assam or Government of India beyond what is paid by the Government of India in the shape of subsidy?

A.—To admit them into your schools does not cost you much.

Q.—I agree that you are very anxious about the maintenance of their land tenure.

A.—That is vital.

Q.—Don't you agree also that improved type of agriculture when taught to the Mizos might bring about better prosperity to them than now?

A.—We are doing best to teach them improved agriculture with the money available. But the system is not a good one. The system adopted by the Provincial Government to teach agriculture to the Hill tribes is a distasteful one. I have made a proposal about that. I don't know the result.

Q.—But then if you want to do it, you will require more money?

A.—I think we will do a great deal better than those who have money; and if we have more money we can do with that more money much better.

Q.—You may not necessarily require more money for better things.

A.—Of course, everybody wants more money for better things.

The Hon'ble Rev. J. J. M. Nichols-Roy: I want to know definitely whether your proposal is that there should be a District Council and that that District Council should be elected on democratic principles?

A.—Yes.

Q.—You agree that the District Council should have power also to impose taxes itself upon the people, if need be, for the administration?

A.—Yes.

Q.—Do you propose also that that District Council may appoint a judiciary to decide all the cases inside the Mizoram?

A.—No. My proposal was a little different from that. Judiciary

system—yes, if possible. But I don't want to concern myself with the business of making the constitution. My proposed draft constitution which I sent to the Governor I have not yet had an opportunity to discuss with the elected representatives of the district. That constitution implied that the Council would be elected and the Ministers or whatever you may like to call them would be elected separately from the Council.

Q.—That is a matter of detail. I am speaking about the powers. Powers should be given to the people. The question is whether they can appoint a judiciary or not and whether that judiciary will be the final authority on cases arising in Mizoram.

A.—Yes. There might be permanent officers not elected but appointed by the Government of the place. I mean the District Government.

Q.—I want also to know whether it is your idea that in matters of judicial administration and also administrative functions that the Mizos should have complete control of their own affairs?

A.—Yes.

Q.—Then do you agree that in connection with the Province of Assam they should be connected in matters of education, technical education and communications?

A.—What do you mean by "connected"?

Q.—That means they should go to the same school, same college.

A.—They would be entitled to do so.

Q.—The rules which govern the colleges will also affect the Mizo people who are over there?

A.—I should prefer the local Mizo school to be under their own control.

Q.—What about the colleges? Higher education, technical education?

A.—It is a small thing, of course. 2 lakhs of people cannot produce a university. The individuals can therefore go and can join any school they like in the plains—in Shillong or anywhere as at present.

The Hon'ble Mr. Bardoloi: You don't want that they should have any effective voice whatsoever in the administration of education or communications but that they will get them as a matter of right?

A.—What voice can they expect?

Q.—Supposing the Mizo boys want to read in some college in Assam; and if the college wants to drive the Mizos, they would have no voice to say that they should not be driven out.

A.—Well, again, what voice can they expect?

Q.—They can expect an effective voice if they had a voice in the Government of Assam?

A.—In what way?

Q.—It is difficult to say what would be the number, but whatever the representation, they would have a voice. They will not be able to do anything if they don't go to the legislature.

A.—What time will there ever be for discussing Mizo affairs?

Q.—Supposing there are arrangements whereby Mizo affairs as well as Khasi Hill affairs are made possible to be discussed, would you agree that they should have some voice in the legislature?

A.—Very good. Yes. They will be very pleased and I don't say that that would do them any harm. But I am not at all certain whether they should join the Assembly or not. It is a matter largely of difference of opinion because in their opinion, at any rate, they will have no effective voice.

Q.—For that matter, who has the effective voice? Different parts combine together as a whole and the parts think independently. It is always like that. They work together for the whole.

(There was some further discussion regarding the Mizo Union and the co-opted members before the interview was terminated).

The Committee interviewed the following more representatives of the Members of the Women's Union on the 19th April, 1947:

Mrs. K. Kawtinkhuma.

Mrs. Lalnghinga.

Miss Kapthludii.

Chairman: From what place do you come?

Witness: We come from North Lushai Hills. Our Union was first established on the 6th July 1946 at Aijal with the main object of improving the welfare of women in all affairs of life. In the town there are 300 members and 90 in the rural areas. We think that the general principle of administration now applied to our district is not suitable for the progress of the people and that some of the customary laws in respect of women are not good for their improvement. With this object in view our Association has been started and we place ourselves in line with other bodies who are struggling for the liberty and freedom in the widest sense.

Q.—Do girls go to school just as much as boys?

A.—No. Because all the girls have to help their mothers at home. Of the men here 1/3rd can read and write and of the women about 1/15th only can read and write.

Q.—In the future constitution what privileges you want for women?

A.—Women should have as much right as men in voting. We want women's seat also in the District Council. We would like at least 2 or 3 seats in a council of 40.

Q.—It has been proposed that a certain number of householders should elect an elector and then only electors should vote for the members of the District Council. If that is done, will the women be able to vote?

A.—Only the men will be the voters. We don't like that system. We want adult franchise i.e., every man or woman more than 18, should have the right of vote and we would like at least 2 or 3 members of the Council to be women out of 40.

Q.—What right of inheritance have you at present? Does the daughter get any share in the father's property?

A.—No father's property. Mother's property, some. A little share only which is given at the time of marriage. If a father dies leaving 3 sons, the property goes to the youngest. But the Superintendent has got the power to distribute departing from the custom. We don't like this custom. We want the mother to inherit so long as she is alive. If there is no male issue, then the property should go to the daughters after her death.

Q.—Is there any matter which you like to bring to our notice?

A.—We want female education. We want special protection for female education in subjects like medical etc. Some girls have been to colleges but due to want of money, they had to leave. They want scholarships. They applied to the Superintendent but did not get. So long as we are backward we should be protected from the inroads of foreigners. We will be agreeable to that protection being given by the Government of Assam. The protection we need is without the consent of the local council nobody should get land and our customs should be protected. According to the present law we can't get any money but sometimes the Superintendent may decide in favour of a daughter. We want that man and woman should get equal share.

Q.—Do you think if the District Conference is duly elected by the people that they would be willing to change these customary laws regarding inheritance?

A.—We don't think so because the Chiefs are opposed to this.

Q.—Suppose a new council is selected by the people not with the Chiefs and with women in it, do you think that these customary laws regarding inheritance could be changed?

A.—Some men will be willing. But they will be in a minority.

Q.—Then you should fight that more women should be in the Council?

A.—Even if we want to send more members to the Council the men may be opposed to it. Even if the law is passed in the Council, at home the husbands will take the money!

(The interview terminated.)

The Committee interviewed the representatives of the Salvation Army named below on 19th April 1947.

1. Brig. Kawlkhuma.

2. Adjutant Ngurliana.

Witness: On behalf of the Salvation Army in Lushai Hills, we extend a hearty welcome to the Sub-Committee members.

Q.—You must be doing a lot of school teaching.

A.—We started our work in 1917—some 30 years back but the local Government did not allow us because of other Missions. In

many villages there are no schools but we are not allowed to start schools. That is our Chief problem and greatest disadvantage. Government do not allow us because the other Mission first started and so they want them to continue. We want freedom to open educational institutions and such institutions should be recognized by the Assam Government. We have got more than 5,000 members and the other Missions about a lakh. We are 15 years late in the field. There is no Hindu, Muslim or Buddhist Mission here. The Superintendent of the Lushai Hills grants or withdraws permission for even teaching facilities. If I start a private school in the village, the trouble is the Missions are not allowing us to conduct examination. We cannot give pass certificates. We have Sunday Schools. We want to start schools and also want grants like the Mission from the Government. We want the grants to be distributed to all the Schools. We are working both in the North and South. We have a branch in Lungleh. We have two Officers at Lungleh. Altogether there are 40 Officers and we have 33 centres.

Q.—The Salvation Army do not generally have schools. They start relief work, orphanage work and work in connection with unprotected women.

A.—Whatever is for the uplift for the rural areas.

Q.—The main idea is not educational.

A.—Yes, for education also. After all we belong to the Lushai Hills and we want to do everything for the uplift of the Lushai Hills.
(The interview terminated.)

Government Servants :

1. Mr. P. S. Dahrangka, Veterinary Assistant Surgeon.
2. Mr. Hmartaunphunga Sailo, Agricultural Instructor.
3. Dr. Saptea, S.A.S.
4. Laldailova, Assistant, C. S. Office.
5. Mr. Kailuia, Assistant Superintendent, Lungleh.
6. Mr. Buchhawna S.D.C., Assistant Superintendent, Aijal.
7. Mr. Sainghinga, Political Assistant, Aijal.

(Some of these arrived later than the others.)

The Hon'ble Mr. Bardoloi: You are members of the District Conference?

A.—No.

Q.—Do you have to be present in your official capacity at the meetings of the Conference?

A.—No.

Q.—Did you attend the Conference this morning?

A.—No.

Q.—Are there any other officials at the Conference who have to attend?

A.—Yes.

Q.—Are they due to come here now?

A.—They were due to come here now, but due to the Conference sitting now, they have not come. (*Secretary's notes* :—The persons referred to arrived later.)

Q.—You have all along been here in the Lushai Hills?

A.—Yes.

Q.—You never went to the Plains?

A.—(Agricultural Instructor)—I was a forester. All along I was prospecting the Kachar district, but I had occasions to visit the plains on special duty.

Q.—Did you find any difficulty in serving in the plains?

A.—(No answer).

Q.—How many years have you served in the plains?

A.—11 years.

Q.—Did you find any difficulty?

A.—Of what sort?

Q.—Like climatic conditions, the education of your children.

A.—Yes, certainly. The climate is horrible to us and in the matter of educating the children, it is practically impossible for us.

Q.—So but for higher pay and status you don't like to go there? In other words, would you like to be a part of a Service which covers the whole of Assam and which offers higher grade?

A.—At present also the scope is open to us, but this chance is never offered to us in actual practice.

Q.—Are you not getting your usual promotions in the cadre of your service?

A.—We are getting.

Q.—Supposing you get opportunity for higher grade elsewhere in the plains, would you like your future employment to be confined to your district alone?

A.—I am bound to follow the Government orders wherever I am sent.

Q.—Have you anything particular to say about the coming change? Have you thought over it? As a Government servant, you are of course not expected to talk of politics.

A.—Everybody is taking interest these days.

Q.—Have you seen this memorandum of the Naga people about the interim period, and did you have any discussion with the Nagas who came here?

A.—We read this in the *Shillong Times*. We would like to know the opinion of this Committee.

Q.—We have not discussed about it and we do not form opinions so soon.

A.—We also do not form our opinion so soon because this is a surprise visit to us. We heard only about a week or so before that you were arriving.

Q.—But we had sent our programme long time ago, sometime in March. But I think you know certain facts. For example, you know the Britishers are leaving things to you and us to shape our future.

A.—In order to shape our future, is it possible for us to choose our own constitution?

The Hon'ble Mr. Bardoloi: Yes, if you think and come to reasonable conclusions, I think it will be considered by the Constituent Assembly and met as far as it is possible.

A.—We have heard many times that India is trying to get Home Rule or Dominion Status or something like that. If we can get a sort of Home Rule in Independent India.....

Q.—What is it you mean by "Home Rule"?

A.—I mean by "Home Rule" that the internal affairs of the country should be in the hands of the Mizo people.

Q.—Could you specify some subjects?

A.—Subjects to be left in the hands of the Indian Government may be:—

Foreign Affairs,

Defence,

Communications.

Q.—Would you like to have education completely in the hands of the Mizos? Would it do if the Assam Government gives you a subsidy?

A.—What will be the position of the Assam Government?

Q.—It will be one of the Provinces of India. If the sum of money you require is given by the Assam Government, would you like to take it?

A.—This subvention should come from the Centre and directly.

Mr. R. K. Ramadhyani: May I tell you that at present there is no proposal for a Centre which is in a position to give a sub-vention for local affairs. If the Centre is to be confined to Defence and External Affairs and so on, obviously it will not have anything to do with your local affairs. So, as far as your local affairs are concerned, the question is whether you would like to tack yourself to a larger unit like the Assam Province or whether it is your idea to fend for yourselves? At present your funds are coming from the Assam Government and you are also in the service of the Assam Government.

A.—But still a large amount of sub-vention comes from the Centre.

The Hon'ble Mr. Bardoloi: It does not, excepting for the Lushai Assam Rifles. Your revenues are only Rs. 2 lakhs. But we spend 6 or 7 lakhs.

Mr. R. K. Ramadhyani: In other words, do you wish to form part of the Assam Government as a whole, or remain isolated?

A.—That is a very big question and a question which we can only decide after due consideration, but here we come on the part of the

Mizo Government Servants and we have had only one or two consultations with our colleagues. Anyway, we have a Committee and we represent the opinion of the Committee.

The Hon'ble Mr. Bardoloi: What is the opinion of the Committee? What do you propose to do?

A.—This question is very difficult to reply, but our inclination is to get isolated instead of being in the Assam Government as far as possible.

Q.—There is no question of "as far as possible". Say clearly whether you want to be isolated, or you would like to join the Indian Union.

A.—When these questions are considered, certain things are also to be considered. For example, we would like to ask the Committee who appointed or nominated these two persons who sit opposite us?

Q.—I don't think we can discuss that question. We have come here to find out your views about the administration of the Lushai Hills. Let us not say anything about any one person in this Committee. We have come here to find out from you what your wishes are in regard to the future administration of the Lushai Hills.

A.—In what capacity are these gentlemen sitting here?

Sir B. N. Rau: We are not going to answer any question. We have come here to find out from you your wishes as regards the future administration of the Lushai Hills.

A.—Whatever we may say here you may refer to them later on.

Q.—That is an internal matter. Tell us your views. You have read the Statement in Parliament that after June 1948 British authority will be transferred to Indian hands.

A.—How is that the local people have not been consulted?

Q.—You are the local people. You are competent to give your views. Please give your views.

A.—That is what we are saying. There is suspicion. Will the people be really consulted?

Q.—Do you wish to be in the Indian Union?

A.—By bringing this question here we want to come to the policy. They are not friends of our peoples.

The Hon'ble Rev. J. J. M. Nichols-Roy: Supposing we don't co-opt anybody. We just want to get your opinion, will you have any objection to that?

A.—No.

Q.—Then you better give your opinion. Let them give their opinion also. It is for the members connected with the whole Constituent Assembly to frame their report on those opinions. We want your opinion and their opinion. If you want to speak, we shall be glad to hear.

The Hon'ble Mr. Bardoloi: We shall get their opinion also. But the main point is that we assume that it is a fact that you are Mizo officials working in the Lushai Hills and as such you are as much the

Lushai people as others. Our object in coming here is to get the views of all the people in regard to the future. You are welcome to give your opinion without hesitation, and irrespective of the co-opted members.

Witness: The action of the Committee itself in including the local people without asking the consent has already prejudiced the whole question itself.

Q.—What is your view regarding the future administration of this place?

A.—We want a sort of Home Rule. As regards Defence, External affairs and communication, we would like to be part of the Indian Union. But as far as our internal administration is concerned, we want to be left free.

(Some members were not sure about communications and after discussion it was decided that the majority was in favour of having communications under the Indian Union).

Sir B. N. Rau: At present Communication is part of the Union subjects. The Assam Government with a subsidy from Government of India is having that subject.

The Hon'ble Rev. J. J. M. Nichols-Roy: If anybody has neglected, has given Assam about 5 crores for roads in Assam and the Assam Government distributed that money to the districts and some parts may be left for Excluded areas or may not be left according to our wishes.

Witness: May we assume that Lushai Hills has been neglected in the matter of communications?

The Hon'ble Rev. J. J. M. Nichols-Roy: If anybody has neglected, it was your Superintendent.

Q.—Other subjects except the ones mentioned above, do you wish them to be dealt with by yourself without any help from outside, say subjects like Education?

A.—We would like to have it in our hands provided we get sufficient subvention from the Centre.

Sir B. N. Rau: Central Government will not be concerned with education. If you want help in connection with education, it can only come from Assam Government. Institutions like Engineering College cannot be provided in every District. There may be one Central institution and the question is whether you would like to benefit by them or not.

Question by Witness: Will there be any bar for anybody joining that institution?

Mr. Chairman: They may put some bar; if sufficient seats are not available for their own people, they may not be willing to give some seats to you because you are excluded. Even now in order to send 4 students to the Medical College we have to pay the Government of Bengal a sum of Rs. 40,000. Similarly if we have an Engineering College, there will be a certain number of students who will be accommodated. There will not be enough seats for others. If you are not in there, you will not be given place. The Legislature will say why give to the Lushai people when there is no seat for our own men.

Sir B. N. Rau: Do you wish to have the right to share in the benefits of higher education which the provinces may be able to afford?

Witness: Naturally. We have been assuming that the Government of India will help us by giving us some money and with that we can manage ourselves.

Mr. Chairman: That cannot be.

Secretary: The Central Government can deal only with three subjects. If you want to be associated with any other Government for any other subject, it will have to be a Provincial Government. The question is whether you wish to have a voice in the affairs of the Assam Government in matters of higher education so that you can share in that education and influence the policy regarding that education.

Witness: If we are going to have a share in that matter, it means that we will have to go into the Legislature.

Sir B. N. Rau: If you wish to have the benefit of higher education which the Assam Government may provide, the next question will arise as to how will you keep your places filled in the Legislature. The question is whether you wish to have a voice. If you say you want to be independent and you don't want the benefits, that is an end of the matter.

The Hon'ble Rev. J. J. M. Nichols-Roy: You realize that the Legislature of Assam will control and will say that those who are within Assam are the people who must get the seats. We have only limited seats and if Lushai Hills does not have any share of that, then how can they benefit. If you have representation in the Legislature, your member can get up and clamour for admission in the Colleges. If you don't get satisfaction you can join opposition and oppose the Ministry.

A.—The great desire of the people is for higher education and so if we are going to have a share in the Government, well, we must agree.

Sir B. N. Rau: First of all you must decide to come in. You can say we want to take part. Then you can legitimately ask how many members can we get. If you don't want to join at all, then other questions did not arise.

A.—If we have got to consider all the subjects in these few minutes, we cannot decide anything. We have to consult many people. So far we have not been able to form any opinion in this matter.

(Two members of the seven assembled definitely agreed that the district should join the Assam Government for higher education.)

Secretary: The main point is you can ask for the maximum amount of Home Rule or freedom in a certain number of matters. You should find out whether in certain matters you wish to join larger units and if so, to influence its policy and to share in its administration.

A.—I think the correct procedure will be to ask the District Conference all these questions.

Sir B. N. Rau: In that case, why did you come for the interview.

Sir B. N. Rau (To Agricultural Instructor): Do you know the Imperial Council of Agricultural Research in Delhi?

A.—Yes.

Q.—Do they give you money from time to time?

A.—No. They have financed certain research projects.

Q.—And they give grants?

A.—Yes.

Q.—You don't get any grants at present?

A.—No.

Q.—Do you want such grants from outside or not?

A.—The whole question rests on how we shall preserve our nationality and our race. There is a strong desire in us to have independence. But if we don't have that independence and if we are to be a dependent district, in that case we should like the largest amount of grants from outside.

The Hon'ble Mr. Bardoloi: If you don't get complete independence, you want in the alternative that you should be connected with some party who will give you large grants. Is that the idea?

A.—If we are not independent, we are at liberty to create trouble in India. So Assam for its own safety should give us money. (Laughter).

Q.—That is not a sound thing. As a friend of yours, I may say that India may choose to drive you out. If you don't want yourself to be in a position of a good brother to Assam, and expect this money or that money and keep altogether away from Assam, surely there would be no knowing what will exactly happen. Therefore we will not be in a position to do justice to you. On the other hand, if you remain connected with Assam and you have a voice in Assam's administration may be through the legislature—may be, there may be a Minister for you—then you can surely have a say that "this is required" and money will be found for you.

A.—To have a voice in the legislature we want our safeguards.

Q.—Very well. Let me explain the points one by one. Firstly, whether you are going to be connected with some Province outside the Lushai Hills. That is for your larger benefit. The second alternative is that—I have today got certain facts from Mr. MacDonald. You spend even for the present administration Rs. 6 lakhs of which you collect only Rs. 2 lakhs by way of revenue from the people. If you have nothing to do with Assam, you can surely threaten Assam "We will fall upon your plains and loot your people." The Assam Government can very effectively spend that Rs. 4 lakhs on sending punitive expeditions to Lushai Hills. That is one way in which you can act. You can run your administration and be at loggerheads with your neighbouring Province. The second way of looking at the thing is that you can say "I am now getting Rs. 6 lakhs. I must have more money because I want to advance in the civilised methods of present-day education, present-day communication, present-day medical relief and so many other benefits which the present day world gives" and then say I will be combined with one province. You must have in your mind the possibility of joining with one province and at the same time maintaining your local independence. For higher benefits you should naturally be combined with a Province. That is a matter for you to decide. Then how you are going to get all the benefits is another matter, whether by representation in the Legislature or whether by representation in the Services or whether by

representation in the Ministry. In the circumstances, it is a good idea that you should join with Assam for getting the higher benefits. You may of course think: "Can we rely on this Bigger Power to give us these benefits and safeguards?"

A.—It is true we are very backward and we want somehow to improve ourselves with the existing help. It is the regulation of the Chin-Hill regulation type that we require. But we find in the Indian Assembly itself—I think it was Nehru who said that the backward tribes will have their proper safeguards—but we find that a proposal was soon after started by which the Chin-Hill regulation was withdrawn.

Witness: Suppose you are the Govt. of India or Govt. of Assam and you say you will give us all these safeguards *re* local customs etc. can we rely on you?

Mr. Chairman: If you could rely on the present Government, you could as well rely on your neighbours.

Secretary: There is no question of relying on anybody. You will be a part in it.

Witness: But the smaller body has to be under the bigger body. We see the past promises are broken. We see the Chin Hills Regulation is withdrawn. That regulation authorised the local authority to send out a man in 24 hours, undesirables. If it is removed, anybody may come and give us any sort of trouble.

Mr. Chairman: You can say that regulations like the Chin Hills Regulation should be within the power of your National Council. It does not mean that you must reject higher education. You can have both. But why should you be thinking of completely getting isolated and not getting even the benefits which you are getting to-day. Why go back to the stage of 50 years ago.

Witness: In spite of the declarations by the Cabinet Mission as well as Pandit Nehru that the interests of these backward tribes will be fully safeguarded the Chin Hills Regulation is withdrawn. If that be the position, how can we rely on these sweet promises of protection?

Sir B. N. Rau: Do you know what is the present administration of these Lushai Hills? It is conducted by the Superintendent under the direction of the Governor who acts in his discretion, *i.e.*, it has nothing to do with either the Ministry of the Assam Government or with the Interim Government in Delhi. If a Regulation is to be made here or if it is to be unmade here, it has nothing to do either with the Assam Government Ministry or with the Interim Government in New Delhi.

Witness: This we know. Even before the Superintendent leaves the country, this order has been put forward, by the Interim Govt.

Sir B. N. Rau: The Interim Government has nothing whatever to do with the administration of Lushai Hills. They have no power to instruct nor have they instructed. Even if it is given like that in the papers, you must not believe that.

Witness: From these things suspicion has arisen in our minds.

Mr. Chairman: It is not possible to remove from your mind unfounded suspicions.

Witness: But we saw in the Shillong Times.

The Hon'ble Rev. J. J. M. Nichols-Roy: With the Chin Hills Regulation the Assam Government has nothing to do. It is in the hands of the British Governor. You demand that power must be in the hands of your National Council. That will be more reasonable.

Witness: We shall demand but we will not get.

Mr. A. V. Thakkar: You put it forward before us and we will recommend it.

A Witness: For the benefit of Lushai Hills, I prefer connection with Bengal.

Mr. A. V. Thakkar: Some Chittagong tribes want connection with Assam.

Sir B. N. Rau: You are all agreed as regards the Defence, External Affairs and Communications (with one member's exception), you are all agreed that this area should be part of the India Union. As regards higher education, two of you were of the view that you should be associated with the Government and the Legislature of Assam. The others have had no time to form an opinion of the matter. Then generally speaking, your view is that as far as possible you should have autonomy or Home Rule but you would also like to have as much assistance as possible. As regards other details you have not yet formed your opinion. Later when your opinions are formed on the whole question, a written memorandum will be submitted, as early as possible but not later than two months. (Interview ends).

Witness: Mr. R. Thanhlira, Editor 'The Mizo'.

In reply to questions put by the Prime Minister, the witness gave the following answers:

I am the editor of newly started weekly paper called the 'Mizo'. It is printed in a private press and circulated in the Lushai Hills. It is in the Lushai language. It is financed by ourselves. It is a sort of company of three persons. It does not represent any party views. It was started in September last year. The present circulation is about 500 copies. It goes all over India. There are many Lushais all over India who read it.

Q.—I am sure you are very well aware of the changes that are likely to come in the future? Have you any opinion about those changes in relation to Lushai Hills?

A.—According to the opinion of the Press, we want that district autonomy should come into force in this district.

Q.—Have you thought over the subjects in which you should have district autonomy?

A.—Regarding subjects, all those subjects which have got connection with India or the Provincial Government should be decided by the Council of the Mizo People. That is our opinion.

Q.—I don't follow you. What is that Council?

A.—When we have district autonomy, there should be a Mizo Council. That Council should decide which subjects should be administered by the District and which subjects should be administered by the Province or the Centre.

Q.—When are you expecting that Council to be formed?

A.—As soon as district autonomy is granted.

Q.—What do you mean by “when district autonomy is granted”?

A.—It is not in existence at present. So I have to say “when it is granted”?

Q.—Who will grant you that?

A.—I think it is to be granted by the Indian Government.

Q.—For the purpose of granting this autonomy you don't think you ought to give an opinion at this moment.

A.—When do you say is the Indian constitution to be formed? I believe that when it is formed, provision should be made for this district to have its own government.

The Hon'ble Mr. Bardoloi: Is that what you are thinking?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols-Roy: Do you want the District Council to be formed immediately on democratic principles?

A.—Yes.

Q.—All right. Now, do you want that Council to have power to legislate over the district? ✓

A.—Yes.

Q.—Do you want that Council to have power to protect your land so that your land may not be exploited by people from outside?

A.—Regarding these subjects, they have to be discussed. But we want these powers. We have not yet decided regarding the subjects. They will be determined by the Council when it comes into existence.

The Hon'ble Mr. Bardoloi: According to you, the Council that is at present proposed to be constituted is not the Council which you are thinking?

A.—At present there is no National Council. We don't take the Mizo Union as the Council itself.

Mr. R. K. Ramadhyani: What about the District Conference?

A.—It does not represent the Lushai public.

Q.—You have of course heard of the Central subjects, *i.e.*, External Affairs, Defence and Communications. Do you want to leave these to the National Council?

A.—I think the best thing is to leave these subjects to the National Council.

Q.—But then you see, if these are left out there will be nothing left for you at all. Everything will be in the air when the new constitution of India is formed. There will be nothing left except the National Council.

The Hon'ble Mr. Bardoloi: According to you, the autonomous district will be able to give an opinion on this. Is that right? ✓

A.—Yes.

(The witness asked for information on certain points and the interview ended after a brief discussion).

Witness: Mr. H. K. Bawichhuaka, Lakhimpur, Cachar.

Witness made the following statement:—

The Lushai interests outside the district also affect the interests of the Mizo people. Both are indivisible. Today to my mind is the time for the Mizo country to decide whether it will choose to go to Burma or to India. So today is the day of independence for the

Lushai Hills. The people must make their own decision. My view is that the widest possible self-determination should be given to the Lushai Hills. It was never over-run by any maharajahs from outside. Before 1871 the Lushai Hills was practically independent. But the British came and took over the land and sliced out portions of the Lushai Hills. Now it has got just a small area and that is the Lushai Hills. The rest of the Mizo country has been given to Manipur, Burma and so on. As the British have sliced out parts of our country and handed over parts to others, those parts should be amalgamated into one.

Sir B. N. Rau: The Sub-Committee,—even the Interim Government, is bound by certain terms—and this is outside them.

A.—But then this is my view. We will have to get back our own land for our own selves.

The Hon'ble Mr. Bardoloi: What else do you want? How would you like your own constitution to be? What relationship, if at all, you wish to have with the outside world? All these questions require an answer. Assuming that according to you, all the Mizos are combined, can you give any suggestions as to how we can devise any reforms for the Lushai Hills?

A.—My view is, it would be best for Lushai Hills to be connected with India with protection for the Hills. If the Lushai Hills choose to be independent it means eternal severance with the other Mizo countries outside the Lushai Hills. If it goes to Burma, the same is the case. So the best interests of those living in the Lushai Hills is to be connected with India.

Witness: Without the protection of the Hills on the Eastern borders of India, India will be somewhat exposed to danger. The Central Government will have to look to the interest of the Mizo area so that the front may be consolidated and fortified. As a matter of fact I find that it is necessary that Lushai Hills should join India in those subjects that are subjects of the Indian Union—Defence, Communication and Foreign affairs—and any other subjects outside of those 3 heads shall have to be decided by direct negotiation with the National Council of the District to be formed immediately if possible and the Lushai Hills will join Assam Legislature by adequate representation and since the Lushai Hills is a poor country not being able to maintain herself, I think it is to be excluded from any obligation to the Provincial Exchequer but it shall join Assam in all the Provincial subjects but those should be decided by direct negotiation between the Assam Government and the National Council of Lushai Hills.

Mr. Chairman: Do you recognize the present District Conference?

Witness: I have certain facts and figures and I don't want to affect the knowledge I do not possess. I think it does not represent the opinion of the Mizo people as a whole. Out of 2075 only 220 came and in the South Lushai Hills out of 7 Commoners' seats, only 2 have been elected and the other 5 have been left out because there was no candidate. The voting took place on the 14th of this month at Aijal. There was a polling booth. Of course the public were not allowed to go round about it. I got the figures from the Mizo Union as well as from the Press.

Sir B. N. Rau: How was the polling done? Was there any electoral roll?

Witness: There was the procedure more or less formulated previously by the Superintendent and the procedure followed was out of every 10 houses one representative must be chosen who will come from the village to the town and leave the vote. But as the figures show, many of the representatives did not turn up at all.

Sir B. N. Rau: Was there a list of the voters prepared?

Witness: That list was to be submitted to the Superintendent. There were no representatives elected from most of the parts in the villages and so there was no list. It took place in April but they did not turn up at all. The preliminary election of voters took place in the North but not in the South and due to the boycott initiated by the Mizo Union, the voters did not turn up. The voters were to be about 2075 because the houses in the Lushai Hills are 20869 but out of these 2075 only 220 came up. I have not seen the list.

Sir B. N. Rau: Is there any list of members who were elected at the Preliminary election?

Witness: The list of candidates to the District Conference was published.

(The interview terminated).

The Committee next interviewed Mr. Lal Biak Thanga, M.A., Mission Compound, Aijal, on 19-4-1947.

Mr. Chairman: You are from Aijal. You know the points that we are particularly interested in.

Witness: My ideas are very closely linked with those of my friend you interviewed just now. (In the first place our Mizo people must all come together and form some sort of a District and secondly, I should also like to see that the name which has been given wrongly should be changed as soon as possible. We are now called Lushais which is only a part of the old Lushai Tribes. We should be called Mizos and our Districts should also be known as Mizoram District instead of Lushai Hills. In the future constitution this new Mizoram should have as much autonomy or as much self-determination as possible in the internal affairs with adequate provision for the protection of our rights, economic, social and cultural and also from the religious point of view. From what I have seen of the people and the opinion in the villages is as soon as we join Free India, we shall be exploited.) Whatever may be the future constitution of India or of the Lushai Hills itself, I want to see that adequate provisions for the safeguard of our rights and interests are included in that future constitution. Some financial help from the Central Government should be given for our self-development because even when we run our administration, we may need some financial help for the development of the subjects that we may ourselves govern.

Mr. Chairman: What are your relationships with the Chiefs?

Witness: The relation seems to be very delicate. There is some conflict of interests. The Chiefs look upon the commoners in the towns with some suspicion. Why the commoners dislike the Chiefs is, especially after the British rule and with the absolute power in the hands of the Superintendent, it has been the policy of the Chiefs—most of the Chiefs I should say, that they act very oppressively to the villagers just to please the new Officer who is in authority. The commoners feel that there should be provisions by which power

will be in the hands of the common people by which they can overthrow or dethrone their Chiefs through some system. The desire of the common people in this District is much the same as that of Manipur State. They want to abolish the Chiefs. If they are to be retained at all, the commoners do not wish that these people should have too much power.

Sir B. N. Rau: As far as I know, they decide petty disputes; they allot the village lands and that is about all in the way of powers that they exercise.

Witness: They take some revenue in kind from every house. If the amount of remuneration was decided by villagers everything would have been alright. It varies. 6 tins from every householder and in every village there are some men who have got some special privilege while the Chief is allotting the lands. Some have the first preference to choose the best lands and thus the Chiefs get about 10 tins.

Sir B. N. Rau: I want to know roughly speaking how much the Chief gets per year. Suppose a Chief has a village of 90 houses. Each House pays him 6 tins or 2 mds. per year which comes to 180 mds. for the village. Taking the price as 7 per md. he will get 1000 per year. For this he decides petty disputes, allots village lands every year and then imprest coolies whenever Government officials need coolies.

Witness: The coolies are paid 0-12-0 per day. The Chief is helped by a Council of elders nominated by himself. We don't mind the Chief being paid but we detest that the Chief should take a kind of bribe from the Ramhual. Ramhuals are those people in the village who choose the best parts of the land. The Chief allots the best land to the man who pays him most.

Mr. Chairman: Nobody is deprived of any allotment. Has not the Chief got a kind of council. He cannot expel a man from his village without the consent of the Council.

Witness: It is true. But the Chief has more or less a veto over the decision of his Council, although they are nominated by him.

Sir B. N. Rau: I am speaking of the Chief's Council which has been recently started, and which is still going on. Only the Superintendent can overrule the decision of that Council. That council is only for eviction. I was told that Chiefs cannot expel a villager without the consent of his council.

Witness: In the eviction Council, the Chief has no power.

(Interview terminates)

The Committee met the full "District Conference" held at 3 o'clock in the Superintendent's office on 18th April, 1947.

The Hon'ble Prime Minister: Most of these gentlemen, I think, know the object for which we have come here. We have already told them why we have come here in the note which has been circulated. We shall be very happy to hear what they have to say in reference to the points of enquiry that we have put to them.

Mr. MacDonald (Translation): You asked us 5 questions. The answer to your second question is:

"That the Advisory Sub-Committee be told that no reply can be given now to the Sub-Committee's question as to how representatives

of Mizoram should be elected to the various legislatures. This Conference has been elected purely for the purpose of hammering out a constitution for Mizoram and the work will take a long time yet."

The Hon'ble Prime Minister: May we enquire in this connection what is the likely time that the Conference thinks this will take?

Mr. MacDonald: I am afraid that is rather difficult to say, because I am due to go on leave in May. Thereafter my successor will come and I don't know how quick the progress would be.

Q.—Would you be able to give us any idea?

A.—It is very difficult. If the Superintendent convenes this Conference to do this work it may be possible to send our memorandum within one or two months. (The Conference is in the hands of the Superintendent.)

The Hon'ble Prime Minister: I want to make one point clear to you. We shall have to submit our report within two months at the latest and we shall therefore very much appreciate it if any proposals or suggestions that you may have to make should be done within that time or sometime before that, so that we may consider them before submitting our proposals. We want some time between the receipt of your memorandum and the submission of the report.

Mr. MacDonald: I am saying that it will take a good deal longer than one month to work out this constitution. So far we have been prevented from having any opportunity of even starting a discussion on the proposed constitution.

Q.—Is the memorandum proposed to be sent to us, or does the Conference want that there should be some representative going and meeting us again?

A.—(after consultation) They would prefer to send representatives to explain matters when this local constitution has been drafted with the consent of the Conference to whoever has the authority to sanction it.

The Hon'ble Prime Minister: Well then, I think you can give the place and the time just now. It seems to me that if it were possible to have it in about a month's time possibly we might meet those representatives in Shillong.

Mr. MacDonald: The answer to your question 3 is:

"This Conference has not yet decided whether it wishes the Mizoram in any way to be subject to the Assam Legislature. If the Conference decides that Mizoram should be subject to the Assam Legislature in certain Provincial subjects, it would ask for at least three members from Mizoram to be elected to the Assam Legislature, assuming the strength of the Assam Legislature to be 107 members in all."

The Hon'ble Prime Minister: And also assuming the population of the Mizo public to be?

A.—At least 150,000. The Conference thinks it would be worth while adding that in no case should the Mizo members of the Assam Legislature have any authority over the local governing body of the Mizos which will have full power in all local matters.

Superintendent: This Resolution covers also question 3.

The reply to your question 4 re. the effective representation of the people of this area in the administration and the service is the following Resolution :—

"That the Advisory Committee be asked to explain more clearly what it means by effective representation of the people of this area in the administration. Does it mean that there will be some reservations for people of this area?"

Mr. Chairman: It means whether the people of the Mizoram wish to have any special representation in the administration. The Hill areas may have some special Minister to look after the area—for all the hills. It is very difficult to have Ministers for particular hills. It is quite possible for all the hill areas there may be one or two Ministers in the future Constitution to look after the interests of the hills.

Sir B. N. Rau: One of the suggestions made is there should be special Ministers who will advise the Head of the Province as to how the affairs of the Hills so far as they fall within the purview of the Assam Province, should be administered. In all probability he may be a Hill man. The intention is the man should be acquainted with the hill problems and should advise the Ministry so far as they come within the purview of the Assam Legislature. Matters subject to the Assam Legislature regarding the hills will be administered with the advice of the Hill Minister.

Superintendent: They say that if the Conference wishes that some matters be left to the Assam Government then they think it would be a good idea for those subjects to be dealt with by a special Hill Minister for Hill areas. This should be a man elected from the Hill areas. This Conference would prefer all posts in Provincial services to be allotted by fair open competition according to fitness rather than by special reservation for any community or area but the competition must be fair. They would prefer to take their chance in an open competition. There must be no reservation for other people of course. It should be an open competition for the whole of Assam irrespective of hills and plains, irrespective of caste, creed, area or any such thing.

The Chairman remarked that this was a very advanced view and explained the present system of reservation in the province.

Superintendent: Regarding your question 1, the Conference wishes all matters of land tenure, agriculture and social customs to be in the power of the local governing body of Mizoram and that on the question of education the Conference cannot be more definite at present than to say that at least the part of the educational machine which deals with primary education should be in the power of the local governing body. The Conference wishes very strongly that the control of immigration into Mizoram from outside Mizoram be in the power of the local governing body of Mizoram.

Mr. Chairman: Whether you should not agree also that the Provincial Government should not have some kind of legislation by which this undertaking is given by them also in this behalf—an undertaking that people from outside are not allowed to immigrate into Mizoram without the consent of the District authorities.

Superintendent: They will be grateful for any co-operation from Assam Government to keep out foreigners from coming in. The conference wishes all control of civil and criminal justice of all sorts including power of life and death in criminal cases to be in the power of the local governing body of Mizoram and that outsiders should have no power over it.

Mr. Chairman: I was only enquiring whether in the case of death sentences, we should not have reference at any rate to some final court of appeal which may be set up in the province for that purpose, some sort of Supreme Court?

Sir B. N. Rau stated at this stage, that he had often been glad that death sentences were subject to confirmation by the High Court and the question was one which they should carefully consider.

Superintendent: At present life sentences will have to be confirmed by Governor. There seems to be some difference of opinion among members on this question. Some want to postpone discussion on this, some want outside reference and some want to consider.

Mr. Chairman: You might tell them human life is rather sacred and there must be some chance for the accused to appeal.

Mr. MacDonald: Opinion is in favour of postponing the discussion. The resolutions were drafted rather in a hurry this morning.

The Hon'ble Rev. J. J. M. Nichols-Roy: In the memorandum which you will submit you may make all points clear.

Mr. MacDonald: Yes. I now proceed to the next question:

"The Conference wishes that all power to preserve or change the customary laws of Mizoram should be in the power of the local governing body of the Mizoram."

Then,

"The Conference does not intend to imply that any tacit consent has been given to any proposal not contained in these Resolutions."

Lastly,

"This Conference protests strongly against the anti-democratic action of the Advisory Sub-Committee in co-opting two members of the Mizo Union to be members of the Sub-Committee without consulting anybody in this District. The Cabinet Delegation's Statement and the Viceroy promised that this Advisory Committee shall contain full representation of the interests affected. It would have been quite easy to have a special election from the whole of Mizoram to select representatives to give representation to the Mizo people, but at present the Mizo people are in a state worse than being totally ignored. The so-called representatives of the Sub-Committee are persons secretly nominated without the advice or even the knowledge of the Mizo people by outsiders whose behaviour in this matter in the opinion of this Conference is like the behaviour of one consciously acting against the Mizo interests."

The Hon'ble Prime Minister: In reply to that, we can only say to this Conference that we did our best to get the most representative people. Mizo Union was the only one we knew of. It may be that our opinion was not correct. In the circumstances that existed, when these nominations were made, there was no opinion but to do that. To us the only organisation that was known in the outside world was the Mizo Union. I don't think we need raise any controversy over that because we have taken full note of what you have given us and the points that you have tried to make out and you can rest assured that we shall give full consideration to what you have said.

Mr. MacDonald: The Conference is surprised to hear that you supposed that the Mizo Union was the only organisation for the Lushai Hills. You should have known that other political organisations existed, especially you may have heard that there are Chiefs in this district who are an organised strong body.

The Hon'ble Rev. J. J. M. Nichols-Roy: We heard nothing about the Chiefs' Union and nothing about the Conference in the outside world. We heard only about the Mizo Union and Mr. MacDonald.

Mr. MacDonald: One member says that the Chiefs have been ruling this district for a very long time, that the British have been ruling it for 60 years and that now you, the Sub-Committee, have just turned up and you have taken these two small boys who belong to one side only and you have given them special favour.

The Hon'ble Prime Minister: I suppose it would be better to close this. I have already said that if it was a mistake, it has got to be accepted and we should be excused. I have told you that the only information we got in the outside world about the state of affairs in this Mizoram was that a Mizo Union was functioning as the representative of the people. Whether right or wrong, I want particularly to tell you that we have taken into consideration the view point that has been put forward by the Chiefs, the view point that has been put forward by the commoners and the viewpoint that has been put forward by the other organisations. Therefore I feel that we have not wronged you and we shall not wrong you. That is all I can say. I wish that this subject is closed and we don't pursue this matter any further.

Mr. MacDonald: May I ask one question as the President of this Conference? You say that when you made these appointments you did not hear enough about the District Conference. You have now come here and spent two days examining all sorts of people and we should like to know whether you are now in a position to say whether it is right or wrong?

The Hon'ble Prime Minister: I do not propose to say anything more than what I have said, but as Prime Minister of the Province I would like to say a word or two to these friends.

Mr. MacDonald: One representative says that this Conference is better representative than those two persons are. We want co-operation and the basis of co-operation is good faith. The District is very much dismayed to hear of the proposal to do away with the Chin-Hills regulation which is intended to remove undesirables. He says that the news of the above in the papers has not been contradicted so far and wishes to know what the position is. He says that in such important matters before any decision is made, this Conference which is the representative of the District should be consulted.

(The Prime Minister then gave a speech in his capacity as the Premier to the Conference.)

The Conference then adjourned.

The Committee interviewed Mr. Biswa Goswamy of the Students' Federation from Gauhati on 19th April 1947.

Witness: I am a Secretary of the Students' Federation and we carry on political work also as Secretary. I came to Aijal to contact the leaders of the Mizo Union and also the students. We were sent here by Mr. O. K. Das (Member, Constituent Assembly) who informed us that we had permission to enter Aijal. The Assistant Police Inspector at Kolasib permitted us to come. Immediately we arrived at Aijal the Assistant Superintendent of Police took down our names and addresses and then we were taken to the Superintendent who ordered us to leave Aijal within 2 days. We arrived on Saturday and we met the Mizo Union on Sunday. On Sunday evening the Superintendent again called us to his bungalow and abused us 'You have come for political purposes, to organize the people and you are liars'. Even he abused the Congress organization and he said 'you have nothing to do here because the people here are quite educated and why have you come here I cannot understand'. We contacted the President of the Mizo Union—Mr. Khawtinkhuma and the Secretary Mr. Vanthuma and the Treasurer Mr. Lalbuya. We were put in jail. On Sunday we told the S.D.C. we had come on a Goodwill Mission. We asked the Superintendent whether he received any information from Mr. Das regarding our visit. He denied he had received anything. Then we were ordered to be arrested and we were put in jail. On Monday morning we were taken to his bungalow and then he revealed the letters of O. K. Das where it was clearly written our purpose for the visit to Aijal. On Monday we were taken in handcuffs by Police Escort to Silchar and released there.

Mr. A. V. Thakkar: Yours is a Students' organization. Had you any political work?

Witness: On behalf of the Students' Organization we decided to send one Goodwill Mission to contact the students and also the Mizo Union leaders. Because we wanted to know their view point in the coming event in the constitutional change which is coming. I do not know whether the permit was sent to the Superintendent exactly but we were told by Mr. Das that it was sent. The permit was not in my hands.

(The meeting terminated.)

The Committee then met the Non-Lushai residents of Aijal on the 19th April 1947.

(The written memorandum submitted by them was read out by the Secretary.)

Witness: The Nepali Headman here is called Mazadar. As they are doing the same work, they should have the same rights as those of Lushai Chiefs. They have remained here for the last 50 years and they will have to remain here in the future. They want to be domiciled and be recognized as Lushais.

Q.—If they can be regarded as Lushais, then these questions could be considered by the Council itself.

Witness: They have their own ways of life. They are scattered all over the district. A constituency should be made for non-Lushais. They have some lands for *jhuming*. The settlement goes from year to year. The Superintendent gives the land. They are allowed to cultivate the lands if they approach the Chiefs.

(NON-LUSHAI SETTLERS)

1. Mr. B. N. Bhattacharya.
2. Mr. Bhomraj Seth.
3. Mr. Mohd. Shirajulistan Khan.
4. Mr. S. B. Khandelwal.
5. Mr. Naranjan Singh Bhogal.
6. Mr. Ex. Sub. Sing Napa.

7. Gorkha Mozudar Maubadha Abe.

Q.—On what terms do you hold this land of yours?

A.—It is free land. It is settled permanently for our successors.

Q.—Do you have to take any written permission?

A.—We have permits. There are so many terms. We cannot sell it. We can only construct a house.

Q.—Strictly speaking, you cannot be said to have any right at all.

A.—Yes, our sons cannot inherit it. It will be at the personal pleasure of the Superintendent. It is not given by annual leases. The Superintendent has got the right to change the land. The land I (Mr. Niranjan Singh) am having is my grand-father's land. I have erected a building on it worth Rs. 20,000.

Q.—You say you want separate electorates?

A.—Yes. Otherwise we shall have no representation at all.

Q.—Supposing instead of separate electorates, you are given reserved seats as Non-Lushais—will that do?

A.—I don't think there would be any difficulty then.

Q.—Why do you want reservation? Do you feel that the Mizo people are likely to be antagonistic to you? Will they not elect you?

A.—There has been no election in the past.

Q.—Supposing there are elections. If you are competent, and if you represent their views and interests, will they not elect you?

A.—It is for the Mizo people to do. Because we shall be entirely at their mercy in that case.

Q.—Why are you afraid?

A.—That is only a safeguarding measure.

Q.—You are asking for 10 per cent. representation. Your population is not 10 per cent. It is less than 3 per cent.

A.—That is the minimum representation.

Q.—Minimum according to the ratio that you bear to the total population.

A.—But minorities get representation.

Q.—But nobody asks for three times the representation of the proportion.

A.—We are only one minority; they are in a 90 per cent. majority.

Q.—Supposing you have reserved seats, will that not accentuate the differences that may exist between you and the Mizo people.

A.—At present there is no difference of opinion. We have brotherly feelings only here, but all these measures we are suggesting only as a measure of safeguard for the future.

Q.—Will it not be better to depend on their good feelings?

A.—Till now there has been nothing of a Council. People have been entirely at the mercy of the Superintendent. The seats we are asking are only to represent special views.

In reply to Prime Minister's questions, the following answers were given:

We were included in the election for the District Conference. But we were in a minority.

Mr. Gorkha Mozudar Abe: The duty of the Mozudar is to control the Gurkhas and collect taxes from the Gurkhas and transmit it to the Superintendent. There are about 3,000 Gurkha families and possibly 4,000. We are not consulted. We don't know when the meetings are held. Therefore in any constitution there should be some protection for us.

(Witnesses withdrew.)

(The Advisory Committee then concluded its sitting.)

The Committee on their return journey from Aijal addressed a meeting at Dirlang Village School on the 20th April.

At Kolashib Village about 100 persons were present. Sir B. N. Rau and the Hon'ble Mr. Bardoloi addressed them and explained the objects of the committee and the principles and purposes they should bear in mind in their future local autonomy and relations with Assam.

Appendix I

FROM

The Joint Representatives of the Presbyterian Church in the North Lushai Hills and of the Baptist Church in the South

To

The Members of the Advisory Sub-Committee touring the Excluded Areas of Assam.

SIRS,

In the name of the above Churches we extend a hearty welcome to you all in your historic visit to our country and we pray that your mission may be successful, leading to a form of government which will be in harmony with the wishes of the Mizo people and will be for the welfare of the whole nation.

As we feel that it is impossible to understand the present position of the Mizo people without some idea of what the Church has meant and is doing here we would like to acquaint you with the following:—

The first missionary came to this district in 1894 and since then the Church has grown steadily. Here are the census figures for 1941 and 1946.

	Total Pop. in 1941	Lushais only	Christians in 1941	Christians in 1946
N. Lushai	108,719	104,397	74,987	87,617
S. Lushai	44,067	21,479	...	24,033
	152,786	125,876	74,987	111,650

The above figures are those for the Presbyterian Church in the North and the Baptist Church in the South. In addition to the above there are roughly 5,000 members of the Salvation community and a small number of Roman Catholics and in the south of South Lushai a Lakher Church of about 2,000. So that it is a simple statement of fact to say that this is a Christian country and the Christian Faith is a basic element in the life of the community.

It is a happy feature of the Church here that we have worked in harmony together particularly the two main bodies. Though different in name it can truly be said that we are one. Even in Church Government, in order to maintain the unity of the people between the North and the South and because the presbyterian form of Church government is more in line with the desire for democracy of the Mizo people, the Baptist Church in the South has adopted the Presbyterian form of Government. This is typical of our co-operation in all matters.

We wish to stress this close union because it is this and the fact that almost every Mizo is a Christian which have welded the people into a nation. Before the British Government and before the establishment of the Church such unity was unknown, but now the Church has brought all the people

under one ideal and one common faith. It is our earnest prayer that this unity will be reflected in whatever form of government the Mizo people may adopt.

The work of the Church has not been confined to the strictly religious sphere and it is no exaggeration to say that the Mizo people owe their life as a nation to her activities. The following will we think demonstrate this.

Notification.—From its inception the Church has been responsible for education in these hills and because she has recognised that literacy is essential for progress, special efforts have been made. Though, in the past, Government help has not been great (previous to 1946 the monthly Government grant for Primary schools was Rs. 439 in the north and a little more in the south) yet in the 1941 census the Mizo people had the highest literacy figures in Assam in proportion to population and was among the highest in the whole of India. Mr. Markar, Superintendent of the 1941 Census Operations in Assam writes "The progress has been remarkable and the Missions are entirely responsible for it". Since then the number of children attending the primary schools has increased rapidly in spite of being continually handicapped by lack of funds. The following are the figures for primary schools for 1946.

	No. of schools	No. of pupils	Monthly Church and Mission expend.	Monthly Govt. expend.
			Rs.	Rs.
N. Lushai	162	10,462	2,140	1,230
S. Lushai	99	...	...	...

In addition to the above, middle education is expanding rapidly. Besides the two Middle English Schools supported by Church and Mission funds in Aijal, since 1944 nine new middle schools have been opened in the villages in N. Lushai. These are maintained by Government funds. Similarly in S. Lushai six new middle schools have been opened financed by Government bringing their total up to eight.

Finally, again under the auspices of the Church the Mizo High School has been started in Aijal and will reach maturity next year.

Hospital.—In addition to education, both in the north and south the Church has played a leading part in medical work. One of the two main hospitals in N. Lushai Hills is that under the Church, situated in Durtlang. It has accommodation for 70 patients and major operations are performed there. It is also a training school for nurses being recognised under the Assam Nurses Registration Act. The hospital is maintained by Mission and Church funds and is controlled by a committee elected by the Church Assembly. Similarly medical work plays a prominent part in S. Lushai.

Printing Press.—There are two printing presses, one in Aijal and one in Lungleh supervised by the Church. They are the main presses in the district and indeed until a short time ago were the only ones. They are responsible for printing school textbooks, religious literature, Government publications etc. These presses are self-supporting and were started with the intention of supplying the district with literature. The two presses work in

co-operation and they have supplied reading material not only to Mizos here in the district but also to those districts and states bordering the Lushai Hills.

From the above then one may see that God has blessed the work of the Church in these hills.

We therefore hope that in the task of drawing up proposals for the Mizo people to the Constituent Assembly these facts will be borne in mind and whatever type of government be formed for the Mizos, that it shall be one that will not hinder but rather develop what we sincerely believe to be God's work among our people.

On behalf of the Lushai Church,

Sd. P. Chhuakhama	}	N. Lushai.
Sd. P. Zairema		
Sd. Rev. S. Davies		
Sd. Rev. B. E. Jones	}	S. Lushai.
Sd. Pu Zathanga		
Sd. Pu Sapkunga		
Sd. P. Sawiluaia		

Appendix II

STATEMENT GIVEN BY MIZO UNION.

The position of the 'Mizo Union' as representing the Lushai Hills

Total full Members of the Mizo Union	20,000
Associated Members of the Mizo Union	80,000 (approx)
Total Members of the Mizo Union	100,000
Superintendent's Conference.	
Total number of houses in the Aijal Sub-Division	18,979
Commoners electorate (1 out of 10 houses) in the Aijal Sub-Division	1,898
Chiefs electorate (Nominated by the Superintendent)	177
Total voters (excluding chief's elders)	2,075
Actual voters on 14-4-47 (including chief's elders nominated by the Superintendent)	226
Total numbers who did not participate in the election	1,849
Total number of houses in the Lungleh Sub-Division	7,890
Commoners electorate (1 out of 10 houses) in the Lungleh Sub-Division	
Chiefs electorate in the Lungleh Sub-Division	127
Total voters (excluding chiefs elders)	916
Actual voters on 9-4-47 (including chief's elders nominated by the Superintendent)	48
Total number who did not participate in the election	868

The above facts and figures clearly proved that the Mizo Union does represent the Lushai Hills and that the Superintendent Conference does not represent Lushai Hills.

Appendix III

The Prime Minister has announced in the House of Commons that British authority in India will be transferred to Indian hands not later than June 1948.

How India is to be governed after that date is to be settled by Indians themselves. For this purpose a Constituent Assembly has been set up in Delhi and the Assembly has set up an Advisory Committee. We have now come here on behalf of the Committee to find out from people of these hills how they wish to be governed in future.

We have no plan of our own. We want your views because you know best what your own needs are. We should like in particular your views on the following questions:—

(1) What are the matters in which your area is specially interested, and for the effective maintenance of which, in your opinion, special provisions in the Constitution are needed? As examples for your guidance may be mentioned land tenure, agriculture, social customs and education.

(2) How should the representatives of your area be elected,

(a) for the provincial legislature,

(b) for local self-governing bodies like district councils, panchayats, etc.

(3) Do you consider that your area should be represented in the provincial legislature in proportion to your numbers or have you any special considerations to urge?

(4) What are your views regarding effective representation of the people of this area in the Ministry and the Services?

(5) Are there any other matters which you would like particularly to bring to our notice?

To the Members of the Constituent Assembly's Advisory Sub-committee.

(1) On 16th April 1947, in the evening, I received a telegram signed "Deputy Secretary" from which I gathered that it was the intention of your Sub-committee to refuse to see the small body of Mizo representatives appointed by the elected District Conference to interview your Sub-committee on the Conference's behalf. Fearing that such a refusal would be a *fau pas*, from which it would be practically impossible for your Sub-committee to recover, I make bold to call your attention to the following facts:

(i) The District Conference, as already stated on the programme which is in your hands, is a purely elected body elected by the whole District by a system which, at the base, gives every householder a vote, and makes every Member dependent for his election on the opinions of all the householders of his Circle; this is a much wider basis of suffrage than any constituency in the non-Excluded Areas of Assam. This Conference was created for the express purpose of advising me about the government of this District, and was freshly elected within this fortnight for the express purpose of meeting your Sub-committee.

(ii) Most of the Members elected to the Conference do not know any language except Lushai; this, and the large number of Members, makes it impossible for the whole Conference as a body to engage in useful conversation with your Sub-committee in the time available, unless the ground is suitably prepared beforehand. It is for the vitally essential purpose of so preparing the ground that the Conference has appointed a body of five English-knowing Mizo representatives to have a preliminary discussion with your Sub-committee.

(iii) The five representatives had all been unanimously appointed by the whole Conference and (except Pi Lalziki who has not reached Aijal at the time of writing this, but is expected today) had received the instructions of the Conference before I received the Deputy Secretary's telegram. The representatives are—

- (a) Rev. Pu Liangkhaia, one of the original pioneers in spreading the Christian religion among the Mizos, who is the elected Commoners' Member of Conference for Circle IVA.
- (b) Pu Kailuia, B.A., a Magistrate at Lungleh, and son and heir to one of the most important Lushai Chiefs.
- (c) Rev. Pu Zairema, B.Sc., B.D., who recently resigned the Vice-Presidency of the "Mizo Union", a gentleman whose mental attainments can be judged from the fact that he is at present engaged in translating the Scriptures from the original Hebrew into Lushai.
- (d) Pu Vanlawma, the founder and first General Secretary of the "Mizo Union", who wrote the Constitution of the "Mizo Union", and is now the elected Commoners' Member of Conference for Circle I.
- (e) Pi Lalziki, B.A., a Lushai lady who has rendered great services to education in the South Lushai Hills.

(2) I think you will agree that to refuse to see such a body appointed unanimously for the purpose of interviewing you by a Conference itself elected by the whole District on a basis of household suffrage, would be a lamentable mistake and that the interview fixed for these representatives in the program should be granted. The place of the interview is a matter of almost negligible importance, which can be arranged according to your convenience when you arrive.

(Sd.) A. MACDONALD,
Superintendent, Lushai Hills.

Resolutions of the District Conference on 19th April 1947

(1) That the Advisory Sub-committee be told that no reply can be given now to the Sub-committee's question how representatives of Mizoram should be elected for various legislatures. This Conference has been elected partly for the purpose of hammering out a Constitution for Mizoram, but the work will take a long time yet.

(2) That the Advisory Sub-committee be told that this Conference has not yet decided whether it wishes Mizoram to be in any way subject to the Assam legislature; that if the Conference decides that it does wish Mizoram to be subject to the Assam legislature for certain Provincial matters, it would ask for at least three Members from Mizoram to be elected to the Assam legislature (assumed to be about 107 Members in all); and that the Conference thinks it worth while adding that it would in no case wish that Mizoram Members of the Assam legislature should possess, as such, any authority over the local Governing Body of Mizoram which would have full power over local matters not in the power of the Assam legislature.

(3) That the Advisory Sub-committee be asked to explain more clearly what it means by "effective representation of the people of this area in the Ministry."

(4) That the Advisory Sub-committee be told that this Conference would prefer all posts in Provincial Services to be allotted by fair open competition

According to fitness, rather than by special reservation for any community or area; but the competition must be fair.

(5) That the Advisory Committee be told that the Conference wishes all matters of land tenure, agriculture, and social customs to be in the power of the local Governing Body of Mizoram; and that on the question of Education the Conference cannot be more definite at present than to say that at least a part of the educational machine should be in the power of the local Governing Body.

(6) That the Advisory Sub-committee be told that the Conference wishes very strongly that the control of immigration into Mizoram from outside Mizoram be in the power of the local Governing Body of Mizoram.

(7) That the Advisory Sub-committee be told that the Conference wishes all control of civil and criminal justice of all sorts including power of life and death in criminal cases, be in the power of the local Governing Body of Mizoram and that those outside should have no power over it.

(8) That the Advisory Sub-committee be told that the Conference wishes all power to preserve or to change the customary laws of Mizoram to be in the power of the local Governing Body of Mizoram.

(9) That the Advisory Sub-committee be told that the Conference does not intend to imply that any tacit consent has been given to any proposal, plan or idea not expressed in these resolutions.

(10) That this Conference protests strongly against the anti-democratic action the Advisory Sub-committee in co-opting Messrs. Khawtinkhuma and Saprawnga to be Members of the Committee without consulting anybody in this District. The Statement of the Cabinet Delegation and His Excellency the Viceroy promised that the Advisory Committee should "contain full representation of the interests affected". It would have been quite easy to have a special election from the whole of Mizoram to select representatives to give representation to the Mizo people. But at present the Mizo people is in a state worse than being totally unrepresented; its so-called "representatives" on the Sub-committee are persons secretly nominated without the advice, or even the knowledge, of the Mizo people by outsiders, whose behaviour in this matter, in the opinion of the Conference, is like the behaviour of one consciously acting against Mizo interests.

All these resolutions were carried unanimously by the whole Conference.

(Sd.) A. MACDONALD,

Superintendent, Lushai Hills.

Dated 14th April 1947.

The aim and the object of the 'Mizo Hmeichhe Tangrual'

The Mizo Hmeichhe Tangrual (Mizo Women's Union) was first established on the 6th July 1946, at Aijal with the main object for the improvement and welfare of women in all affairs of life. In the town there are 300 members and 90 in rural areas. We think that the general principle of administration now applied to our district is not suitable for the progress of the people and that some of the customary laws in respect of women practised here are not good for their improvement.

With the above objects in view among others, this Women's Association has been started, and we place ourselves now in line with other bodies who are struggling for the liberty and freedom in their widest sense.

(Sd.) MRS. KHAWTIN KHUMA,

President, Mizo Hmeichhe Tangrual, Aijal.

Dated 18th April, 1947.

Dated at Aijal, the 19th April 1947

To

THE PRESIDENT AND MEMBERS OF THE SUB-COMMITTEE OF THE CONSTITUENT ASSEMBLY FOR EXCLUDED AREAS IN ASSAM.

AIJAL.

SIR,

Most humbly and respectfully we have the honour to submit, on behalf of non-Lushai residents of Lushai Hills, the following few lines for your kind consideration:—

- (a) That there are at present about 4,000 non-Lushai settlers from plains in this district (comprising Nepalis, Bengalis, Muslims, upcountry Hindus, Punjabis, etc.), who have been staying in this district for several years—some as far as 40 to 50 years. Many of these have spread up in interior villages and are settled up on the land, while others have contributed their quota in the trade and commerce of the locality.
- (b) That our ancestors came over to this area when this region was in a totally undeveloped stage, and through their untiring efforts and contributions to the administration and commerce helped in the improvement and progressive growth of the district.
- (c) That there has always been a spirit of brotherly feelings between the Lushais and the settlers from the plains.
- (d) That in the new constitution, when power will be transferred in the hands of the people, we shall constitute a minority and feel that our interests and rights be protected in the same manner as the rights and privileges of the bigger minorities are protected in the Indian constitution.

Under the circumstances, we pray that the following amongst other rights be granted to us:—

- (1) That we be treated *pari passu* with the Lushais in the matter of land settlement, trade, commerce and in all other rights and privileges enjoyed by the Lushai people.
- (2) That in the inner council or councils of administration of the district, at least 10 per cent seats should be reserved for these settlers—the members to be elected by the settlers themselves.
- (3) That the headmen belonging to the plains be named and treated in the same manner as Lushai headman, and not differentiated as at present—the Lushais being called "chiefs" and Nepalis "mauzadar". The rights and privileges of these plain chiefs be same as that of local ones.
- (4) That in Government services of Lushai Hills at least 10 per cent posts be allotted to our people.
- (5) That any other privilege accorded to the minorities in the Indian Constitution be granted to this minority in the administration of this area.

Your most obedient servants,

S. B. KHANDELWAL,
 (Sd.) NIRANJAN SINGH GHOGAL,
 (Sd.) BADWARIS SETS,
 (Sd.) SHIRAJULISLAM KHAN,
 (Sd.) KINLEY NAG SUB.
 (Sd.) MAUTDIVAR ALE.

On behalf of the non-Lushai residents of the Lushai Hills.

(Note by Secretary, Mr. R. K. Ramadhyani).

All the members of the Sub-Committee were present at Silchar; the Constitutional Adviser, Sir B. N. Rau was also present. An incident which took place a few days earlier was discussed informally by members and a copy of a memorandum regarding it was handed to the Chairman and the Constitutional Adviser by one Mr. Das. It appeared that certain college boys who went to Aijal on a "goodwill mission" were expelled by order of the Superintendent and were brought all the way to Silchar in handcuffs after having spent a night in a lock-up. The Chairman of the Sub-Committee wished to take one of the boys with him to Aijal with a view to recording his evidence there, the idea being to indicate the atmosphere prevalent in the district. At Silchar a printed programme made out by the Superintendent, Lushai Hills, Mr. MacDonald, was received and distributed to the members of the Sub-Committee. It was noticed that the Superintendent had arranged for the interviews to take place at his residence and also for the 'District Conference' consisting of 20 chiefs and 20 commoners to have two interviews with the Sub-Committee, one on the forenoon of the 18th April during which certain representatives of the district conference only would be present, and again on the afternoon of the 19th April when the full district conference would be present. All the other interests of the district, like the Mizo Union, the Chief's Union, the representatives of three different churches, the Ex-servicemen's Association, Mizo officials, etc., had been scheduled for the afternoon of the 18th April. It was noted in the programme that the district conference had been elected specially with a view to discussions with the Sub-Committee and that the elections took place on the 14th April, 1947. The Sub-Committee were of the view that interviews should not take place at the Superintendent's residence and that it was not necessary for Sub-Committee to meet the district conference or its representatives on two different occasions, that the time allocated for all the other bodies in the district was obviously inadequate, and the programme should therefore be rearranged. It was mentioned in this connection that the Mizo Union, the representatives of which had been co-opted to the Sub-Committee as the only representative Union of the Mizos or Lushais, had boycotted the district conference on account of the disproportionate representation provided for chiefs on the district conference and the influence which the Superintendent wielded over it; the district conference was in fact alleged to be his creation and not to be representative of the views of the common people. A telegram was sent to the Superintendent requesting him to arrange for interviews to take place in the Circuit House or similar place and to rearrange interviews so that the representatives of the churches and some others could be interviewed on the forenoon of the 18th April.

On the way to Aijal, at the village of Kawnpui, the Sub-Committee were offered hospitality by Subedar Khawma an ex-serviceman, who had recently been appointed chief by the Superintendent in place of a previous hereditary chief who was unable to work. Travelling at the same time as the Sub-Committee was one M^{ss} J. Z. Sailo who was reported to be undergoing a training course in Berhampur, Bengal. It was learnt that she had come on telegraphic instructions from the Superintendent and had not been in the district for some years. She showed certain samples of Lushai Weaving and tapestry work to the members.

The journey of the Sub-Committee was performed by truck on a widened bridle path with very steep inclines at many places. The bridle path runs through about 100 miles of magnificent hilly country with steep slopes covered with extremely dense forest. The peaks in this area are between 4,000 and 5,000 feet above sea level. Patches of Jhum cultivation could have been seen here and there and there were some orange groves also visible. The Lushais live on the hilltops and their houses are neat little structures made

entirely out of bamboo and timber. There is no plough cultivation worth mentioning in the district. One of the contrasts with the plains which could be noticed by the traveller was the freedom with which women and children used to move about and meet strangers.

On arrival at Aijal, the Superintendent handed a note to the members of the Sub-Committee in which he had noted that the telegram from the Sub-Committee indicated that they refused to meet the district conference and suggesting that their mission would be a failure if they refused to meet the district conference. It was pointed out to him that the Committee would on the contrary desire to have the views of all sections.

R. K. RAMADHYANI.

[EXTRACT FROM A NOTE RECORDED BY THE SECRETARY, MR. R. K. RAMADHYANI.]

The "District Conference" referred to in Mr. MacDonald's letter is not a statutory body but is a body convened by the Superintendent himself who presides over its deliberations. (It was said to have been convened first in 1946 but evoked little enthusiasm in the District on account of its being dominated by chiefs (who were elected by the Chiefs only), and by October last year was virtually moribund.) As stated in the Superintendent's letter, fresh elections were held shortly before the visit of the Sub-Committee and was supposed to have been completed by the 14th of April 1947, while the Sub-Committee actually arrived at Aijal on the 18th April. Meanwhile, the Presidents of the Mizo Union (an association said to have been formed with the permission of the Superintendent about two years ago and showing itself as consisting of two branches under different Presidents, with both chiefs and commoners as members) had been co-opted to the Sub-Committee and the names of the co-opted members were intimated to the Secretary to the Governor of Assam for communication to the members. Information gathered at Silchar regarding the District Conference convened by the Superintendent was to the effect that the Mizo Union had boycotted the District Conference.

No _____ G.

Dated Aijal, the _____ April, 1947

FROM

THE SUPERINTENDENT, LUSHAI HILLS.

TO

THE SECRETARY TO THE GOVERNOR OF ASSAM, SHILLONG.

Ref. your unnumbered and undated communication, received by me at Aijal on 17th April 1947, forwarding to me by post copies of your telegram 586/587/C (no date mentioned) said to have been sent to Khawtinkhuma, and Saprawnga.

(1) There is no body calling itself the "Mizo Union, North Lushai Hills". Khawtinkhuma (misspelt by you "Khawtikhuma") is not the President of the "Mizo Union, North Lushai Hills". Nor is he the President of the "Mizo Union". The last legitimately elected President of the "Mizo Union" was Pu Lalhema of Aijal Dawrpui but he resigned from this place, and since then there has been no legitimate election to fill it. Khawtinkhuma's pretence that he is the present President of the "Mizo Union" is not only in my opinion quite untenable: it has been, and still is, specifically repudiated by both Pu Pachhunga and Pu Vanlawma, the two who started the "Mizo Union" just a year ago, and who wrote the Constitution of the "Mizo Union" at a time when Khawtinkhuma was still a new comer from Tripura State.

(2) I have heard of a nebulous affair called the "Mizo Union, South Lushai Hills", but as a recognized corporation it never had any existence apart from the "Mizo Union" proper.

(3) At the request of the last legitimately elected President, Pu Lalhema, who, after his resignation, refused to hand over the funds of the "Mizo Union" to the unconstitutional usurpers Khawtinkhuma and Vanthuama, I have taken over all the funds of the "Mizo Union" and they are still in my hands. I tried to arrange the equivalent of a proper General Assembly of the Mizo Union to appoint proper office bearers and to decide what to do with the funds, but I was prevented first by an unexpected Government move to transfer me prematurely, and later by Vanthuama's delaying appeal to H. E. the Governor. I have now received orders to hand over the funds to properly elected Office bearers, but as I am expecting to depart at the end of April 1947 and to give decent notice for an Assembly of the "Mizo Union" fit to elect office bearers requires at least a month, this is a task which I shall have to leave to my successor. Meanwhile of course the usurpers Khawtinkhuma and Vanthuama are trying to get hold of the funds by obtaining by any means some recognition of their claims to be office bearers, and your present communication, in which, without the slightest judicial authority, you describe "Khawtinkhuma" as President of the Mizo Union North Lushai Hills will doubtless be used in their attempts to bolster up their false claims. The trust reposed in Saprawnga and Khawtinkhuma by the Advisory Sub-committee (I presume your allusion to "Committee", instead of "Sub-committee" is another mistake) is apparently also being abused to the same end.

Copy to all non-co-opted Members of the Advisory Sub-committee.

Copy to Khawtinkhuma.

Copy to Saprawnga.

(Sd.) A. MACDONALD.

18th April, 1947.

Superintendent, Lushai Hills.

REGULATION No. V OF 1896¹

(The Chin Hills Regulation, 1896)

13th August 1896

1. (*See section 22*).—Where the Superintendent or the Deputy Commissioner of any area specified in the Schedule is satisfied that the presence of any person not being a native of such area is injurious to the peace or good administration of the area, he may, for reasons to be recorded in writing, order such person to leave the area within a given time.

2. (*See section 23*).—Whoever, not being a native of any such area, disobeys an order under clause 1, may, on conviction by a Magistrate, be punished with imprisonment for a term which may extend to six months, or with fine which may extend to Rs. 1,000, or with both.

(*See section 35*).—Taxes shall be levied on residents, permanent or temporary, houses, clans, and villages on such rates and in such a manner and subject to such exemptions as the (Provincial Government)³ may prescribe.

Explanation.—"Tax" in this section includes land revenue, as well as any cess, toll, rate, duty or fee.

3. [*See section 38(2)*].—The (Provincial Government)¹ may revise any order passed under clause 1.

4. (*See section 40*).—No order made under clause 1 shall be called in question in any civil or criminal court.

• SCHEDULE

The North Cachar Subdivision of the Cachar district, the Garo Hills, Khasi and Jaintia Hills, the Dibrugarh Frontier Tract in the Lakhimpur district, the Naga Hills, the Mikir Hills tracts in the Nowgong and Sibsagar districts and the Lushai Hills district.

¹ Substituted by A.O. for "Local Government."

Statement of Income and Expenditure of the Lushai Hills District

PART I—INCOME

	1943-44	1944-45	1945-46	Total of columns 2-4
1	2	3	4	5
1. Supdt.'s Office Total	59,766-14-3	59,740-10-11	96,234-9-9	215,742-2-11
2. Receipts of Aijal Jail.				
3. XXIV Medical XXVII Medical				
4. (i) X—Forests (ii) Cachar Dist.				
Total	109,514-2-6	69,099-8-1	123,058-8-0	301,672-3-4
5. XXXIX Civil Works Pro- vincial (ii), (iii) (iv) and (v).				
Total	14,116-0-0	13,687-0-0	4,981-0-0	32,784-0-0
6. Income Tax				
7. 34-Tribal and 29 Police.				
8. XXIII—Police				
9. XII Fees etc.				
10. 64-B Civil Defence.				
Grand total	214,112-9-9	112,482-7-2	257,358-15-9	583,954-0-8

PART II—EXPENDITURES

	1943-44	1944-45	1945-46	Total of columns 2-4
1	2	3	4	5
I. Superintendent's Office—Aijal.				
Total .	178,228-10-0	179,635-15-7	261,230-15-10	619,095-9-5
II. Aijal Jail				
III. Civil Surgeon's Office Aijal				
IV. Supdt. I/C. Forests Lushai Hills Aijal.				
V. P. W. D., Aijal				
VI. Civil Defence (ARP) Lushai Hills.				
VII. 1st Assam Rifles Lushai Hills				
VIII. Police, Lushai Hills.				
Total .	72,525-9-0	93,784-0-0	62,455-0-0	228,764-9-0
IX. Motor Vehicles Taxation Act and Rules, etc.				
X. Civil Veterinary				
XI. Industries				
XII. Refund of Income Tax.				
Grand Total	1,055,048- 12-0	1,117,156-4-6	11,570,965-10-7	3,343,170-11-1

North Cachar Hills

The Sub-Committee of the Advisory Committee of the Constituent Assembly for the N. E. Frontier Tribal Areas and Excluded Areas met at the Inspection Bungalow at Haflong at 9-45 A.M. on Tuesday, the 12th May 1947, the Hon'ble Srijut Bardoloi in the Chair.

The question of co-option of members was discussed and it was decided that if possible co-option for any particular area should not be made in advance but should be decided on meeting in the area for which the co-option would be made. This would enable the Committee to obtain information about local interests and parties and also to consult local officers.

2. For the North Cachar Hills, it was decided to co-opt Messrs. Thanga Berit and Daulagupu. The order of examination of witnesses was discussed with them and examination began.

Mr. CHAIRMAN: The Thado and Changsen Kukis were presented to the Committee. The following were present :—

1. Thongjaman Changsen, Chief of Tolpui.
2. Manglang Changsen, Chief of Chelei.
3. Tonkhojang Lenthang of Nomjang.
4. Sepau Lhonjem of Bolsol.
5. Sengajam of Teijol Vaphei.
6. Thonglum of Jollen.
7. Thonglet Suison, Chief of Natun Leikul.
8. Thongchung Compounder.
9. Thongkeng Lhuvom, Chief of Ngalsung.
10. Ngullam, Head Dobassi.
11. Seingul, Dobassi.

We represent the Thado and Changsen Kukis. Our villages are interspersed in different places and not all concentrated in one place. In the Hills area Kukis and Nagas are mixed up; but Cacharis are living mostly towards the plains in Dimapur area. In one or two villages Kukis and Nagas live together. The tradition is that they have come from the Chin Hills and afterwards they were distributed. (Subsequently it was corrected that the tradition is that they came from the Khul). The people who call themselves Mizos now, were probably Kukis formerly.

Mr. CHAIRMAN: Have you had any notice or leaflet given to you explaining the object of this Committee's visit? What was explained to you?

A. It was explained to us that we would have to send representatives to the legislature.

Mr. CHAIRMAN: The question was, as you are represented in your local administrations such as settlement of disputes, etc., by election of people from among you, would you like some representation in the ming provincial legislature?

A. That is exactly what we want. For that we had a meeting and deliberations. That is what we have given in writing. (They made the following statements in reply to further questions.)

There are slight differences between us and the people who live in Sylhet and Silchar. In those places they give dowry to the son-in-law; here we take dowry from the son-in-law.

If we had the power, then we would not allow people from the plains to come and take away our lands.

We have a Chief. The Chief deals out justice between the people. We do not want to change that system at all.

We generally speak our own dialect at home. Outside, we speak Assamese.

If you will be so pleased, our own people should occupy land in these areas as far as possible and our tribal Council should be permitted to administer matters connected with land and settlement. Till the tribal Council can look after these affairs the present system of administration should continue.

Q. (Referring to a statement that the tribes wanted two representatives in the legislature). There are 4 or 5 tribes here, Nagas, Mikirs, etc. How will two representatives be selected to represent them all?

A. We can join together and select two. There will be one representative for Cacharis and one for others.

Q. There are Nagas, Mikirs, etc. These people may want the boundaries of the Sub Division altered so that the Nagas for example are attached to the Naga Hills District, the Mikirs to the Mikir Hills etc. Would you like the Sub Division to be altered like that?

A. We do not want the present boundaries to be disturbed at all. If any of these people want to go to their kith and kin, they can take their things away but they should not disturb their boundaries.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Are there several main sects ?

A. There are about 8 or 9 in the Thado and Changsen area. They live together.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do the Christians mix with the non-Christians ?

A. Sometimes.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do the two communities have no inimical feeling ?

A. There is no inimical feeling.

Mr. CHAIRMAN: Beyond the Christian missions, are there no other organisations?

A. Welfare organisations like the Ramakrishna Mission are not working here.

Q. Is the land in the villages held privately by individuals or is it held by the community ?

A. The boundaries between villages have been demarcated. The land inside the village boundaries belongs to the village as a whole and not to individuals. People of one village cannot cultivate in another village. When there is plenty of cultivable land in a village they approach the headman of another village for allotting them some land and after the conclusion of their harvests, they give some kind of tribute to the headman and take away the balance for their use. But this has to be done year after year by mutual agreement. The headmanship of a village (Gaonburra) is by inheritance, i.e., father to son. The eldest son inherits the right to be Gaonburra. If he dies, the next son takes the place. There are two elders who act as his advisers. These elders are selected by the Chief, of his own accord. In deciding disputes the Chief calls a meeting of other leaders of the village also and disputes are decided in consultation with them. The Gaonburra and his advisers decide disputes concerning petty quarrels, thefts, etc. Their powers have been curtailed. Formerly they used to have very large powers in settling disputes. They initially go to the courts and the courts send them to the *Mauzadars* for disposal. It is not a custom that women should be given votes. If it was, we do not know what will happen to us. We pay a house tax of Rs. 3 per house.

At this stage the Dimasa Cacharis were introduced to the Committee. The following were present :—

1. Hamdhon Mauzadar (Spokesman).
2. Desondas Jojai (Maibong).
3. Dinomoni Kemprai (Gonjung).
4. Jogandranath Thaosen (Maibong).
5. Ramkanta Daulagupu.
6. Pojoga Cachari Gaonburra (Boro Waphu).
7. Lochan Cachari (Didaodip).
8. Rajendra Langthasa (Maigong) (Absent).
9. Umacharan Cachari (Maibong).
10. Debrata Thaosen (Langting).
11. Gaonburra and Chota Gaonburra of Shemkhor.

Mr. CHAIRMAN : We are very glad to meet you and want to know something from you, regarding your location i.e., how you are distributed in these hills. Have you any particular fixed areas of this Sub Division ?

A. From Hurangagao to Derabara they are mostly Cacharis and there are a few Nagas also. They are Zemi Nagas. There are two or three villages of Kukis also. Towards Reluibong there are also more Cacharis, but there are Kukis also. The Kukis are in a majority. Towards Langting Cacharis and Mikirs are mixed together. They do not live together in the same village but their villages are close together. Towards the Naga Hills there is a big village of Cacharis called Semkhor with Naga villages round about. To the south, there are very few Cacharis and mostly Nagas and Kukis.

We and the Cacharis who are spread over the plains are the same people. Our language also is the same. The Cacharis living towards Lunding and Dimapur are also the same people as ours. The people in the North Cachar Hills are known as Dimasa Cacharis. Dimasa means son of the great river. We can inter-marry with the Cacharis elsewhere. We do not inter-marry with others though we are living in good relations. The Cacharis who have spread out towards Goalpara and other places were formerly the same people ; but there may be small differences now. The language is the same ; but there may be slight local differences. The people towards the Lushai Hills, Cachar plains and we are of the same stock.

Mr. CHAIRMAN : There will be changes in the constitution and the new constitution will be framed. How would you like this area to be administered ?

A. So far, we have been absolutely in the dark. We want more light. More attention should be given to our education ; communications in this area should be improved as we are otherwise unable to sell our produce. The railway is at present the only means of communication. Our present methods of agriculture are not at all profitable to us. We want improved methods of agriculture to be introduced with the aid of the Government. We realise that the revenue realised from this portion of the country is small to meet these improvements. Therefore, it is our earnest request to Government that more money should be spent in this area. The medical facilities in this area are very inadequate and must be improved.

In most of the schools Bengalee is the medium of instruction. Since we will be part of Assam, it would be better for us to be educated in Assamese rather than Bengalee.

Q. The upper classes of Silchar and Sylhet speak Bengalee. What have you to say about this ?

A. It is desirable that all should speak Assamese ; whether they desire or not is a matter for them. We consider it proper to be taught in Assamese.

Mr. CHAIRMAN : This area contains Cacharis, Mikirs, Nagas and Kukis. Will you be able to select one representative to the legislature ?

A. It is desirable that the circumstances of this area and not the mere numbers should be considered and we should have two representatives. The Cacharis being more numerous will have one representative and the other representative can either be selected for the remaining tribes or they can be selected from each tribe in rotation.

Mr. CHAIRMAN : The Nagas and Mikirs etc. may be in favour of being attached to the Districts in which most of them live. The Nagas may want to join the Naga Hills and the Mikirs, the Mikir Hills. What is your opinion about this ?

A. We consider this a deplorable proposal. We want that the different tribes who have been living in this Sub Division should continue to live together. We surely do not want any curtailment in boundaries. Rather we want enlargement.

There are Cacharis towards Dimapur and Hojai whom we feel should be included in this area.

Mr. CHAIRMAN : How is the Gaonburra of your village selected ?

A. If the existing Gaonburra's son is considered fit, by the people of the village, he is appointed. If he is not considered a suitable person, a different person may be elected. It is done at a meeting by way of election. All the men will be electors. Married people have a voice in the elections.

If a dispute has to be settled, the Gaonburra sends for all the people of the village and the different parties are heard. The Gaonburra also calls sometimes the people of the adjoining villages in order to assist him in the settlement of disputes. If even this does not result in settlement, he sends a report to the Mauzadar. The Mauzadar settles the dispute, also by calling a panchayat.

Disputes relating to marriage, money lending and all kinds of disputes other than murder and grievous hurt are settled. The disputes are settled by the infliction of fines, payment of compensation, compromise, etc. A person who is not amenable to the decision is subjected to social boycott.

Mr. CHAIRMAN : What safeguards do you want in respect of your land ?

A. We are very backward. We do not wish that permission should be given to others to take up land here. Land for cultivation in these Hills is even now inadequate. Others even hillmen cannot find land for cultivation here.

(Questioned regarding Industries)

A. We do not want industries to be set up by outsiders. We want the Government to provide the facilities for us to start such industries. The capital for the industries should not be from outside. It should be from the Government and from the people themselves.

(Further questioned regarding Land)

A. The boundaries of villages have been demarcated, but within the boundaries the land is not owned individually. Usually the man who cultivates the land leaves the place and goes to cultivate in another place, but the land belongs to the village.

[Presents a Memorandum (Appendix A)]

A. We pay tax of 8 to 12 annas per biga. For settled land we pay revenue at the rate above quoted and for *zamin* we have to pay a house tax of Rs. 3 per house. I am also the President of the Dimasa-Cachari Sub-Council. We desire that all matters connected with this area should be discussed with the North Cachari Tribes Council.

At this stage the Amri and Dikhlem Mikirs were presented to the Committee. The following were present :—

Amri Mikirs—

1. Philip Mikir.
2. David Long.
3. Sarburas.

Dikhlem Mikirs—

1. Dikhlem Mauzadar.
2. Sarburas.
3. Ramsantharan.
4. Bentley Hanse [Sarburai (Assistant to Mauzadar)].

Mr. Philip Mikir lives in the Jaintia Hills. His relatives are in the Jaintia Hills, but he belongs to Amri. His residence is at Amri. He is a Christian and many of them are Christians.

Q. From which village do you come from ?

A. I come from Panimere south on the border of Jaintia Hills. I am a Planter. My place is within the North Cachar Hills.

Q. Is there any road going to Joha ?

A. There is a C.W. Road.

Q. You are on the side of that road ?

A. Yes.

Q. That means that road is kept by the Civil Department here in the North Cachar Hills ?

A. Yes, from Panimere on to Horspring and leading to Joha.

Q. How many villages there are of Mikirs in the North Cachar Hills ?

A. 23 in Mauzadar, 6 in the Dikhlem Mauzadars.

Q. What is the size of the villages ?

A. Small. In all there are from 25 down even to 10 houses. The biggest consists of 25 and 30 and the smallest are 10, and ranging up to 25.

The HON'BLE REV. J. J. M. NICHOLS-ROY : What would be the total population of these villages ?

A. Here we have got 2,000 people.

[Presents a Memorandum (Appendix B)]

Q. Are you near the Nagas somewhere ?

A. No.

Q. Are you near the Cacharis ?

A. No.

Q. Are there any other tribes ?

A. Cacharis and the Kukis both live contiguously. The Mikir village and the Cachari villages are mixed up in some places.

Q. What about the villages in Lumding side ?

A. In Lumding side the Cacharis are close to the river while the Mikirs are not. We know that we are being administered by the North Cacharis since 1914. We belong to the North Cacharis. We used to pay our tax to Nowgong before 1914 or so. Except in two Mauzadars there are no Mikir people round about these areas.

Mr. CHAIRMAN: Neither of them adjoin any Mikir inhabited area. All that you say is that it is attached to Nowgong district. It used to be until 1914. After that it came under the administration of North Cachar Hills and you pay the tax there ?

A. Yes.

Q. You do not know the reason why that was done.

A. No.

Mr. CHAIRMAN: You are on the south bank of the river ? You have relatives in the Jaintia Hills ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: What objection do you have in being with the North Cachar Hills ?

A. Our lands are almost inside the Mikir Hills and we would therefore be much better this side. We would like to include ourselves in the Mikir Hills area.

Q. What is your general idea about your future ?

A. We shall put before you at Lumding.

Q. Supposing it is decided that on account of the natural boundaries you remain with the North Cachar Hills would you like to say anything about that ?

A. We have our connections with religious heads in the Mikir Hills and the appointment of the religious head lies in the hands of the Nowgong areas. We would therefore like to be included in the Mikir Hills District.

SECRETARY: You are now in the North Cachar Sub-Division. It may not be possible for the Committee at this stage to take up the question of revision of the District and Sub-Divisional boundaries. It may have to be postponed for the time being. The question now is, assuming we cannot take up the question of altering boundaries, how would you like your future administration to be? Would you like to be included in the North Cachar Hills ?

A. We cannot say anything now. We shall have to consult our tribal people.

(Questioned regarding their Village organization)

A. *Gaonburras* are appointed by election by the villagers and it is approved by the head *Gaonburras*, *Habais* in our area. *Habai* has authority to find and judge. *Gaonburras* and *Habais* are appointed by the *Pinpos* from the Mikir Hills, Nowgong side. *Pinpos* are higher than *Habais*. *Mauzadar* is a Government man. *Pinpo* is the religious head, head of the Mikir custom. *Gaonburras* are appointed by the people, but approved by the *Habais*. There are three *Pinpos* in the Nowgong District. In our area there are three *Habais*. If we are not allowed to join them, it will wound their feeling and they will not do any appointment of *Habais*. Already from 1914, they cannot appoint any. The old three *Habais* are still alive. *Mauzadar* is a Government man who collects revenue and tries cases. He is connected with the North Cachar Hills Sub-Divisional Officer. This area has been in the North Cachar area from 1914.

SECRETARY : The question is whether the area should continue to stay on till the question of revision of boundaries can be taken up later, or not. If you have been in the North Cachar Hills Division for 33 years or more, it cannot hurt you to stay till the question of revision of boundaries can be taken up. It may not be possible for this Committee to consider and take up the question of the revision of boundaries. That is an entirely different problem by itself and is likely to take much more time. For the time being, we have to consider the position as it is. I want you to consider what suggestions you have to make regarding the election of your representatives assuming your position is continued.

A. About the payment of house tax, we will pay to North Cachar Hills. Half of us do *jhuming*. For wet cultivation no assessment has been made. Pending final decision, we will have to stay on in the North Cachar division in the shape of payment of our taxes. But our customary arrangements or administration itself will go to the Nowgong side Mikirs.

(Further stated in answer to question regarding tax) :

At present the Kukis and Cacharis are collecting one rupee per house besides their house tax to meet the expenses of the administration while we pay only four annas to the Nowgong authority. The difference of 12 annas we are not going to pay.

This was the original home of the Mikirs from time immemorial. We did not pay any tax to the Cacharis even before the British administration.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Is that your position that the Mikirs cannot remain in one administration with the Cacharis ?

A. Yes.

Mr. CHAIRMAN : Is it your idea that in a free Government our people cannot live together ?

A. We think that two tigers cannot live in the same forest.

Mr. DAULA GUPU: Is it not a historical fact that the boundary of Tularam Senapati extended to that area ?

A. No.

Mr. CHAIRMAN: You cannot remain in a common administration with the Kukis, Nagas, etc. ?

A. No. We want to revert to the former position.

Mr. CHAIRMAN: The proposition is this. You are one people. Kukis are another people. Cacharis are another. Can't you all live together and have some kind of common administration ? There are Mikirs in other areas.

A. No. Let those people remain there.

Mr. CHAIRMAN: What are you going to do with the Mikirs living in areas which cannot be definitely demarcated ? Do they form a separate kingdom ?

A. Let them remain there.

We cannot believe in a common administration. We are not on the North Cachar tribal council.

Mr. CHAIRMAN: Your position is that you are not in a position to give any idea as to how the future administration of the North Cachar area should be ?

A. Yes.

Mr. CHAIRMAN: Your idea is that whatever the destiny of the Mikir Hills, you are willing to go with them ?

A. Yes.

Mr. CHAIRMAN: Supposing this remains a common administration, would you or would you not like to have any representation in this administration ?

A. Even if we wish, the Cacharis would not give us.

Mr. CHAIRMAN: The Government are there. Why do you say they would not give anything to you.

Mr. DAULA GUPU: In any case, after the British Government are going, we are not becoming Kings.

Mr. CHAIRMAN: Supposing there is a tribal council for all the North Cachar Hills, would you like or not to have a voice in choosing the members of such council ?

A. We do want to have a voice. The Cacharis won't give us.

Mr. CHAIRMAN: Some Cacharis will be within the Mikir Hills.

A. We will consider their case.

Mr. CHAIRMAN: Whether you remain in Cachar area or Cacharis remain in Mikir area, they must act in co-operation. It will be impossible to divide a people in the modern world according to areas. You may discuss among yourselves and tell us what you will do if your area remains in the North Cachar Hills.

Notes of evidence given by the Khasi witnesses

Names of Witnesses : 1. Mr. Lowell Suchiang (Jatinga).

2. Mr. Molini Tariang (Barolukha).

These are the two Khasi villages. The population of Barolukha is about 200 and the population of Jatinga is about 800. Jatinga is four miles from Haflong. Barolukha is 14 miles from Haflong. We have settled here since 1905 and are doing business.

So far we have had no trouble. We are living peacefully among the tribes. We have representatives on the tribal council. We have two members. We are prepared to cast our lot with the general people. We have no objection to Cacharis representing us in the Assam legislature. But we would not like anybody from outside to represent us.

We speak our own language. We speak in Hindustani to Cacharis. We would like our education to be given in Hindustani. We would like to continue our own vernacular, Khasi. We have two L. P. Schools. The Welsh Mission supports the schools.

Since we came here in 1905, we used to pay a house tax. We are now called upon to pay a Dao tax.

Mr. CHAIRMAN : This is a matter of internal administration. You can take this matter up with the local authorities.

[Presents a Memorandum (Appendix C)].

A. Whereas other Hill tribes were required to pay a house tax of Rs. 3 per head per annum, we were like the plains people required to pay a tax of Rs. 7 per annum in the North Cachar Hills since 1925 as hillmen.

Q. Do you like that North Cachar Hills should be connected with Bengal ?

A. No. We are away from Bengal and if we mixed with the plains people, we will be nowhere.

Q. You like that the lands of the North Cachar Hills should be protected from foreign exploitation.

A. No. We do not want any foreigners in our land.

The meeting adjourned for lunch at 12-50 P.M.

The Nagas were then presented to the Committee. One of them presented two pieces of cloth to the Chairman for the kind services rendered by the Sub-Committee in the present situation.

The following Nagas were present at the meeting :—

Eastern Zemi—

1. Mireilungba of Boro Haflong.
2. Incheikumba of Chenam.

Western Zemi—

1. Namkiabuing of Impoi.
2. Namtirangba Dobassi.
3. Hainingba Dobassi.
4. Mathai of Hungrum.
5. Mathai of Laisong.
6. Mathai of Hajaichak.
7. Mathai of Asalu.
8. Mathai of Kepeilo.

There may be 15 or more villages of Nagas near Haflong.

Impoi and Hungrum are on the other side of Mohur. The Nagas of both places are Zemis and speak the same language.

of Mr. CHAIRMAN : There is going to be a change in the administration from next year. What have you to say regarding your future administration.

A. We have nothing against Mikirs, Cacharis, etc. but we want the Nagas to be together. We would not like to leave this land. We would not align ourselves with any other Naga tribes. Of course we would submit to any guidance that may be given, but we would not go in for amalgamation with other Naga tribes such as the Angamis.

Mr. CHAIRMAN : Is it a fact that last time I was here you told me that you would not wish to have anything to do with the Angamis because they have treated you badly.

A. There is some difference of opinion with regard to this, but we do not wish to leave this land. If other arrangements are made for this place, we shall not like to leave this place.

Q. For any change that you may have in the future in the North Cachar Hills, will you be working together for that change ? There are the Mikirs, Cacharis, etc. here. You may have to choose a common representative with them.

A. Yes. We will be willing to select a representative with them.

(Questioned regarding the village administration :)

A. Some disputes etc. in the village are settled by the *Gaonburra* of the village. The *Gaonburra* is appointed by election. Formerly we used to even decide cases where one man has killed another. But now this is not within our scope and Government decides the question. Formerly a person held guilty of murder was made to pay the compensation considered proper to the relatives of the deceased. Now an aggrieved person in such cases of murder can complain in a court.

In the Schools Bengalee is taught English is taught. Bengalee has been introduced, but we do not want Bengalee. The common language should be Hindustani.

The rules and laws applicable to this area regarding land should be passed by the local council of this area.

There may be about 10 or 12 educated people in all who have studied above the matriculation class. One Mr. Lung Dau (a Zemi), (present with the witnesses) is studying for the Intermediate in the Serampore Christian College.

In all the villages, Kukis also live near about, not in the same village, but in different villages. There may be one or two cases of intermarriage between Zemis and Kukis among the Christian people, not among the non-Christian people.

Mr. CHAIRMAN: If the Kukis and Cacharis are living in the same tracts as the Nagas, if the boundaries are altered, would the Kukis and Cacharis go into another district?

A. If the Nagas are attached to another district, the Kukis also will have to go.

We want many more schools. There is no fixed ownership of land. Any person can cultivate as much land as he likes. No one from outside the village wants to cultivate the land, he should purchase it on payment of price. No policemen are necessary in our villages.

A meeting of the Tribal Council took place. I am a member of the council. In one of the meetings it was decided that the Nagas should look after themselves. But we shall all live in friendliness with the Cacharis, Kukis and Mikirs. We have got our Sub-Council.

Witness Incheikumba of Chenam: We as Naga people would like to remain in the best of terms with the other Nagas; but if you say that we should leave this land, we are unable to do so.

The Biete Kukis were presented to the Committee. The following were present:—

1. Buonga of Khotlir.
2. Lalpuia of Sangbar.
3. Chongliana of Muldam.
4. C. T. Thanga.
5. S. C. Khuala.
6. Rengpuia.

The population of Biete is 1,250 who are living in Cachar Hills and the other half more than that in Jaintia Hills. We are living side by side on the border of the Kopli river. Nearly all of us are Christians. We are for remaining with the North Cachar Hills and we wish to share in the new administration. We have heard that there will be a change

of administration when the British go away and the North Cachar Hills may send a member to the Legislative Assembly of Assam.

Q. Is that your idea that you should be united with the North Cachar Hills and remain like that and be united with the people of your own race inside the Jaintia Hills.

A. Politically we would like to remain here but if there is any possibility to join together with these people who are living in Jaintia we may consider it. For the present we want to be connected with the North Cachar Hills. That area is one of the Biete shoulder and Jaintia is the only place in the civil division of the Jaintia managed by the Biete people who are living there.

Q. Are there others living inside that shoulder of Biete besides the Kukis?

A. No. The Jaintia people have their own separate area under the separate shoulders. They have many shoulders in Jaintia Sub-division. The river Kopli is the border of the Sub Division. We are only 1,250 on this side of the Jaintia. On the Jaintia side there are about 1,040 or 1,050. We are altogether about 2,400 or 2,500. We form a different tribe of our own. In some respects we are different from the other tribes. We speak in a different dialect, but only slightly different.

Q. What is the percentage of education in your place ?

A. At least 25 per cent. are literates, because in every village there is a mission school. The Welsh Missionary Mr. R. G. Jones goes to see Jaintia Hills from the hill side.

Q. Are you of the definite opinion that you should be connected with the Assam legislature ?

A. Yes. Sometimes I heard some of the people of the Sub Division, I mean the Biete people went to the other side and had a meeting with the other people. Those people suggested that this kind of meeting will be very good for the interests of both the parties who are living on the hill side of the bank. They feel very lonely there and we are examining the possibility of joining with them.

Q. Can you give us any idea of the kind of village government that you have in your area ?

A. We have a Kallim who is elected by the people. He is an adult. We divide into 5 different families. Among those 5 families there are two families from whom one can become Kallim and one his assistant. In this way somehow he holds the post of Kallim long enough and some hold it for a short period. As long as he can enjoy his office, he is allowed to do so and until he dies.

Q. You have selected a family and from that family the elder or the Kallim is elected by him.

A. By the people of the different 5 families. In the Jaintia Hills they elect a Sirdar similar to Kallim.

Q. Do you still have a Kallim and Sirdar as a Government employee to collect taxes.

A. The Kallim is a social head. He settles disputes among the people. The Sirdar does not do anything like that. He only collects the taxes.

Q. Is that system still existing among the Christians.

A. Yes.

Mr. CHAIRMAN : What else does he do over and above settling the disputes.

A. In every respect he is the man who has authority in any disputes regarding marriage and in every way he has power. He interprets our customary laws. The higher crimes are dealt with by the British courts. The Kallim does not report them but the aggrieved party reports. Since the last Kallim died 5 years ago the place has not been filled. According to the Biete custom the Kallims are appointed by performing many sacrifices and lot of drinking. But now there are no more non-Christians amongst us. There are very few Biete Kukis remaining non-Christians and without these sacrifices and series of rituals a Kallim could not be appointed for the last five years, and on account of the adoption of Christianity. The actual problem is that a non-Christian has to go through the sacrifices and the ceremonial and Christian has nothing to do with it and a Kallim cannot be elected with those ceremonies.

Q. How many non-Christians are still there ?

A. Very few in numbers—about 300.

(The Hmar Kuki and Rongkhol and Khelma Kukis were then presented to the Sub Committee).

The following were present :—

Hmar Kuki.

1. Liangthang of Phaipui.
2. Alian Hmar of Konglund.
3. Roneilian of Boro Mulko.
4. Chonhou of Haflong.

Rongkhol and Khelma Kuki.

1. Jema Dobassi.
2. Phungtingsuon of Dihyung.

[The witnesses presented a memorandum, see Appendix D.]

Mr. CHAIRMAN : Just now some of these Zemi friends say that they could not leave this land, but at the same time they would like to

remain with their friends, the Nagas. Government must be on some territorial basis. How could some peoples within it be with another unit of territory of Government elsewhere. Could you give us any idea of how the desire of the Nagas could be satisfied as well as your participation in the future Government could be had?

A. The Naga and Kuki villages are interspersed among one another. We would not like to be joined with the Naga Hills district. There are people in the Silchar Sub-Division in the plains both Kukis as well as Cacharis who would like to join with the Hill Mauzas of Cachar for a common administration.

Most of our people are becoming Christians and literacy has now increased to about 30%. In our village men and women are able to read the Bible.

The members of our council are elected by the people of the villages. A Sub-Tribal Council is formed of the representatives of each clan.

The Sub-Tribal Council decides quarrels between different persons, all cases relating to village affairs and cases of adultery and abduction. Formerly this work used to be done by Khelmas and Kallims. Now Kallims will be the head of the Sub-Tribal Councils.

The representatives of the clans on the Tribal Council are elected by the Sub-Council. I am a member of the Tribal Council. I am elected by the people of the Committee of the Sub-Council. Members of the Council may be from all tribes. They may be Cacharis, they may be Nagas, they may be Kukis, they may be Mikirs.

Q. Is it a fact that the Mikirs have not co-operated with this council

A. Yes. Last time. I do not remember the date.

The Nagas have joined the Council. Three have been elected from the Zemis. We have not yet decided what will be the functions of this council, what responsibilities and what duties they shall discharge. We started this Council last month. The Sub-Councils were formed four or five months ago.

Q. Would you be glad if the North Cachar Sub Division is divided into three or four parts, one being given to the Nagas to be joined with the Naga District, the other parts to be given to the different tribes to be joined to some parts of Assam?

A. That would mean the Sub-Division is no more. The present Sub-Division should be retained. Those who are willing to come in should be included and this Sub-Division retained. We are against the idea of splitting up.

Mr. SHUMLAL: The Mikirs, Khasis and other Kukis should live together and we would not like to leave this land.

We are in favour of having Assamese as the *lingua franca* of the people. We can read and understand Lushai. There is no arrangement for teaching Hindustani.

Mr. CHAIRMAN : What is your difficulty in your joining the Lushais and Nagas in the Naga Hills ?

A. It will only bring trouble to us. The Mizos are a moving people. We cannot join them. There are practical difficulties.

We would like to have some organisation to teach Hindustani. We shall have Assamese as the provincial language.

The Committee then adjourned till 10 AM. on 14th May, 1947.

The Advisory Sub Committee of the North-East Frontier and Tribal Areas met at 10 A.M. in the Inspection Bungalow at Haflong on Wednesday the 14th May, 1947, the Hon'ble Mr. G. N. Bardoloi in the chair.

EXAMINATION OF Mr. Perry, S. D. O., HAFLONG.

Mr. CHAIRMAN : How long have you been here ?

A. 5 years and 4 months. I was previously S.D.O. Jowai Sub-Division.

Q. How many tribes live in your jurisdiction ?

A. There are five tribes—Cacharis, Kukis, Nagas, Mikirs and Khasis.

Q. Are there other people also from outside ?

A. Yes. There is a small foreign population which consists mainly of coolies and railway personnel living alongside the railway line.

Q. What do you mean by foreign ?

A. Not indigenous people. Mostly upcountry men, from Bengal, Noakhali and Chittagong. In Haflong we have possibly 1,800 foreigners, who have settled and the foreign population would probably be not more than 400. Foreigners are discouraged from acquiring land in the North Cachar Hills. There are about 14,000 Cacharis, about 6,500 Kukis, Zemi Nagas 5,500, Mikirs about 2,700 and Khasis about 800.

Q. Has the relationship between these communities of the hills been friendly ?

A. It has always been fairly satisfactory, except relations between the Kukis and the Nagas which have always been strained.

Q. What may be the reason for that ?

A. It dates to a long time back. They have been hereditary enemies for a long time and this natural animosity has increased in recent years.

Both the tribes are increasing in population and there is now not sufficient land to go round. The Nagas particularly feel that the land belongs to them and consider the Kukis as interlopers.

Q. Are there many Zemi Nagas in your Subdivision? They seem to be a very docile lot.

A. There are about 5,000 Zemis. They are not an aggressive race but for various reasons might turn out to be warlike.

Mr. ALIBA IMTI: Yesterday some Kukis were telling me that the Kukis and the Nagas are quite friendly.

S.D.O.: I completely disagree. The tribes of these hills have little in common. The Cacharis consider themselves superior to the Nagas and Kukis. The Cacharis have certain class prejudices and do not encourage others to enter their villages but this does not run to actual dislike of any particular tribe. On the other hand the animosity between the Kukis and Nagas is very real and continuous. Most of the trouble which the administrative authorities have to cope with in these hills is due to the constant friction between the Nagas and the Kukis. It has been traditional and at the present time is in danger of being brought to a head by certain other factors. They know what the British Government is going and there is a feeling that with a weakened administration, they will have to look to themselves. There is a general tendency to consolidate and be better armed.

Mr. CHAIRMAN: What do you think the Central Government should do in order that these relations may be peaceful continually?

A. It is very difficult to form an opinion off hand. It is a difficult situation, but so long as one tribe or the other feels that it can get a fair hearing with regard to the land question which is the main bone of contention, I think trouble can be avoided.

Q. You mean to say that if the people of both the tribes can have land to meet their economic needs for producing enough food for their consumption, this dispute may not be there?

A. I do not think that can entirely settle it, because the Kuki is definitely regarded as a foreign interloper who occupies ancestral Naga land. The presence of Kuki villages on what is considered Naga territory is strongly resented. Unless the Kukis move out of this area and are provided with land elsewhere the quarrel will continue.

Q. In the eastern part of your hill area, the Nagas and the Kukis are living together?

A. No. They do not live in the same village. There is only one village *i.e.*, Hange, which consists probably of not more than 10 houses in which some outcasted Nagas and Kukis live together.

Q. The arrangement is that they are independent villages side by side and both these tribes are occupying the north eastern area.

A. Yes. Whenever Kuki encroachment has brought them into the Barail Zemi area.

Q. Can you give other reasons for this animosity between these tribes?

A. During the Kuki rebellion of 1919 the Nagas gave information and generally helped Government against the Kukis. The Kukis for their part helped Government against the Nagas during the GAIDIYALU disturbances of 1930. This has helped to keep the two tribes on bad terms but the root of the trouble, as previously stated, is to be found in Kuki encroachment on Naga land.

Mr. ALIBA IMTI: Even in Manipur State the Nagas and Kukis are in better terms than the Manipuris and the Kukis. That is our unofficial information.

S. D. O. : I do not understand this. My information regarding Manipur State is exactly the opposite. The Nagas and Kukis there may be living in an apparent state of peace, but it will only require a little weakening in the administration for an active outbreak of this old animosity.

Q. Are you in possession of official information also as to the collection of arms by these tribes?

A. Yes. From a fairly reliable source, we know that there are large quantities of concealed arms, particularly among the Nagas. The Kukis also are in possession of stolen arms taken from the battle fields.

Q. With the establishment of this tribal council which you are proposing do you think it will mitigate the feelings of animosity between them?

A. That is certainly what I hope.

Q. Do you think it will be feasible to separate the Nagas from the jurisdiction of the North Cachar Hills?

A. Yes, it is feasible but the Zemi Naga area can be more easily administered from the N. C. Hills.

Q. The Nagas themselves are in two different blocks?

A. Yes. Upto 1880 the boundary of Nowgong Subdivision was as far as the DIHYUNG and the remainder i.e., the eastern part of the Subdivision including the BARAIL range was administered from Kohima, in the Naga Hills district, subsequently perhaps due to administrative convenience it was decided to form the Sub-division, taking this portion of the BARAIL from the Naga Hills.

Q. The Kukis live there even before? Or have there been more recent occupation of the land by Kukis?

A. In some case Kuki incursion dates from about a hundred years, in others less.

Q. Would the Kukis be affected by transfer of this area to Kohima?

A. Yes. A transfer of this area to Kohima might mean the displacement of the Kukis.

Q. Are the population total equal between the Kukis and Nagas?

A. No. The Nagas are in much greater strength.

Q. The Nagas are found in some other places this side also. They are not concentrated in the Eastern zone.

A. They are also found on the plateau S. W. of Haflong but there they have only a few small villages. The bulk of the Zemi live in the Barail area.

Q. Have the Mikirs joined the Subdivisional tribal council?

A. The Mikirs are not co-operating with the Council. They said they do not desire to be included. I think they have been influenced by the Mikir Leaders of Nowgong Subdivision who held a large meeting a few months ago.

The Nagas likewise are now unwilling to co-operate.

Mr. CHAIRMAN: Last time when I came this side, they would not join with the Angamis.

Mr. PERRY: The History of Zemi Nagas has been one of persecution by the Angamis. They were paying tribute to the Angamis up to 30 years ago but the recent movement for unity in the Naga Hills has had its repercussions here and the Zemis feel that they should go with the other Naga tribes.

Mr. ALIBA IMTI: I think the Kukis were invited by the Nagas to fight against the Angamis? Is it so?

Mr. PERRY: Yes, in the past. The Zemis appealed to the Kukis for assistance and it was in the hope of gaining an ally, that the Kukis were allowed by the Zemi Nagas to come in here and take land in the North Cachar Hills.

THE HON'ble REV. J. J. M. NICHOLS-ROY: Are Kukis then recent emigrants here?

Mr. PERRY: Yes, as recently as 100 or 150 years.

Q. What is the area occupied by the Mikirs under this S.D. which was formerly in Nowgong?

A. The area occupied by the Mikirs under this Subdivision which was formerly in the Nowgong Sub-division would be about 300 square miles. The area occupied by the Nagas and Kukis which was formerly in the Naga District would be about 160 square miles.

Mr. CHAIRMAN: Do you mean to say it would still leave this Sub-division with an area of 1,500 or 1,400 square miles?

Mr. PERRY: It would; but a major portion of it is reserved forest and absolutely uninhabited.

I do not favour the idea of separation of these areas. It would be a mistake from the administrative point of view. The same difficulties of administration which originally led to the formation of this Subdivision are bound to arise again.

Q. Is it your opinion that firmness in administration is desirable for some time to come?

A. Yes. There must be firmness in the administration for some time to come, otherwise the improvements we are trying to bring about will fail.

Mr. CHAIRMAN: You of course realise the necessity for this place Haflong Hill as a sort of outpost from the Capital Shillong for a sort of, call it, service to the people in the Hills.

A. Yes, as a convenient centre for helping the isolated population in this area. For this reason communications should be improved. There is a proposal for a road linking up Haflong, Jowai and Shillong. It would open the country economically and would also be useful from the strategic point of view.

THE HON'ble REV. J. J. M. NICHOLS-ROY: The Nagas have demanded certain portions of North Cachar where the Nagas are dwelling, contiguous to the Naga Hills. Supposing that is given to them, how much area would go?

A. About sq. miles.

Q. Could the Naga area support a larger population?

A. No. The Nagas live by Jhuming and if there is increase in the population, the people would starve.

Mr. CHAIRMAN: Is it not possible to introduce terrace cultivation in some of these areas?

A. Everything possible is being done. The land occupied by the Zemis is inhospitable and not at all suitable for conversion into terrace cultivation. We have opened small terraces wherever possible, but there are no pockets of water in the Hills from which we could get a water supply. Unlike the Angamis, they would have to depend on rain. Another point is that unlike the Angamis, who have very large villages cultivated on a communal basis, the villages of these hills are very small so the labour problem arises. There is also the water problem.

THE HON'ble REV. J. J. M. NICHOLS-ROY: You think that this Tribal Council can be worked possibly among these different tribes without so much of a communal conflict?

A. I feel that given time and chance to work, there is no reason why it should not be a success. Speaking from the administrative point of view, they are quite capable of running their own affairs. Their village administration is quite efficient and it only remains for the different tribes to get together on grounds of common interest and the prejudices which now exist will disappear. If each tribe can be properly represented, I think the Council will work.

Mr. CHAIRMAN: What powers do you propose to give to this Council? Would it act as an Advisory body to the S.D.O.?

A. Yes. That is what I have immediately in view; later, it would have judicial powers transferred to it to try cases and self-government may also be vested in the Tribal Council.

Mr. CHAIRMAN: Of course, when it will develop and attain a certain degree of competence?

Mr. PERRY: Yes, when the different tribes are confident that the Tribal Council can look after its own affairs. At present, I would like to keep it as an Advisory body, to advise in reference to the administration of general matters of education, communications, medical service, agriculture etc.

Q. What do you think about this Sub-division being joined to the province administratively?

A. I think that the Subdivision should be joined to the province, provided there are adequate safeguard, with representatives sitting in the provincial legislature.

Mr. CHAIRMAN: This is the general picture we are having, to give as much autonomy as it is possible for any group of people to discharge with competence. In that you think that this Council would properly develop and would be able to acquire that competence.

Mr. PERRY: I am certain, provided always the petty jealousies that may exist between the different tribes can be overcome.

Mr. CHAIRMAN: There is no Subdivision where so many tribes are living together. It would be an interesting experiment to the Government.

Mr. PERRY: Yes.

Mr. CHAIRMAN: The Cacharis will have to think of it more seriously. They are equal to the other three tribes together.

SECRETARY: Assuming that these Tribal Councils and Sub-Councils are formed now not purely as a local measure, but something introduced by the Governor in his discretion by some kind of rule or order, would that be a suitable interim arrangement until the time when the new constitution would function? Would it smoothen the transition from the present constitution to the new constitution?

A. Yes, except that, in my opinion, the Sub-Divisional Officer should retain all the power which he now holds. But he will exercise them at his discretion and after taking the advice of the Tribal Council. Again, the Tribal Council at this stage should not, in my opinion, be allowed to interfere with the administration as we have it now. There should be no violent changes.

SECRETARY: Assuming that that is the pattern of administration of these areas in future, could you enumerate the subjects which, should definitely be in the hands of the provincial Government, that is in other words, the subjects over which the provincial Government should have control leaving the rest to be dealt with by the local councils?

A. It is a much bigger question.

Mr. CHAIRMAN: The natural reply is if the powers are not to rest with the local councils, all the powers must rest with the Governor and the Governor at present is functioning with the legislature. I think there is no alternative to that. If the S.D.O. wants to have more powers and that power is not proposed to interfere with by local councils, that power must rest with the Government.

Mr. PERRY : Yes, it must. The S.D.O. takes authority from the Governor.

SECRETARY : Apart from that, what are the powers which will be outside the sphere of the local councils at the present stage and the future stage ? Could you, perhaps with greater ease, enumerate the powers which could be made over to them for administration ?

A. I find it very difficult to answer. I cannot envisage any particular stage at which the Council would be functioning, what powers it would hold and the confidence it will enjoy. Its development will be gradual and progressive. As it becomes more competent to assume larger powers a greater share of the administration will be vested in it and its powers will be increased.

SECRETARY : Suppose the tribes have a feeling that the S.D.O. under the new constitution is somebody who may not always act according to their own best interest ?

A. There must be a third party who has supreme power to whom they can appeal in the matter.

Mr. CHAIRMAN : You do not envisage that in the near future, the functions of the S.D.O. could be exercised by the Council ?

A. I do not, not in the near future. The Councils have got to go a long way. The whole idea is absolutely new. The council has not more than six months standing and the tribes of these hills have never been taught or encouraged to think for themselves. They are backward in education and all other matters affecting their own economic life so that they will require guidance for a considerable time to come.

Mr. CHAIRMAN : That is the impression we carry about the Zemis definitely. It seems the Kukis are slightly more advanced. The Cacharis are undoubtedly more advanced. Transfer of powers of self-government will depend on the experience they gain.

Mr. PERRY : (With reference to the statement of accounts submitted by him). The revenue from the Haflong town has been included. The expenditure shown does not include the expenditure on police, medical and agriculture. The cost of running dispensaries is not included. The main sources of income are enumerated in the statement. The revenue is in respect of settled lands only. There are two settled circles ; one by the Jatinga river and the other by the Mahar river,

The land revenue manual is not in force in this Sub-division. The cultivators pay revenue at the rate of 12 annas to 8 annas. We are doing our best to obtain more settlement of flat lands by the different tribes. The idea is to bring them from the Hills and settle them on such lands. But there is little available land. It will be necessary to open up portions of reserve forests in the Sub-division, particularly in the Langting and Khayang areas which are very suitable for permanent rice cultivation. If the Forest Department would agree to opening these areas, it would solve one of our most difficult problems.

Q. Would it do if forest villages were started ?

A. The introduction of forest villages would not solve the problem. The local people feel that they would not like to become forest villagers. They do not like the idea.

Mr. CHAIRMAN: The Forests may have other regulations. If they can get land revenue and other taxation, I suppose that could be done. This will be examined. What I am suggesting is that the Reserves should be maintained and only such areas which could only fit for wet cultivation should be thrown open.

Mr. PERRY: The Conservator of Forests said, that they would be prepared to let us have areas for jhuming if corresponding areas could be reserved for afforestation.

Khayang is under Cachar District and Langting under the Ncwong District.

Q. What is Dao tax ?

A. Dao tax is a tax imposed on non-indigenous persons who come for the purpose of trading, it is charged at a flat rate of Rs. 5.

Q. Do Khasis also pay it ?

A. Yes. Dao tax is levied on the Khasis also. They pay a special rate of Rs. 7. The special rate is for the Khasis only. The distinction is made on account of the large profits made by them from orange and pan cultivation.

SECRETARY: At this stage, do you consider that any of these tribal councils or Sub-Councils should have any powers to levy any tax or appoint any staff for the work they are doing ?

A. If the Tribal Council or Sub Tribal Council desires to raise a fund for its own activities, I do not think there should be any objection from Government.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Should not they be empowered by law for the sake of running their council and put it on a legal basis ?

A. This would mean that Government can be appealed to for realization and this would be undesirable. Subscriptions to such funds should be voluntary.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: You say that this is a representative council and it is they who should decide. That means you will give them the power of taxing. I would say that they have every right to raise subscriptions amongst themselves. They have not the right to tax. Will it not be more convenient ?

A. It may be for the councils, but it may cause a great deal of trouble. Of course you are assuming that the entire population will be very happy to give anything to the Council. There is no doubt they will, but from experience we found out that, when it is left to chance they give these things willingly, but when it is imposed as a compulsory taxation, they are apt to question and create some trouble.

Mr. CHAIRMAN : You will have no objection to giving these Council the option of taxation, if they want to. Government certainly will leave some kind of regulation by which certain districts or certain Sub-divisions might be given the option, where possibly these things prevail and the Councils have acquired sufficient experience of these taxation measures.

A. If Government authorises and empowers the Council to levy taxation it means that Government will also have to enforce any disobedience to those orders, i.e., Government assistance will have to be taken for realisation of the taxes.

SECRETARY : If in the statute duties are imposed on the council then statutory taxation seems to follow as a matter of course. Therefore at present you do not consider that statutory duties can be imposed on the councils ?

A. No.

The HON'BLE SRIJUT RUPNATH BRAHMA : Is there any prospect for increasing the revenue of the Sub-division now ?

A. No. The only prospect of course is that a lot can be done in the way of industry. If we had a paper mill in this Sub-division, I think it would be a splendid thing. There are a lot of bamboos for miles and miles going waste. We have got the railway line alongside and there is great possibility from the industrial point of view.

Q. Have you any objection to such an enterprise being started by outside capital or do you want it to be undertaken by Government agency ?

A. There would be local objection if the enterprise is started by outsiders. They would feel that they are exploited.

Q. Have you heard of a proposal that this railway line may be discontinued from Lunding ? The Railway Board are seriously considering the abandonment of the whole section. What do you think about that ?

A. I think it will be awful for the inhabitants of this Sub-division. It will leave this Sub-division high-and-dry. There is no road communication and the railway is the only link with the outside world.

Q. Do you think there will be any administrative difficulty if your jurisdiction is extended up to the northern bank of the Barak river ?

A. No. I do not anticipate any administrative difficulty. The country to a great extent is uninhabited and we will have to depend on communications. In that case the railway ought to be here.

Then the Members of the Town Committee, Haflong were examined.

Khan Bahadur Haji Shamshuddin Khan and Mr. B. S. Chawla were presented to the Committee.

Khan Bahadur Haji Shamshuddin Khan has been here since 1899. He is a contractor in Haflong. Mr. Chawla has been here since 1902. He is a merchant and he has been 30 years in the Town Committee. They both have been practically continuously on the committee since 1903.

K. B. SHAMSHUDDIN KHAN : The population of the town consists of people from all parts of Hindusthan and the percentage of the hill people is very small. There are no representatives from the hill people in Hill Committee. There are two railway employees and two officials on the Committee. Our relations with the hill people and others are very cordial.

Q. Have you anything to say regarding the election of a member from this area for the legislature under the new constitution? It is possible that you will have to cast your votes along with the hill people?

A. We have no special considerations to urge and we have, therefore, no objection.

At this stage the Committee took up the examination of the Tribal Council.

All the tribes except Nagas and Mikirs were present. It was stated by the S. D. O. that on account of the influence of certain outsiders from the Naga Hills, who have been talking to the Nagas, there seemed to be defection on their part.

Q. Did you meet the Naga leaders there today?

A. We met them in the bazar today and we told them to come, but they have not yet come. No word was given to us that they are not coming.

Q. You are the tribal council of North Cachar Hills. What are the tribes that you represent?

A. Kukis, Nagas, Cacharis, Jaintia, Santiang and Khasis.

Q. The Nagas have not come here. Can you give any reason why they have not come?

A. The reason is probably due to the instigation of some outsiders who came from the Naga Hills.

Q. The Mikirs have not come also. Can you give any reasons for their not attending?

A. They do not like to join with us.

Q. When was this council formed?

A. It was formed on the 16th April 1947. We have been elected by the City Councils of the various tribes, whom we represent.

Q. What is the number of Cachari representatives?

A. There are 15 members in the Council in all. Six are from Cacharis. Five have been elected by the Kuki Sub-Council, three from the Naga Sub-Council and Khasi one. This is only an interim council. We shall fix the number of representation according to the population after we have fresh election again.

Q. What are the functions that you fifteen are supposed to carry out?

A. This council was formed with the idea of having coordinated action among all the tribes.

We have not yet begun to do any work. We are prepared to work as an advisory body to the S. D. O. and have some authority for ourselves.

The members are all more or less literate. Our object is to work in the same manner as local boards in the plains are functioning. Our idea is that the S. D. O. should correspond to the Deputy Commissioner in the plains. We have submitted a representation before you. This was passed at the meeting.

Mr. CHAIRMAN : You have stated in page 3 of your memorandum, " 2. Any law or Act passed by the Provincial, Group or Union Legislatures may not be applied either in part or as a whole without the consent of M. L. A. or M. L. As." When you are insisting on safeguards which you say should be incorporated as part of the constitution, why should you further say that no law or act passed by the Provincial legislature or group or Union legislature should be applied without the consent of the M. L. A. or M. L. As. Would that not amount to a kind of veto given to the M. L. A. or the area ?

(At this stage, the Naga members of the Tribal Council also appeared and joined the witnesses.)

Besides, your resolution is worded generally to be applicable to any law or act. What have you to say regarding matters which are entrusted to the Tribal Council being perhaps dealt with by the Tribal Council and the other laws being left to the legislature.

A. We have no experience of these matters. It is not intended that all legislation should be treated in this manner, but any legislation likely to be detrimental to our interests should be left out unless consented to by the local people.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Why not say without the consent of the local Council ? The Council will stand for the people.

A. Yes.

SECRETARY : Supposing it is laid down that legislation relating to land is put down as something which has to be consented to by the Tribal Council in addition to the legislature before it becomes applicable, that would be an adequate safeguard. Similarly, take agriculture. Suppose, for instance, the legislature passes a law saying that there shall be no *Jhuming*. If it is provided that that law will not apply unless it is passed also by the Tribal Council, you have a safeguard in that matter. But it is not obviously possible to make it in a broad subject like education for instance. There may be technical subjects, or it may be taxation in the interests of the people and everybody. Who likes taxation ? The Tribal Council may not agree to taxation in general which means that Government will become impossible. In such subjects which are of broad application, the legislature must have full powers. In such matters as land, primary education, agriculture, you can certainly say that legislation should not be passed without the consent of the Tribal Council.

Mr. CHAIRMAN : Para. 2 may be put in this way : "No law or act passed by the legislature in specified subjects like agriculture, primary

education, land laws, etc., settlement of disputes, may be applied either in part or as a whole without the consent of the Tribal Council". Alteration or modification of social laws and customs can be included.

WITNESSES : We agree.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You want the franchise should be based on land revenue or house tax and not adult franchise. You do not want adult franchise, supposing adult franchise is granted all over India ?

A. If adult franchise is agreed to as a rule, we agree to have it for us also.

The Council made a general request that the Government of India should provide the money needed for their development.

Q. Have the Naga people anything particular to say ?

A. We wish to repeat that we want to be joined to the Kohima hills.

Q. The question of altering Sub-divisions and districts perhaps cannot be taken up at present. So long as the present administrative divisions continue would you like to be associated and to work with the others in the Tribal Council on which you are members.

A. Yes. We shall work for our benefit. We shall work with this Council.

At this stage one of the co-opted members wished that he should be allowed to see the report of the Sub-Committee when it is ready.

Mr. CHAIRMAN : Co-opted members are co-opted members. They won't go with us to the other hills. If they have some points on which they do not agree with us, every member has a right to say that he does not agree. There is no objection to the co-opted members seeing the report of the Sub-Committee in reference to their area in particular.

The meeting then adjourned at 12-25 P. M.

Appendix A

To

THE CHAIRMAN, THE NORTH-EASTERN TRIBAL AND EXCLUDED AREAS SUB-COMMITTEE OF THE ADVISORY BOARD, CONSTITUENT ASSEMBLY, HAFLONG.

Dated, Haflong, the 13th of May 1947.

HONOURED SIR,

We, the undersigned members of the Dimasa-Kachari Sub-Council of the North Cachar Hills, on behalf of 15,971 Dimasa-Kacharis of this Sub-division, most respectfully beg to lay the following memorandum for your kind perusal and necessary action :—

That, we, the Dimasa-Kacharis, were the ruling tribe of the present Districts of Cachar and a greater portion of Nowgong till the advent of the British people in this part of the country. Once we ruled all over—

the Province of Assam and the names of the rivers and places beginning with "Di" bear a proof to this effect even to this day. After many vicissitudes, we at last established our kingdom at Dimapur in about the year 1150 A. D. Having ruled for about four hundred years at Dimapur, we had to shift our capital to Maibang, which is only about thirty miles from this place, in about the year 1536 A. D. Thereafter, we finally crossed over to the South Cachar and set up our last capital at Khashpur in 1761 A. D. The ruins of these places, next only to those of the Ahom Kings, testify even to this day what great power and civilisation our kings had in the days of old. The whole of Cachar District, excluding the North Cachar Hills, was annexed to the British Empire in the year 1832, after the assassination of our last King Gobinda Chandra, and the portions of Nowgong together with N. C. Hills which were under Tularam Senapati were ceded to it in the year 1854.

Before the annexation of our Kingdom to the British Empire, we were never under any power and all the Dimasa-Kacharis were under one kingdom. But the divide and rule policy of the British Government put us under different administrative units. Now that the British Government is going to cease by June 1948, our natural desire is that all the Dimasa-Kacharis be again united and put under one Sub-division in the New National Government of India. This means that the boundary of this Sub-division be extended so as to include the Dimasa-Kacharis living in Hojai, Longka, Lumding, Dipu, Dhanshiri and Dimapur Areas, together with those of South Cachar. The above places, it may be pointed out for your kind information, are contiguous to this Sub-division separated at places only by forest reserves. We earnestly ask you of this, Sir, for the advantage of this backward tribe, and in the name and memory of our beloved kings.

We view the Grouping of Assam with Bengal with grave concern. We, therefore, beg to record our strong protest against this Grouping and to deplore the pretentious claim of the Muslim League to include this Province in its Pakistan Scheme.

We demand separation of Sylhet from Assam; and urge upon the Assam Government to introduce Assamese Language in the schools of this Sub-division.

Lastly, this Sub-Council of the Dimasa-Kacharis, which is a part of the Tribal Council of this Sub-division, wholeheartedly supports the Memorandum of the Council, which will be submitted to your honour at the time of its interview tomorrow.

Yours most Loyal,

1. (Sd) H. M. Haflangbar
President, Dimasa-Kacharis Council, N. C. Hills.
2. (Sd) D. Faqir (Jt. Secretary)
3. (Sd) Rama Kanta Daolagupa.
4. (Sd) J. N. Ghadsu.
5. (Sd) Dinomoni Kemprai (Jt. Secretary)

6. (Sd) D. B. Thonsen
7. (Sd) Usasaran
8. (Sd) Dochan Hojai.
9. (L.T.I.F.) Bojoga Kachari

Appendix B

A REPRESENTATION ON BEHALF OF THE MIKIR PEOPLE OF THE NORTH CACHAR HILLS SUBMITTED TO THE MEMBERS OF THE ASSAM SUB-COMMITTEE OF THE ADVISORY COMMITTEE.

We, the Mikir people of North Cachar Hills, numbering 2,930, beg to submit that we would like to have our areas attached to the proposed Mikir Hills District on the following grounds :—

(1) We had been a part of the Mikir Hills area in Nowgong District till about 1914.

(2) We are in a compact area of the North Cachar Hills which is contiguous to the Mikir Hills portion of Nowgong District. The area where we reside is far away from all the other tribes of North Cachar Hills.

(3) Our language, social customs, beliefs, etc. are quite different from the other tribes of the North Cachar Hills and are the same as those prevalent among the Mikirs of the Mikir Hills area.

(4) We are still having connections with our religious heads of the Mikir Hills area so much so that in all our religious practices we have to take their approval.

We, therefore, appeal to the Members of the Sub-Committee to recommend for the redistribution of the District boundaries so as to include this area in the proposed new district for the Mikirs.

Further we beg to say that all new reforms which will be proposed by our Association at Lumding should be made applicable to us.

Dated, Haflong, the 13th May 1947. (Sd) DAVID LONG.

Appendix C

AN EXTRACT OF THE PROCEEDINGS OF THE SECOND SITTING OF THE JAINTIA SUB-COUNCIL, DATED, THE 19TH APRIL 1947.

Resolution No.2

“Whereas we, the Jaintias of the North Cachar Hills Sub-Division, after our migration to this Sub-division from the Jaintia Hills in the year 1905, used to pay a house tax of Rs. 3 (Rupees Three) per house per annum for about 20 years, but the system was subsequently withdrawn by the authorities for the reasons best known to themselves.

And whereas, we are now being treated like foreigners from the plains in the matter of revenue and made to pay a dao tax at the minimum rate of Rs. 7 (seven) per head per annum, in spite of our adopting this Sub-division as our own homeland and performing all the Government duties—such as, force labour and *begar*,—like all other hill tribes of this Sub-division, ever since our migration.

This meeting of the Jaintias of this Sub-division therefore, unanimously resolved that the President of the Tribal Council, North Cachar Hills, Haflong, be requested to move the authorities to remove this differential treatment in the matter of revenue exempting us from the Dao-tax and allowing us to pay the usual house tax of Rs. 3 (three) like all the Hill tribes of this Sub-division.

Appendix D.

To

THE CHAIRMAN, THE NORTH EASTERN TRIBAL AND EXCLUDED AREAS SUB-COMMITTEE OF THE ADVISORY BOARD, CONSTITUENT ASSEMBLY.

Dated, Haflong, the 16th April 1947.

SIR,

We, the undersigned, on behalf of the Kuki Sub-Councils of the North Cachar Hills, most respectfully beg to lay the following memorandum for your kind perusal and necessary action :—

That we form one of the major elements of this Sub-Division numbering 6,559 according to the census of 1941, and we go by the general name of Kukis which consists of various Sub-Clans, such as Thados, Hmars, Rangkhols, Khelmas and Bietes, Changsens.

That we have been living in this Sub-Division side by side with other tribes following our own respective social customs and usages from time immemorial. Even in the days of the Kachari Kings and after the advent of the British Administration we always received special considerations and protections and we desire that even in the New India Government we are allowed special protections to safeguard our interests. Below we have made some specific demands which should be embodied in the New Constitution of India.

SAFEGUARDS

1. Security and a guarantee of the land and right in lands now in possession of the Kuki Tribes and Kuki Villages in the Sub-Division.

2. Whatever the future Government of India there to hill safeguards and a guarantee required that the national customs, laws and usages and religious observances, whether of the Christian, Kukis or others will in no way be interfered with.

3. With regard to the future form of Government, co-operation in Administration and representation in the provincial Assembly the Kuki Sub-Council agrees to the proposals made by the Tribal Council of the North Cachar Hills.

Your loyal people,

(Sd.) THANG BIETE President,
 (Sd.) CHOUHAN HMAR, Secretary,
 (Sd.) RENGPUA
 (Sd.) SEMA HMAR,
 (Sd.) THONGCHUNG THADO.

To

THE CHAIRMAN, THE NORTH-EASTERN TRIBAL AND EXCLUDED
AREAS SUB-COMMITTEE OF THE ADVISORY BOARD, CONSTITUENT
ASSEMBLY.

Dated, Haflong, the 16th of April 1947.

SIR,

We, the different Hill Tribes of North Cachar Hills, who have assembled together at this Conference of the Tribal Council, held this 16th day of April 1947, most respectfully beg, on behalf of the Council and the people, to submit the following memorandum for your kind perusal and necessary action :—

1. That the area of this Sub-Division is 1,890 sq. miles covered entirely by Hills and forests. It is bounded on the North by Nowgong District, South by the plains portion of Cachar District, East by Manipur and Naga Hills and on the West by Jaintia Hills. The native inhabitants are all Hill Tribes, and they have a population of 31,528 according to the census of 1941. This is divided tribe by tribe as follows :—

1. Cacharis	. . . . .	15,971
2. Kukis	. . . . .	6,599
3. Nagas	. . . . .	5,519
4. Mikirs	. . . . .	2,704
5. Synteng and Khasis	. . . . .	742
6. Others	. . . . .	33
Total		31,568

2. Thus, we have four main tribes in this Sub-Division as shown above with many Sub-Tribes within the tribes and speaking different dialects. But in the midst of the variety we have one thing in common which is that we are all hillmen with temperaments, habits, manners and customs altogether different from those of the people in the plains districts. And what for the natural peculiar position of the land and what for the deliberate ' Exclusion ' by the Government from outside relations, we have little connection with the plains people, and consequently, we have nothing in common with them. Unlike our brethren of the plains who have had the opportunity to reap the full benefit of the British Administration and have thereby advanced in all spheres of life, we have made no progress whatsoever, inspite of 115 years of British rule in our Hills. Our people are, therefore, backward in all respects—socially, economically, politically, educationally and intellectually.

3. Under the circumstances, narrated above, our natural desire is that the Government should not treat us on an equal footing with the plains people. The system of administration that we have here is quite different from that prevalent in plains ; and we desire that, even in the New Indian Government we should have the proud privilege to manage

our own affairs according to our social customs and usages, as we have been so doing from time immemorial till this day.

4. We are a small heterogenous minority and a very backward people; as such, for our very existence and for implementing our hopes and desires, we most earnestly and respectfully beg to demand certain special statutory protections, which in a word, may be called "Local Autonomy". Below is given our specific minimum requirements which we deem necessary to be embodied in the New Constitution of India. It is a modest demand and as such, we venture to tell you, Sir, as the representative of the Constituent Assembly in the most clear terms, that we shall not be in a position to accept anything less than what has been specified below :—

I. Rights

A. Fundamental :

These need not be specified as they must be same for every citizen in a civilized state.

B. Special :

1. Liberty from forced labour and 'Begar'.
2. Right to follow one's own social customs and usages and maintain social institutions.
3. The cultural life of a community shall not be interfered with.

II. Safeguards

A. Economic :

1. The foreigners *i. e.* men from outside the Sub-Division shall not be allowed to settle in.

2. They are not allowed to acquire *any more* economic holdings in the interior or invest capital in the Sub-Division.

B. Political :

None other than the *bonafide* inhabitants shall take part in the political affairs of the Sub-Division.

C. Administrative :

1. The administration for the time being shall be carried on as at present through village authorities and social institutions with social customs and usages as laws.

2. Any law or Act passed by the Provincial, Group or Union Legislature may not be applied either in part or as a whole without the consent of M. L. A. or M. L. As.

3. The introduction and application of these laws and Acts shall be gradual and cautious so as to avoid giving a rude shock to the social, cultural, economic and political life of the tribes.

4. The actual administration *i.e.* the day-to-day administration of the areas, consistent with efficiency, be in the hands of the people themselves. This means that the local officers and officials are to be appointed from amongst the local people.

5. At the seat of the authority from where high policies regarding the administration of the Tribal Areas shall emanate should be men who have intimate knowledge of the tribal life, therefore.

6. There should be a separate portfolio to be called preferably "Tribal Administration".

7. A minister to be chosen from amongst the M. L. As. of the tribal Areas (which should be defined and specified hereafter) to hold the portfolio.

8. He will be responsible to the Legislatures for the administration of the areas.

9. He will hold office so long as he enjoys the confidence of the M. L. As. concerned.

10. He will have a parliamentary Secretary to assist him.

11. He will have his own Secretariat.

12. There shall also be a separate portfolio under him to be called "Tribal Welfare".

13. As minister-in-charge of the Tribal Welfare he will keep a watch over the workings of other departments in so far as they relate to the areas under his charge and his views and suggestions shall be given due considerations.

III. Privileges

The advancement of people depends to a great extent on what help and encouragement they get from the state. That being so, there shall be given to the Government the power to waive off or dispense with certain conditions and qualifications in the matter of appointments and awarding scholarships in the cases of tribal candidates who may otherwise be quite suitable.

IV. Extension of Sub-Divisional Boundary

For the benefit of the different hill tribes of this Sub-Division and of the adjoining places its boundary should be fixed on cultural linguistic basis. The boundary of this Sub-Division should, therefore, be extended so as to include the Biete Area of Jaintia Hills, adjacent portion of Nowgong and Naga Hills District where the Cacharis and other allied tribes are in majority including Dimapur and atleast the Hill Mauza of South Cachar including Khaspur. The inhabitants of these places are all hill tribes, speaking the same dialects and having the same manners and customs as we have here. The boundary should be determined by a Boundary Commission duly represented by the tribes concerned.

V. Representation in the Legislatures

1. There are four main tribes in the Sub-Division with a population of 31,528 of which the Cacharis constitute more than half. In order that each of these tribes may have a fair chance of representation within a reasonable time atleast two seats should be allotted.

Population as it stands now, perhaps, does not warrant two seats but the conditions that obtain here justify the claim for they are unique in that no Sub-Division in Assam or elsewhere contains so many tribes and that again with sub-tribes.

Moreover, if article IV of this memorandum is implemented the population of the Sub-division will be augmented by atleast fifteen thousand.

2. Failing this, this Sub-Division may be made to share a seat with another area so that every alternate term comes to its lot.

VI. Election and Electorate

1. There shall be a joint electorate. The candidate drawing the highest number of votes shall be deemed elected.
2. Election shall be by means of a general election.
3. Election shall be by ballot box system.

Franchise Qualification

1. Every house-tax payer, and payers of land revenue of not less than Rs. 3 a year, municipal tax and those whose educational qualifications are not lower than that of Middle English or Upper Primary School Standard and have attained maturity shall be qualified voters.
2. A man shall have (*only one vote*) that is, a man possessing all the above four qualifications shall not, for that reason, exercise four votes but only one.

VII. Representation in the Central Legislature

This need not be specified for it must be the same with the Tribal people of Assam.

VIII. Status of the Tribal Council

1. The Tribal Council of the Hill Tribes of this Sub-Division should be recognised as an institution of Local Self-Government. It shall have the same status as that of the Local Board of plains.
2. It shall also have the right to intrvене in the inter-tribal questions and disputes and to be a custodian of social laws and usages. This is necessary for maintaining good relations between different tribes of this Sub-division.

IX. Finance

The Sub-Division of North Cachar Hills is proverbially a deficit area due to poverty and backwardness of its people. In the New Indian

Government, therefore, with demand sufficient recurring grants from the Centre in order to make up the deficit and to enable the Sub-Division to better its economic and educational conditions.

Your Loyal Hill Tribes,

of the

North Cachar Hills, Haflong.

Copy forwarded to Hon'ble J. J. M. Nichols Roy (Member) for favour of kind perusal and necessary action.

Sd. H. M. HAFLANGBAR,

President, Standing Committee Tribal Council,

N. C. Hills, Haflong.

Dated 14th May 47.

The following resolutions were unanimously passed at the Second Session of the Standing Committee of the Tribal Council, North Cachar Hills, held at Haflong on the 10th of May, 1947 as supplementary to the Memorandum passed at the Conference of the hill people of this Sub-division held at Haflong, on the 16th of April, 1947.

Land Tanure.

“Whereas the system of land holding is unknown to the Hill Tribes of this Sub-division; and in view of disturbance to their economic life in case the system of land holding is introduced in this Sub-division with its inclusion into the New Indian Constitution, this meeting of the Standing Committee of the Tribal Council, North Cachar Hills, on behalf of the Hill People of the Sub-division, unanimously resolves that the present system of common holding, with a house tax of Rs. 3 (three) only per house per annum should be allowed to remain even in the New Indian Government until better method of cultivation can be introduced in the Hill regions.”

2. *Agriculture.*

“As ‘Jhuming’ or primitive migratory cultivation is the main stay of life of the Hill people of this Sub-division, and this method of cultivation being quite unsuitable to the economic progress of the Hill tribes, this meeting, therefore, earnestly desires that in the future Agricultural Development Scheme of the New Government, Provincial or Union, the question of Agricultural Development of this Sub-division should be given a special consideration, so as to explore better methods of cultivation in the Hill regions, and it further resolves that Terrace cultivation be immediately introduced in this Sub-division by the Government as an experimental measure in a large Scale.”

3. *Education.*

“In view of the low percentage of literacy among the Hill Tribes of this Sub-division, it is resolved that free Primary compulsory education, with local languages as the medium of instruction, be immediately

introduced in this Sub-division ; two full fledged High Schools, one at Haflong and the other at Maibong, together with feeding Middle Schools, at different centres be simultaneously established."

4. *Special Financial Grants.*

"In consideration of backward economic condition of the Hill Tribes of this Sub-division, this meeting earnestly desires that the Central Government should grant the requisite financial aid to this Sub-division in order to facilitate the Agricultural and Educational developments as envisaged in resolutions 2 and 3 above.

5. *Communication.*

"Communication being an indispensable factor in the Economic development of a Nation, and there being no other means of communication in this Hills except roads, this meeting strongly desires that New Indian Government should give motorable roads to this Sub-division in order to open up different parts of the interior and connect them with important business centres (such as, at present, conspicuous by its absence in this Sub-division)".

(Sd.) H. M. HAFLANGBAR,

*President, Standing Committee, Tribal Council
Haflong.*

Dated 10th May, 1947.

Copy forwarded to Hon'ble J. J. M. Nichols Roy, Member of Advisory Sub-Committee.

(Sd.) H. M. HAFLANGBAR,—

President, Standing Committee.

Dated 11th, May, 1947.

Appendix F

Receipt and Expenditure of the S. D. O's Establishment, North Cachar Hills. 1946-47.

	Receipts Rs.	Expenditure Rs.
S. D. O. (Civil)	1,12,217	39,464
S. D. O. (P. W. D.)	899	44,637
S. D. O. (Outside Bazar)	9,800	6,626
Town Fund	29,543	30,168
	<u>1,52,519</u>	<u>1,20,895</u>

Police, Medical, Agriculture, not included in expenditure.

Given by S. Doot, Haflong, the 14 May, 1947.

Demand of revenue for the North Cachar Hills Sub-Division for the year 1946-47.

	Rs.
Land Revenue	4,94
House-tax	16,4850
Dao-tax	10,722
Grazing-tax	1,424
Excise revenue	78,646
Total	<u>1,12,217</u>

Expenditure for 1946-47

	Rs.
7 Land revenue	3,744
28 Jails	1,939
27 Admn. of Justice	225
25 General Admn.	23,644
57 Misc.	1,268
8 Excise	2,803
37 Education	5,901
Total	<u>39,464</u>

Statement showing the actual receipts and expenditures for the year 1946-47

Receipts		Expenditures	
Rs.	A. P.	Rs.	A. P.
1. Occupation fees, etc.	53 0 0	I.—Works	
2. Rent recovered from the. 845 13 0		1. 50—Civil—Works Provl.	39,013 10 0
Pay bills.		2. 39—Public Health—Provl.	100 0 0
Total	<u>898 13 0</u>	3. 32—Ecclesiastical Central.	60 0 0
		Total	<u>39,173 10 0</u>

Receipts		Expenditures	
<i>II.—Pay</i>			
Rs.	A. P.	Rs.	A. P.
		1. Pay of establishment	3,570 2 0
		2. Dearness allowances of the establishment charged.	1,021 2 0
		3. Fixed travelling allowances of the establishment charged.	601 14 0
		4. T. A. of Establishment Charged.	270 12 0
		Total	5,463 14 0
Grand total			44,637 8 0

Statement showing the receipts and expenditures for the year 1946-47

Receipts		Expenditures	
<i>Outside Bazars</i>			
	Rs.		Rs.
Revenue	9,860	Expenditure	66,626
<i>Haflong Town Fund</i>			
Rates and taxes assessed	14,883	Expenditure	30,168
Government Subsidy	14,300		
Other	360		
Total	29,543		

Supply and Textile.

Purely temporary and hence the figure not furnished.

Appendix G

To

THE HON'BLE PRIME MINISTER, ASSAM.

Dated Haflong the 14th May 1947.

SIR,

We, the Kuki members of Thadau-Changsen sub clans, beg to revise one point of our wrong statement yesterday, i.e., the kukis coming from "The Chin Hills" which is wrong. But it is said to be "Khul" (hole) or its area, which is a hole connected with some other land called "Noimi Gam" i.e., the land below the earth. And it is said that the Kukis from 'Khul' spreading abroad in the Assam Hills and

Burma. That the actual place of Khul cannot be traced yet. So your honour kindly change Chin Hills into 'Khul' as the Kukis origin, or coming from, is solicited.

Your obedient People

1. Thongchung
2. Ngullam
3. Seipan
4. Thongkeng
5. Seingul.
6. Thom let
7. Tongkhujam
8. L. T. I. of Manglung
9. L. T. I. of Somlet
10. Singjakham
11. Thomghlom

Note by the Secretary on the Visit to Haflong in the North Cachar Sub-Division.

The Sub-Division is part of the Cachar District with Headquarters at Silchar. The present Sub-Divisional Officer is Mr. Perry, an officer of the Provincial Service and has been here for five years. The Sub-division is covered by comparatively low foothills which increase in height in a succession of ridge after ridge towards the Manipur border. The population of the Sub-division, about 35,000, consists largely of Cacharis who number about 16,000 (1941), about 6,000 Nagas, 2,000 Mikirs, about 800 Khasis and some 9,000 Kukis who seem to differ from the Lushais only on account of their separation from them in speaking a dialect and adoption of local habits. The different tribes do not live in the same villages but in different villages. The Nagas, all Zemins are divided into three blocks, one towards the north-east and the other two round Haflong. In one of the Naga villages some Kukis also reside though in a different portion, and this is said to be the solitary example of a joint village. The Mikirs are strongly under the influence of leaders in the Mikir Hills and there is feeling among them that they should be separated and joined to the Mikir Hills. Number of cases of villages of one tribe are interspersed with villages of another tribe; the S. D. O. has been requested to prepare a special map indicating the tribe occupying each village. The Mikirs stated that they were formerly part of the Mikir Hills and were brought into the North Cachar Sub-division in 1914, but the S. D. O. stated that these sub-divisional boundaries have existed in their present position since 1901. It would appear also that formerly the district of Kohima also extended to cover a portion of this sub-division and subsequently the present sub-division was created apparently for greater administrative convenience.

2. At Haflong it was learnt that one Kevi Chusa, E.A.C., of the Naga Hills District had come to the sub-division without previous intimation to the S. D. O. This same gentleman was also reported to have visited Aijal of the Lushai Hills (his wife is a Lushai) at the time of the visit of the Sub-Committee to that place. On the 14th May another Naga, said to be a Vety. Asst., was also seen at Haflong and said that he had come on casual leave for a holiday. Both he and Kevi Chusa stayed with the Nagas at Boro Haflong. On the 14th the Naga member of the tribal council absented themselves from the meeting which had been arranged with the Sub-committee, apparently as a result of the influence of these gentlemen. Later on they were persuaded to come by the S. D. O. The Naga National Council of the Naga Hills District seemed to have given instructions to them to put forward a demand to be attached to the Kohima Hills district. Shortly before the visit of the Sub-Committee, when the Hon'ble Mr. Bardoloi visited the place, the Zemi of Haflong were noted by him to be greatly apprehensive of having anything to do with the Angami of the Kohima Hills district as there is traditional enmity between them and the Angami had in the past handled them ruthlessly. It was understood from the S. D. O. that Mr. Kevi Chusa denied having advised the Nagas to absent themselves from the meeting that day.

3. There was a certain amount of orange cultivation in this tract done mostly by the Khasis who are known as Jaintias here. It is understood that potato cultivation introduced during the war has proved a great success. Terracing is feasible only in certain places where there are streams as otherwise terraced cultivation would have to depend on rain only for water supply. The villages are said to be not large enough to provide adequate labour for terracing.

4. A Tribal Council has been established at Haflong for the N. C. Hills Sub-Division. The council consists of representatives from a number of sub-tribal councils set up for each tribe or clan. Thus there are 4 or 5 sub-councils of Kuki clans, sub-councils of the Nagas, Cacharis, etc. The members of the sub-councils are selected by the villages and the sub-council members select their representatives on the tribal council. The council has not yet begun to function seriously and no work has yet been done. The Mikir have not yet joined this council as they were said to be under the influence of their leaders in the Mikir Hills.

5. In this sub-division as probably in the rest of the hill district, the village organisation with the Gaonburra, at the head decides all disputes and cases. The tribal councils and sub-councils are at present expected to exercise advisory functions only and have no real power. It does not appear that the representatives are really capable of managing in anything by way of local self-government corresponding to the affairs of a local board or district councils, but with some training and experience will soon be able to understand local administration.

GARO HILLS DISTRICT

Place of examination.

It was decided that Major Fry be examined in New Delhi. It was decided that Mr. Dhir Singh Dewri be examined at Lumding or Manipur Road and information be sent to him. It was also decided that the rest will be examined in Shillong.

The Sub-Committee first had a general discussion on the draft Constitution proposed by the Garo Hills National Conference in the light of a note recorded by the Secretary. The main discussion was about the proposal that all powers of taxation should be left in the hands of the National Conference.

The Committee next took up the question of co-option. Messrs Harrison W. Momin and Maniram Marak, M.L.A. were co-opted as members.

The Committee then proceeded to the examination of witnesses headed by Mr. Jobang D. Marak and others.

The following representatives of Garos were present:—

1. Mr. Jobang D. Marak (Ex-M.L.A)
2. Mr. Benjamin Ch. Mosin (Dd).
3. Mr. Mody Marak.
4. Mr. Emonsing Sangma.
5. Capt. Williamson Sangma.
6. Rev. Bosu P. Marak.
7. Mr. Simpson G. Momin.
8. Mr. Jangin Lasker, M.L.A.
9. Mr. Asansing Marak.
10. Mr. Gobira Lasker.
11. Mr. Paulsing Momin.
12. Mr. Jatindra Marak.
13. Mr. Rangmin Marak.
14. Mr. Sudhindra Marak.
15. Mr. Bronson Momin.
16. Mr. Changran Marak
17. Mr. Rati Lasker.
18. Mr. Raising Lasker.
19. Mr. Piang Nokma.
20. Mr. Modon Lasker.
21. Mr. Ishang Nokma.
22. Mr. Rajeng Lasker.
23. Mr. Birendra Momin.
24. Mr. Lemok Sangma.
25. Mr. Jengdon Nokma.
26. Mr. Rongrin Nokma.
27. Mr. Wanjing Marak.
28. Mr. Jirang Lasker.
29. Mr. Jakhang Sangma.
30. Mr. Phukon Sangma.

31. Mr. Jeson Sangma.
32. Mr. Koreng Lasker.
33. Lt. Karnesh Marak, (B.A.
34. Mr. Gobinda Sangma.
35. Mr. Hasen Lasker.
36. Mr. Benjamin Sangma.
37. Mr. Dichang Sangma.
38. Mr. Wanding Marak.
39. Mr. Mohen Lasker.
40. Mr. Rangam G. Momin.
41. Mr. Ranjit Marak.
42. Mr. Kandura Momin.
43. Mr. Edwin Sangma.
44. Lt. Evelyn Marak, B.A.
45. Mr. Nallindra Sangma.
46. Mr. Ratiram Rabha.
47. Mr. Cansing Sangma.
48. Mr. Charang Momin.
49. Mr. Bochon Shira.
50. Mr. Jogesh B. Marak.
51. Mr. Atting K. Sangma.
52. Mr. Witherson Momin.
53. Mr. Rusen Marak.
54. Mr. Charming Marak.
55. Mr. Sensing Marak.
56. Mr. Akalu Momin.

The following were the spokesmen for the Garo witnesses.,

1. Babu Janggen Lasker, M.B.E., M.L.A.
2. Mr. Joban D. Marak, Ex-M.L.A., Vice President, G.N.C.
3. Mr. Debonath Marak.
4. Capt. Williamson A. Sangma.
5. Mr. Nalindra N. Sangma.
6. Mr. Karnesh R. Marak.
7. Mr. Phukan Sangma.

Mr. Chairman: Friends, we are glad to meet you. We are really sorry that we could not go to your place. As you know, our original programme was for all of us to visit your place and Shri A. V. Thakkar and Sir B. N. Rau were also to have been present. We, however, cherish the idea that this Committee might, at its last stage, find time, I do not guarantee, to see your beautiful country.

The Chairman next explained the constitutional position and the objects of the enquiry and concluded as follows:—

We shall be putting certain questions in order to get clarification and in the course of discussion we may give our own views by way of advice.

I hope you will be pleased to co-operate in the enquiry with the best spirit and goodwill.

We have been very glad to find, unlike many other places, that there is no division among the people of the Garo Hills. That makes our task easier. I think we can take it that you represent the whole of the Garos.

A.—Yes. We can assure you, Sir, that it is our decision that we should remain in one block and not in divisions.

Our organisation is called the Garo National Conference. There are certain Centres distributed all over the Hills. The Centres held meetings and arrived at certain conclusions. They chose representatives who are fit to represent the people. The representatives are to express the views of the particular Centre and not their own views. The president was elected by the representatives. Thus we claim to represent the people. Along with sending of the delegates, the future of the Garo Hills was also discussed at the Centres. After reaching Gauhati, we had a meeting here and we had certain discussions. There was a meeting of the representatives from the Centres at Tura and there was a full meeting at Gauhati and this memorandum was formulated. The first draft was made in Tura and the second at Gauhati.

There are two organisations. We have come to an agreement in Galhati. There is a register of members. Whoever pays a fee of one rupee becomes a permanent member of the Conference. It will be registered with the Government and we have sent the registration fee of Rs. 50.

This is an organisation of the whole people of the District. It is just like the Congress organisation. Any Garo can become a member.

The Tura Draft Constitution is only for the time being. We want to bring in all the Garos from all over Assam. We are organising another organisation. Unless and until we are in a position to amalgamate all the Garos living on the borders of Goalpara, Kamrup, Mymensing, we shall not be able to present the full picture. We are trying to bring all the Garos together.

The population of 2,23,569 represents only the Garo Hills population.

Although there are two different organisations, we have the same ideas. We are not divided in our ideas. We have changed the heading in the memorandum.

Mr. Chairman: Can you give us any idea of how many Garos there are in the Goalpara district and in the Mymensing District?

A.—There are about 53,000 Garos in Mymensing and there are Dhalus who are also Garos about 50,000. There are near about a lakh in Mymensing District.

Mr. Chairman: The total would not come to more than say about 50,000 including the Dhalus about 60,000?

A.—The Dhais are Garos but the census record have not noted them. The Garos are in Agotola, Tipperah, Nalitabari, Diwanganj, Srivasti, Srivanthi. There are some in Goalpara District.

Q.—Can you give the number of people in the Goalpara District?

A.—No.

Q.—In Kamrup and Goalpara you think the Garos will be a lakh?

A.—No. About 40,000 in the border. The hill area in the borders of the two districts is inhabited by them. We think all these people should be combined together. We think at least those who are on the border should be included in the Garo Hills Union. In Goalpara there are contiguous Garo villages.

Q.—Garos and Rabas live in the border districts. What is the idea in your getting them together? Why do you think that the people coming from Mymensing and all these areas should be included.

A.—The people from Mymensingh have expressed the desire to be included into Assam. They have sent representations to the Vice President of the Interim Government and also the President of the Constituent Assembly.

Mr. Chairman: We are not competent to deal with that question.

A.—We very much welcome the idea if it is possible and the Goalpara people have also expressed the same desire.

Q.—Do the people of Goalpara suffer any disqualification in the matter of treatment they should receive in the Garo Hills?

A.—They suffer very much. Garos who are not in the Garo Hills are not allowed to go to the Garo Hills. Now they are allowed to go but obtaining lands in the district is difficult even now. An outsider cannot come and trade in the Garo area. A Garo on the borders of Goalpara district is not allowed to go and trade there. He will be treated as an outsider.

The Hon'ble Rev. J. J. M. Nichols Roy: I see that you have come here with an agreed idea of what you want and that is put in this proposed constitution of yours. There is no other party that is bringing out any other Constitution.

The Hon'ble Srijut Kupnath Brahma: Have the other non-tribal Garos agreed to work under the terms.

A.—We have not consulted them. At least one of them has agreed and has signed the proposed draft.

Q.—Are you the representative of all the people in the hills?

A.—We have agreed to abide by the decision of the Conference and that is the consensus of opinion.

Q.—I want to know whether this Conference is representative of all people?

A.—Certainly.

Q.—You have certain peculiarities of common traditional practice etc. Can you describe those peculiarities? What are those essential characteristics?

A.—We have certain peculiarities of our own for village democracy and other matters on account of which we think that we must have an autonomous Government.

Q.—What are the peculiarities on account of which you say you should be treated differently from an alien system of Government?

A.—One of them is the village panchayat which even now does exist and we want to maintain that village panchayat and to develop it. The majority of persons of the Garo Hills is administered by our own people. Our honorary magistrates have the powers of a third class magistrate and very few cases come to the Deputy Commissioner.

Q.—You mean to say that your judicial system is different from the one that prevails in the plains.

A.—Exactly. And that is in reference not to all classes of offences but minor ones. The Laskars can try and report for the Deputy Collector for orders. He cannot give any final order and in important cases he can try cases. They can fine up to Rs. 50. They can try both petty criminal and civil minor cases. Rules and regulations were framed by H. E. the Governor of Assam on the 28th March 1937.

Q.—Are the rules working very well?

A.—Of course there are some objections and we have been meeting in conference for some years. While I was an M.L.A. in Shillong most of the members agreed that some sort of modifications should be made.

Q.—In what direction you want modification according to the regulations? What are the powers given?

A.—These rules and regulations which were framed for the administration of the Garo Hills were of a primitive type and quite unsuitable for the present day requirements. That was the objection.

Q.—Can you point the particular cases in which you think that they were primitive?

A.—No appeal will lie against the Deputy Commissioner's order if he convicts any person up to less than three years.

Q.—You want that you should have a higher court of appeal and orders given by the D.C. should be made appealable? Your position is that so far as the lower offences are concerned, they should be exclusively dealt with by the Panchayat system but in so far as higher punishments are concerned it should be appealable. It should not be done merely by the Deputy Commissioner but should be appealable.

A.—We also wish to improve our panchayat system. If a man in a civil suit is fined up to Rs. 500 or more there will be no appeal and if any appeal is to be preferred to a higher appellate court, the complainant must pay the total cost including the fine before his appeal will be admitted and that appellate court will have to be directed by the higher authority to deposit a certain amount of money before his appeal case is admitted. We do not want that.

Q.—Do you not like that these matters of jurisdiction of cases in which heavier punishment is involved and in which heavier civil liabilities are involved should be dealt with by a body of persons who are experts in the matter of administration of law?

A.—Yes. But we are not satisfied with the present rules and regulations.

Q.—Could you from among your people set up such a higher tribunal?

A.—Of course, but not at present. The rule is standing there.

The Hon'ble Rev. J. J. M. Nichols Roy: You cannot do that because of the existence of the rules. Do you really think you would be able to set

up a machinery among you to deal with cases of higher civil liability, say up to Rs. 10,000?

A.—Yes.

Q.—Laskars are empowered to try civil cases?

A.—Any amount. We want the highest court of appeal among ourselves in order to deal with customary laws.

Q.—You think you will be able to do it even now?

A.—Any case when it is tried by panchayat the decision is final.

Mr. Chairman: You have a kind of panchayat system which is working very well. You think it could go to a very high state of administration of justice provided you have your own organisation, but in case of the highest punishment and cases of highest liability you would always like that it should be dealt with by the highest court of justice in the province.

Q.—What other things do you think you want to make your district independent?

A.—We are going to have a Union Supreme Court.

The Hon'ble Rev. J. J. M. Nichols Roy: You mean to say that your idea is that you shall have your justice and it should be completely within your area?

A.—Yes, Sir, long term imprisonment and transportation and other similar cases should go to the provincial court.

Q.—What do you mean by “long term imprisonment”?

A.—About 10 years.

Q.—Is there no appeal over the decrees? To whom does an appeal lie?

A.—To the D.C. and the Commissioner at present and to the Governor last. The Governor is the last authority in all these cases.

Secretary: The point which I think you should consider is whether it will be safe to give to the Judge, corresponding perhaps to what may be a Sessions Judge in a Plains District, powers higher than what a Sessions Judge can now exercise. Do you feel safe in giving power to your local Judges more powers than what the Sessions Judge at present exercises in the Plains? Even Sessions Judge's powers are strictly, severely, limited. There are many cases where the High Court can interfere in revision or reference or in appeal. What you should consider is whether it is safe to give the local Judges selected from a limited population powers even higher than what the Sessions Judges now have?

A.—We now see your point. We have to consider carefully whether or not to adopt such systems.

Mr. Chairman: Do you mean to say that you are the final authority in reference to your customary laws?

A.—Yes. We have a provision in our constitution for that also. At the beginning we may suffer. In the long run, we shall be smooth sailing.

In civil cases regarding customary laws, marriage, the highest appeal will lie to our own Supreme Court and in matters which are of a criminal nature which involve transportation for life and imprisonment for over ten years, an appeal should be allowed to the Provincial Supreme Court.

Mr. Chairman: Do you agree that the Provincial Supreme Court may frame Rules for the administration of justice in reference to them?

A.—Yes. There is also a provision for that in our constitution. We will send representatives to the Provincial Legislature; but no legislation of the Provincial legislature shall be applicable to the Union without its previous assent.

Mr. Chairman: What will you do in case of a suit in which your District man is concerned with a man from another District?

A.—There is another provision for that. It will be dealt with by the Provincial Courts in such cases.

Mr. Chairman: What are the other grounds on which you want your District should have self government?

A.—We have got our special customs and manners which are different from other peoples of the Plains as also other laws. We want special protection. We alone can protect our customs and manners.

Mr. Chairman: Would not the same purpose be served if it is provided in the provincial constitution that this can be protected by some measure?

A.—No. We have long experience of this with all knowledge of the Garos. Many good customs have been snatched away by the present Government.

Mr. Chairman: I think this could be done by a provision in the provincial constitution regarding safeguarding these things. You think that it is only by your District being completely autonomous this could be done?

A.—Yes. This is the consensus of opinion of all.

Mr. Chairman: What are the other points on account of which you think this Union should be independent?

A.—We cannot give any particular detailed grounds. This is the general idea of how in a Free India the administration should be. On this basis, we demand this autonomous Government. You are the Chairman of this Committee. You must see that in a Free India, in the future, there shall be no tribal people, no tribal area, no excluded or partially excluded area. We must come up to your standard and we could come up only by handling our affairs ourselves. Unless we take up our own administration, we shall not be able to come up to your standard. Very important and significant changes are taking place. We must have some changes in the Gari Hills also regarding administration, and economic life. On this ground we want to be independent.

Secretary: Do you realise that in the other Districts, considered more advanced, the District Councils do not have powers corresponding to your proposed constitution?

A.—We do not know. My point is this. A person who wants to learn to swim, cannot learn by standing on the river side. He must go straight into the water.

Secretary: Should you not learn to walk before you run?

Mr. Chairman: One who does not know to swim must not jump into the water. He must learn first.

Mr. Chairman: You do not want a separate province for the Hills?

A.—Yes. From an economic point of view, it will not be sound.

Mr. Chairman: You also think that you cannot have higher education, and modern communication and a lot of other things unless you are with the Provincial Government?

A.—Yes.

Mr. Chairman: Now coming to details. You have this Conference; at present you have no other autonomous organisation working except in the village administration of Justice?

A.—No. The Laskars are elected by the Nokmas. Nokmas are selected by the people.

Mr. Chairman: I have not been clear about clause 1 (b). I would like you are further amplify it. You think that the Garo Hills District will be considered autonomous immediately with the passing of the Constitution Act or it would be at such time by which you have been able to set up an organisation of your own. Excepting for the village administration of justice, you have no other organisation.

The Hon'ble Rev. J. J. M. Nichols Roy: It is provided in the Constitution that the D.C. will arrange for the elections.

Mr. Chairman: You say that the Garo Hills Union shall be federated with the province of Assam. What do you mean by the word "federated"?

A.—It will be connected with the Province in the following subjects. General and all kinds of technical education, Medical and public health etc.

Mr. Chairman: What do you mean by the word "federated"? The idea of a federation means that the two units are independent.

A.—We assume we have become independent.

Mr. Chairman: Do you mean to say that Garo Hills becomes independent of Assam? At present you are part of Assam. The word "federated" introduces a completely new idea.

A.—We want to be connected as regards these subjects only. You may change the word, if you like, Sir.

Mr. Chairman: You may say "connected"?

A.—Yes.

Mr. Chairman: In other words, these subjects shall be administered by the provincial Government. Is that your idea?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy: The Union of the Hills will be a kind of Federation. They have certain autonomy.

Mr. Aliba Imti: I think the word "federation" is more proper.

Mr. Chairman: If they want to have an independent State, that is correct. Then we shall not have any discussion. Our scope of enquiry does not extend to negotiation with a Free State.

Witnesses: We would like to have your advice as to the qualifications of a member of the Council. Will there be any requirement of any qualification to make a person eligible to stand as a candidate for this Council Membership.

Mr. Chairman: There should be some qualification. It is more or less a matter for you.

Witnesses: We want to know whether there is any general principle regarding the minimum qualifications necessary for a candidate.

The Hon'ble Rev. J. J. M. Nichols Roy: Anybody who is an adult above a certain age. No other qualification except that he is a citizen of the Union.

Witnesses: The difficulty is that the functions of this Council would be very great. An ordinary person paying a house tax or any person cannot be a member.

Mr. Chairman: What are the present qualifications of a voter for the provincial legislature?

A.—All Nokmas vote. The Nokmas are like the Chiefs of Akhing. There are about 1,300 Akhings. Certain Nokmas have several wives. The franchise has been extended to only one wife.

Mr. Chairman: It is therefore on the basis of land holding that this franchise is given?

A.—Yes. Actually the wives are the owners. The man is only the manager, trustee, guardian because we have got the matriarchal system.

Mr. Chairman: The scope of enquiry is limited to more or less the existing circumstances. We want to give as much autonomy as possible. There is no dispute about that. Regarding certain terms, words, there will be a little difference. For example, the judicial system, federation, etc. The main point is, it is not the function of this Committee to recommend anything which will act as a sort of an imposition on you, but to give exactly as much as you want and such powers and responsibilities as you can carry out properly for the good of the people as a whole. Therefore, supposing in our enthusiasm, I personally wish that I were the monarch of all I survey; but that may be a mere wish: at the same time, we should have the capacity to carry out the responsibilities—In our desire for freedom, we are actually trying to soar very much higher up than we possibly could? It is good in itself to desire autonomy; but we should be always cautious.

The Committee then adjourned for lunch till 2.30 p.m.

(Continued after Lunch interval)

Q.—What are your views about the full ownership of the land? Do the Nokmas' wives own the land?

A.—No. They are joint property and not individual property. The Nokma is the guardian or the manager of the trust or he must be married within the clan. The son-in-law can also be a Nokma. He may be taken from another clan, provided he is approved by the clan. The persons who are on the Akhings have no right over the land.

Q.—What are the relationship between the Maharis and an ordinary man who sits within the clan?

A.—There are many people in the Akhing. The Maharis or Nokma are not entitled to get any portion of the land for cultivation. The Nokma is just anybody who lives within the Akhing. The Nokma lets land in the Akhing to the people within his clan. They do not give anything to the Nokma on account of the allotment of the land. If it is a different Akhing then he has got to give 4 annas only to the Nokma of the other Akhing. They may be in the shape of a drink or some other thing. Excepting this the Nokmas have other duty to perform. They get commissions on forest revenues. This part of forest revenue is one anna per rupee. He gets $6\frac{1}{4}$ per cent. on the royalty of the timber sold within his Akhing. He also administers justice to people. He can try cases within his Akhing.

Q.—In cases in which the Laskar cannot give satisfaction, do the people go to the D.C. or his Assistant to appeal?

A.—Yes.

Q.—Mauzadars do not try cases?

A.—They too are supposed to try. They are sometimes given cases to try by the Deputy Commissioner.

Q.—The men who live in an Akhing do not pay any tax to the Nokma.

A.—Nothing at all. Before the British rule, people in the Akhing used to pay something to the Nokmas. These people remaining in the Akhings pay house tax to the present Government. The tax ranges from Rs. 3-8-0 to 2-8-0 per family. The tax of Rs. 3-8-0 is paid where cotton is cultivated. The Nokmas are not all educated. Some are educated and some are not. Few of the Laskars are educated. The Laskars collect the taxes. They have no right over the land. Some Laskars are Nokmas also.

Q.—With regard to election you have said that anybody who pays the house tax should be a voter.

A.—We have not yet decided that. We have said something about adult franchise.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you want that this system of the Nokmas should be preserved, that they should have authority over the land or do you want that this should be kept as the British Government have done now with a small power.

A.—We want the Nokma system to be recognised with more power.

Q.—Should your Council have power over the land?

A.—The Nokmaship must be there in the Union. It should be retained but it should be within the jurisdiction of the National Council.

Q.—You have no dispute about your present boundaries?

A.—No.

Q.—Have you got schools? What is the medium of instruction there?

A.—Yes. In the tribal centre the language is Garo and in the high school English is taught.

Q.—Do you know that we shall have to spend for your organisation and pay for the officers of the organisation regarding your Union? Have you taken account the revenue that you have now? What will be the revenue of your district according to your present revenue of the district?

A.—The district is at present deficit. We do not know what the income and expenditure is.

Witnesses: At present the District is a deficit District. About 75 per cent. of the income goes to the Zamindars. Our idea is that the Zamindaris should be taken over by the Union. Altogether about Rs. 7 lakhs goes to the Zamindars. If we can catch hold of this, the District will never be a deficit area. We will have enough money.

Secretary: Who are these Zamindars? Are they Garos?

A: No. Some are from Bengal.

Mr. Chairman: You have stated that all the heads of revenues and all these sources of taxes that the present provincial Government of Assam are deriving shall be handed over to the National Council. The heads and sources are Land revenue, etc. Will these be collected by your Union or should be collected by the Provincial Government?

A: By the Union, Sir.

Mr. Chairman: You have stated, "All the hydro-electric power and the income therefrom". Who are going to develop these?

A: The finances of the Union.

Mr. Chairman: Immediately the Union is formed, how will you be able to develop hydro-electric power without connection with the Provincial Government?

A: We do not mean so much of development. The heading is "Finances of the Union". These are the heads of revenue.

Mr. Chairman: The main point is this. There are many subjects which are common with the provinces. You say that the proportional export and import duties which the Government of Assam gets should be given to you.

Witnesses: Some share. A proportion.

Mr. Chairman: Because your District will bear some proportion to the total population. Is that the idea?

Witnesses: Yes. Some percentage may be given to us.

The Hon'ble Rev. J. J. M. Nichols Roy: Export duty on cotton?

Witnesses: Yes. We want a share.

Mr. Chairman: What I mean to say is; there are certain revenues which the province might be getting. You claim there also a share. If the Districts divide the revenue, the Provincial Government will cease to exist.

Witnesses: We have provided for a contribution, Sir.

Mr. Chairman: Why a contribution. You will get the taxes levied by you. You will get a share from the development of forests. But to cut away a District altogether from the Central or Provincial body in this manner, will make it impossible for the Government to run. If, according to the population, all the revenues of the province are to be distributed among the Districts, how will the Provincial Government run?

Secretary: Take the case of Lushai Hills. It is a deficit District. Applying the same principle to the Lushai Hills as you apply here, that District will not be able to contribute anything. It may require some money. Where is that money to come from?

Witnesses: The National Council may impose certain taxes.

Mr. Chairman: For the purposes of the functions which will come to you, you will have powers of taxation. You will be having more powers than a Local Board. But, for some subjects which will be common between you and the province, if certain revenues are not maintained by the province, will it be possible for the province to run at all? If the provincial revenues are to be divided between the Districts, will it be possible for the province to run the administration? Supposing it is left to you, can forest development be made by the Union in the same manner as it would be done for the whole province? Will you not require some experts who will be able to work in these areas and other areas, to save expenditure? Take the case of education. There are certain phases of education which the Union Council must attend to. It will not be possible for the Provincial Government to attend to them, for example, primary education and secondary education. All these things shall be done by the Union. In secondary education, you must keep some relationship with the University. In secondary education and University education,

you will require some benefit from the province. Will you not allow that department to be run wholly by the Provincial Government? Instead of that, you say that I may be contributing or I may not be contributing according to my position.

Witnesses: The provision in the draft constitution is that the amount of contribution will be fixed on agreement between the Union and the Provincial Government.

Mr. Chairman: No question of agreement. You may say that so far as those subjects which will be run in common between the province and the District are concerned, the finances must be in the province. If you divide these finances in this manner, it will be impossible to work.

Secretary: Some districts in a province are deficit districts and others are surplus. Now, what happens is that the Provincial Government gets revenue from all districts whether it is deficit or surplus and it will be able thereby to distribute the revenues over the province in accordance with the needs of the different districts. Certain districts which may be deficit may actually get some part of the revenues from a surplus district. If each District sets up a separate financial body and intends to take the whole of the revenue, it means that the Provincial Government will not be able to function and any district which is deficit will just have to go into savagery or poverty. If your district is a deficit one, you cannot run the administration and you have to get revenues from somewhere. Suppose the Zamindari system is continued for some reason or other and your district remains a deficit district, you expect the provincial Government to make a grant out of its revenues for your district. Where will that revenue come from? It can come from another surplus district, because the Provincial Government pools the resources of all the districts and distributes them over all the districts. It does not say such and such is a surplus district, therefore we must spend more money in it; it does not say such and such a district is a deficit district and so we must not spend any money. The provincial Government distributes money according to the needs of the different districts. Such an arrangement will be impossible.

Mr. Chairman: Otherwise, there is no necessity for any common agency at all. We become separate districts. Take the case of the Naga Hills. Unless the Plains are prepared, they may not be able to obtain a grant. If this principle is carried to its logical conclusion, that would lead to want of co-ordination in the administration, and also to complete separatism.

What I say is, so far as your jurisdiction is concerned, you should be free to tax and increase your revenues as best as you can and possibly get a contribution from the Government. But to say that you are an independent body, that is a different thing. If you say that for running the administration you want a contribution from the Provincial Government, it would mean something. If you say whatever our share of the provincial revenues must go into the Union treasury, it must mean that we are merely distributing the money.

Witnesses: We are receiving to give back in the form of contribution. To maintain relations with the province, we are going to make a contribution.

Mr. Chairman: Why not maintain relations in this way namely those subjects which are of common administration will be the finances of the province?

Secretary: If a certain portion of the revenue is going to be spent in another district, it is quite likely that you may take the attitude, why should we pay so much money to be spent in another district, we will give less money.

Witnesses: Every District will not be a deficit district given the opportunity to develop themselves. We are not a deficit district.

Mr. Chairman: That is where we have got to point out that in order that the central administration may run the departments which are common, the revenue should be left with the provinces to be administered. If you put any limitation, the central administration will fail.

Witnesses: It cannot be an autonomous Government then.

Mr. Chairman: It will be. All the revenues that are derived from your district will be yours. Do raise it and improve it. Suppose you want to improve primary education. You can say, this is my jurisdiction and I shall develop it. If you want to raise money by taxation, do raise it. You want village roads. If you want to raise money for that purpose, you can surely raise money and utilise it. But, suppose there is a road from Gauhati to Tura in which my friend here will be having jurisdiction. Expenditure on that behalf should not be on the basis that only so much is in Garo Hills and Garo Hills will contribute a portion. Again, for example, in the case of arbitration of disputes, within your own area, coming within the purview of your courts, you can say this man will pay four annas and the defendant will pay four annas. No body will interfere with you. Supposing the case goes to the High Court and revenues come from it, if you say that one of the parties was a Garo and therefore the revenues must be allotted to the Garo Union, then it becomes difficult. What I am suggesting is that so far as it lies within the powers of the Union and for the development of the finances that are in the Union, you can surely levy taxes. But, so far as those subjects which are common and for which the whole province has got to spend, you must allow freedom for the province to do it. Supposing there is a general tax. The general tax has got to be levied in regard to general communications throughout the country in which the Garo Hills will be one portion, and the tax will be on the Garo Hills also and you will have to pay.

Secretary: Let me give another analogy. There is the proposed Central Government. The provinces will not be taking up the attitude that they are going to collect all the revenues and then give a certain portion to the Centre. The proposal is to give the Centre certain finances for its own purposes, that is for the purpose of defence, foreign affairs, etc. The Centre is proposed to have powers to levy taxes in the provinces. For instance, Income-tax is proposed to be given to the Centre. It is not stated that the provinces will recover the Income-tax and hand it over to the Centre. Similarly, for subjects within the scope of your local council, certain taxes and certain grants possibly will be made over to you and over these you will have full powers. You will recover those taxes and you will administer the finances. There may be certain grants also from the Provincial Government which also you will administer after they have been received by you.

Mr. Chairman: For the purpose of carrying out those functions which I administer, you should give power to the Provincial Government and not maintain that power to yourself. You cannot have the legislatures and the Ministry functioning unless you allow the Provincial Government to have full jurisdiction over these subjects.

Witnesses: Of course, this will be taken into consideration when we contribute to the Provincial Government.

Mr. Chairman: When you say that I will be contributing to the Provincial Government, it only means that you want to do away with the existing system altogether and bring forward a new thing. It is not an improvement of the present; it is bringing about a new thing in which the future is not known.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you mean to say that the existing system is bad?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy: Because of the fact that money has not been allotted for your development?

A: It has never been, Sir, for the last 75 years. Not a single Rupee has been given.

The Hon'ble Rev. J. J. M. Nichols Roy: If you have your money, would you be able to run your Union and to improve yourself much better than if that money is placed in the hands of the Provincial Governments?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you mean to say that you are willing also from that to give a share to the Provincial Government?

A.—Yes.

Secretary: You are feeling that adequate money has not been spent on you. Take the case of a district which is surplus.

Witnesses: The fact that we are a deficit district is due to the fault of the British Government.

Secretary: Assume that a particular district is a surplus district and it has got plenty of revenue. The amount of money which is spent in that district actually is less than that revenue, because the Government has to look after larger areas. If you give the whole power to that district, it will say, we ought to have a better system of communications, more colleges; why should we give any money at all; let us spend the whole lot here. How will the Provincial Government run if every district takes up the attitude that the money which is available in that district should be available there. Nobody will ever say, this is enough or that is enough. Everybody will say that the more money we spend, the better the facilities we will have. Will you ever feel that you have more money than you want?

Witnesses: The same thing has been done by the British rule. The more money they get, they spend elsewhere.

The Hon'ble Rev. J. J. M. Nichols Roy: They think that if this autonomy is granted, each area will be encouraged to tax more to develop their own area in a much better way than what it is now.

Witnesses: Certainly.

The Hon'ble Rev. J. J. M. Nichols Roy: Whereas, if you do not do that, these areas will not pay any tax and they will always try to get from areas which are surplus.

Mr. Chairman: That is what you are doing.

Witnesses: That is the fault of the British Government.

Mr. Chairman: It should be conceded that so far as the running of the functions of which you will have autonomy, is concerned, you shall have full powers of taxation. But in reference to other matters for which the finances should be common, it should be left with the Provincial Government in which you shall have a voice in the legislature, you shall have a voice in the Ministry. Otherwise, why should you send men to the legislature or have any Minister at all? So far as powers of taxation for local affairs are concerned you will have autonomy, but in reference to other matters in which functions are common, it should be left to the Provincial administration in which you shall have your voice in the legislature.

The Hon'ble Rev. J. J. M. Nichols Roy: Let us get to the actual thing. Now supposing you want to have control over primary as well as secondary education. When you come to higher education, it will be a common subject. Supposing a cess or tax is imposed by the whole province for this provincial legislature for the sake of running higher education in an university or something of the kind, you must be willing to come under the provincial legislature.

A.—We agree to this, Sir.

Secretary: There will evidently have to be an allocation of financial powers as between the Provincial Government and the local councils.

Mr. Chairman: Supposing we are getting from the Government of India a grant or paying from provincial revenues. Supposing a department wants to have a road from here to Tura or even say to the other of the Tura hills on the Mymensingh border. Supposing we have to pay a contribution, who is going to determine it. You may say "I will pay my share and do nothing." It may be put to your account or you may be paying less as you may have a sparsely occupied territory.

Mr. Chairman: If you say that there are so many people only and therefore I shall give so much, it will be very difficult.

A.—That amount will be agreed upon by both the parties.

Secretary: You may have a genuine fear that if there is no safeguard the province may not spend as much money as is possible and desirable within your area and such a fear whether it is justified or not may reasonably be there in your minds. For that purpose we can think of certain devices. For instance, one of the things is to provide for a separate budget or financial statement for certain specified areas like the Garo Hills or Lushai Hills or the Naga Hills. That separate financial statement will enable you to find out how much has been allocated to your particular areas. It will enable your representatives in the legislature to stand up and criticise that and ask for more, if necessary, point out that this is not enough, that revenues are such, your needs are such and therefore this is inadequate. The provision of a special financial statement ought to be sufficient to see and judge for yourself whether the amount is adequate or not or to criticise it and ask for more. In respect of these Excluded and Partially Excluded areas, the idea is to have a kind of supervisory body which will be able to watch the needs of these areas from time to time and point out to the Provincial Government what their needs are and what their requirements by way of funds are and what their requirements by way of legislation are. All these, for instance, are contemplated in the shape of what might be called a Minorities Commission. This will be able to control the Provincial Government and give guidance in these matters.

The Hon'ble Rev. J. J. M. Nichols Roy : These provisions may be all might for people who are not able to do themselves, but in this case they want to do that themselves. They want to protect themselves and they do not want any other body to go over there.

Mr. Chairman : The result will be that you do not require Provincial administration. If the Union has got to be treasury other than in the matters in which they administer, then the whole thing has gone out of existence and the whole structure will go to pieces. Therefore in reference to such matters in which you have adequate safeguards in the ministry and you have adequate safeguards in sending the members to the legislature if you do not like the Provincial legislature, it is better to say that it is dissolved.

A.—We may criticise but if no reply comes from the Province and even if you get that it will be worse tomorrow.

Mr. Chairman : You are already deficit.

A.—Unless we are given control of all these incomes, it may be difficult for us to agree.

Mr. Chairman : But such functions which will be administered by the Province are done as a whole and not merely for their districts and the Provincial Government is there to act according to the best interests of all people concerned. If what you say is accepted, then the provincial Government has no function to perform.

The Hon'ble Rev. J. J. M. Nichols Roy : The contribution which the Provincial Government may make for certain purposes is quite a different matter. It may be that for want of co-ordination or finances you are not able to carry that out and you will require certain contributions. But to say that we shall have allocation of revenue which comes from the Centre on the district basis, that dissolves the whole structure of the Provincial administration. I do not see how Garos will have a minister who will represent them and even if they do no development of the district will take place. That is where the present difference has arisen and I think it would be much better to dissolve the whole show.

Secretary : What guarantee can you give that the contribution which you are prepared to make is going to be adequate to run the Provincial Government and provide for other expenses?

Mr. Chairman : We do not consider it finally. We never expect the Committee or the Assam Province will go all this way. We know actually we shall not take anything away. We are willing people and you know I am speaking in this sense that the Provincial Government becomes meaningless according to what you say. The most important point is that there are provincial subjects in which your part and my part are common and for that purpose you are setting up a common machinery, in the shape of members of the legislature. You are sending the ministers who will have representation there and if you still think that the administration is going to pieces and if you will not allow the provincial Government to function then that administration becomes meaningless. Otherwise I fully agree that you should have a budget of your own, that you should have allocation of revenues and in course of time it is quite possible that we may decentralise the whole thing and make the Central administration meaningless. But today with all the resources and all the people taken together we are not able to shoulder the responsibility of the Province. Your desire to make it function less is nothing else

excepting that we practically cease to function. The Russians have tried to have some kind of Government in which the central organisation is extremely strong. At the same time the small parts have got also within their scope complete powers to do things. That is the kind of thing which we are now wishing in the future to come and it will come, provided you exercise your responsibility. Let us say that you pay for the police which is necessary in your district and suppose you find that a big neighbour round about you who has a vast army comes and attacks, can the Provincial Government be separate and unless the whole of the Province comes to your aid is it possible for you to avert the danger of that attack?

The Hon'ble Rev. J. J. M. Nichols Roy: You have agreed on subjects which are common, higher subjects which are common.

Mr. Chairman: You will have a share. In respects of subjects which will be administered in common between your Union the administration shall remain within the Provincial Government. If you say my revenue is different and my Government is different, what is the necessity for going with the Province? These are the logical consequences of certain proposals. That is the reason why this allocation of revenue to the Union of Provincial revenues has appeared to be inconsistent. That is what I wanted to point out in all these discussions. I am glad that you realise it.

Mr. Chairman: In the interim period do you like immediately to have some kind of organisation set in being in which you can at least exercise certain powers?

A.—Yes, Sir.

Q.—Just a sort of a District Board set up in which you possibly can take up the question of education and all that and in order that you may be trained up for taking up all spheres of activities later on?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy: Are you in favour of Assam being grouped with Bengal.

A.—No.

Q.—When you are on the border of Bengal, why do you not like it?

A.—We have been exploited by the Bengalees

Q.—Do you mean to say that you are afraid that the people of Bengal will come and exploit your land more easily than they are doing already? Are you therefore really very much against that?

A.—Yes.

Q.—You have not stated anything so far about the manner in which the ministry should be constituted, so that your interests can be best looked after. That is one of the questions which was put out in the note issued by the Committee.

A.—We want at least one minister for the whole district, for the Garo district. If it is not impossible at least two ministers for all the hill districts by rotation, so that all hills will have a chance, will be our demand.

Mr. Chairman: I feel that you ought to make certain representations. We for our part can take note of what you state. I suppose it will not be in our competence to send specific recommendations.

We stopped at the place where you stated that the Nokmas are the only people who are the electors to the legislature. Would you like to extend the franchise and in what way would you like to extend the franchise?

A.—We want adult franchise, both male and female.

Mr. Chairman: Can you give us any idea of the literacy in your district? What is the percentage?

A.—10 per cent. according to the last census.

Mr. Chairman: Have you thought about the head of the province that may come under the new constitution. At present it is the British Government who are appointing our Governors. How do you like the head of the province, if you want any head of the province at all, to be set up? Would it be by nomination from the Government of India or some sort of election?

Witnesses: By election of the people. By means of direct election by the people.

(Questioned regarding the language for the schools.)

The Non-Garos are taught Assamese. As at present either English or Bengalee or Assamese can be taken as optional. People other than the Garos take up Assamese, this side Assamese and that side Bengalee.

Mr. Chairman: (In reply to a question regarding zamindari) It will be resolved along with the dissolution of Zamindari system which you know the Congress Government has undertaken. The other provinces have already taken certain steps. Bihar and Madras, I understand, are already drafting certain legislation for payment of compensation. We have merely discussed the subject but not yet taken any definite steps. We have accepted this general principle that the Zamindari system will go subject to the payment of compensation to the Zamindars. When it will be possible for us to do, we do not know. We are faced with so many problems everywhere. I only wish that you friends all unite and make the problems as small as possible so that unitedly we can go forward and meet all contingencies and difficulties.

Thank you, Gentlemen.

Notes of evidence given by the Nokmas.

Witnesses.—

1. Mr. Jangin Lasker.
2. Mr. Asansing Marak.
3. Mr. Jatindra Momin.
4. Mr. Khoreng Laskar.
5. Mr. Mohendro Sangma,
6. Mr. Peanang Marak.
7. Mr. Govindo Sangma (Mauzadar),
8. Mr. Isang Marak.

(The evidence was given in the local language and was interpreted by Mr. Jobang D. Marak).

The Nokmas presented a memorandum. (Annexure "A").

The Hon'ble Rev. J. J. M. Nichols Roy: Do the Nokmas have any power of deciding cases nowadays?

A.—Yes. Petty cases.

In some Akhings, there are more than one Nokma. There are two or three. There are many villages in one Akhing. Besides the Nokmas, there are Sarkari Nokmas who are appointed by the Akhing Nokma to assist him. He must belong to the same clan. Whenever Government officials go there, these people look after them and therefore they are called Sarkari Nokmas. These Sarkari Nokmas do not decide cases unless they are empowered by the Head Nokma. All the cases generally go to the Head Nokma.

The whole country is divided into various Akhings. These Akhings are owned by the Nokmas. These Nokmas are appointed by the clan Mahari. The Maharis are the wives; Clan of the women; Women's Clan.

The Hon'ble Rev. J. J. M. Nichols Roy: Who are the people who appoint the Nokma in Darbar or Council? Do you gather people?

A.—The Nokma's wives, sisters, close relatives, and also her brothers. They are the main persons who have the authority.

The Hon'ble Rev. J. J. M. Nichols Roy: Supposing A is a Nokma and has three wives and has brothers and sisters. Then there is another family that is not so near A's family. Is this man a New Nokma appointed by the relatives of that Nokma or by other women?

A.—Only the relatives.

The Hon'ble Rev. J. J. M. Nichols Roy: Supposing in a clan there are 100 women. There are four wives of the old Nokma who is dead and five sisters and six brothers. Now, only the four women and five sisters appoint the Nokma?

A.—Only the first wife will have the power to appoint the Nokma. The clan of women is called Mahari. The elder sister and other relatives also must come. Only the close relatives and sisters have the authority and nobody else.

A.—The daughter of the first wife will have the power to call the nearest relatives and to vote for a new Nokma. The relatives who are far cannot get any right to vote. These Nokmas decide civil cases too.

Q.—What do you mean by civil cases?

A.—They decide cases to the value of about Rs. 10 or 15 only. Cases valued more than that cannot be decided by the Nokma.

Mr. Chairman: He can only act as an arbitrator without imposing any penalty?

A.—He can also declare a man guilty but the fine will have to be imposed by the Laskar. The Laskar cannot be appointed excepting on votes of the members. Before the British came a quarrel about the Akhing land was settled by the people themselves, in a feud by fighting. The present arrangement of administering justice is an improvement on the old methods.

Jatindra Marak: I suggest that a voter should be educationally qualified.

Mr. Chairman: What are the functions which the Nokmas perform? They are wanting certain privileges in the Memorandum they have submitted to us. It is the Government that will have to consider and I do not know what right we have. At the same time we want to know what duties he performs.

A.—I have already said he deals with small cases. He only gives the award but not the punishment. Secondly he distributes the land in the Akhing under the Nokmaship and does not realise any money on that account. If a man from another Akhing comes and occupies the land in my Akhing we realise a certain royalty at the rate of one rupee per family. We also collect house tax in our respective Akhings for which we do not receive any commission, but we make over the money to the laskars. In cases of dispute it is the Mauzadar who settles the case under the direction of the Deputy Commissioner. In some areas the Nokma gets a revenue of one rupee per family and in other areas where there are no bamboo or other forest produce it may amount to nothing.

Q.—Was any undertaking given by the British Government when they took possession of the district?

A.—There were certain verbal assurances given. When Mr. Walker was D.C. of the Garo Hills, he extended the Nokmaship into areas which were formerly Khasi hills.

Q.—If the local council has to be formed as desired by the representatives of the Garo Conference, are you prepared to co-operate with that Council?

A.—Yes. We would be quite prepared to co-operate with that Council. We shall demand of this Council also the special religious concessions which we have been enjoying.

The meeting then terminated.

On 17th May 1947 the Sub-Committee left Gauhati to visit some of the Garo villages. They had planned to visit Damra and Nishangram, two Garo villages inside the Garo hill district. On their way to Damra they visited a village where there is a market and the people of the plains of Goalpara as well as of the Garo Hills come to buy and sell. On their way to these two villages many Garos met them on the way at Boko. They said they came from the Garo villages which are on the border of Garo Hills but inside the Goalpara district. They pleaded for these villages to be included in the Garo Hills as they are all Garos.

The party then reached Nishangram at about 12 Noon and a large gathering had collected to receive the Sub-Committee.

One Mr. Gopal Marak said that people from Kamrup, Goalpara and Mymensingh are of the same stock, that they have come from the same origin, their culture and customs were the same with the people of Garo Hills and therefore these people should be united into one Union. He also complained that the Garos were oppressed by the Zemindary system and stressed that it should be abolished.

The Premier spoke in Assamese a translation of which is given below:

"When I came in 1945 I told you that you cannot but have independence in a very short time. That has come true and the British Government have told us that they will not be here beyond the 31st June 1948 and if we are in a position to take over earlier, they are prepared to hand over the power. You may know that the Constituent Assembly had been set up with a view to determine how we shall govern ourselves in future. That Constituent Assembly has set up an Advisory Committee and we are a Sub-Committee of that Advisory Committee to determine what should be the relationship of the province with the Hills areas and what should be the method of administration that should prevail in these areas, after the power is transferred to Indian hands. It is to be regretted that Sir B. N. Rau and Mr. A. V. Thakkar are not present today amongst you, but myself, Mr. Nichols Roy, Mr. Brahma, Mr. Aliba Imti and Mr. Ramadhyani, Secretary of the Sub-Committee are present before you. We had some discussions about your future with your representatives at Gauhati and we have come to this place to know firsthand what your views are in regard to your future Government. You raised two points in this connection, namely, the union of all the hills people in the districts of Goalpara, Kamrup and Mymensingh and also the abolition of the zemindary system in the Garo area. Both these points were placed before us yesterday by your representatives. I am sorry to tell you, however, that none of them are directly connected with the scope of our enquiry. We will, however, bear these points in mind. The Congress Government will only be pleased to do it. It is only on account of far more serious things such as the invasion of Assam by the Muslim League and enquiries of the kind with which we are not proceeding which are engaging the attention of Government on account of which they have not been able to take up this matter, but I hope in course of time this shall be taken up and I have no doubt in my mind that the solution of the zemindary system will be effected at no distant future. We have carefully examined what you have said about your future. It is, however, not possible just at this stage to tell you what our conclusions will be in regard to it as you know, we are in the midst of that enquiry, but I could possibly tell you on behalf of the Sub-Committee they will have no hesitation in agreeing to give you the maximum degree of autonomy that you may wish to enjoy consistent with your power of self-government. The main question will, however, depend on how you yourself will be able to exercise that autonomy to the benefit of the people as a whole. It is therefore the duty of the elders among you to apply yourselves wholeheartedly not merely in thinking out what your future would be but in working out to the best of your ability as servants of the Garo Hills for the fulfilment of those ends. If the people cannot serve them, the whole idea of autonomy will vanish, but on the other hand if they can fulfil this duty and responsibility the Garo people will grow to greatness. You are pleased to make presents of flowers. I wish the Garo people blossom like the flowers that have been presented to us to-day."

The meeting was attended by about 500 Garos. After inspecting the Boys and Girls Schools the Premier and party returned to Gauhati at about 5 P.M. on 17th May 1947.

Notes on Proposed Constitution of Garo Hills Districts.

(i) of last para. of introductory note:—

Adjustment of district boundaries during the transitional period appears undesirable and it is more than doubtful if the Sub-Committee is expected to attempt this.

(ii) of the same para.:—Perhaps the Provincial Government should consider this.

The Garo Hills Union

Clause 1.—The constitutional propriety of this needs to be examined in consultation with Sir B. N. Rau. As I see it, it is likely that transference of power will take place to existing Provincial Governments even if the Constitution Act of India has come into force: until new elections have been held and councils, etc., constituted, the Government must be regarded as an interim Government. The powers of such a Government or the Constituent Assembly to declare any area other than an existing province "autonomous" may be questioned. The Constitution will presumably contain provisions regarding the manner in which new provinces or autonomous areas if any can be created and until the provisions can be applied by the prescribed authority it may not be possible to provide for "autonomy" for any new area. Moreover if such a declaration is made in respect of the Garo Hills which is a sparsely populated district hitherto considered unsuitable for even the current form of franchise, there seems no justification for denying a similar status to more advanced districts. The results of the establishment of separate "Governments" in all districts may be most undesirable.

Clauses 2, 3 and 4.—Whether all the details contained in these clauses can be settled now or incorporated in the Constitution needs to be considered. For elasticity, a general provision requiring the Provincial Government to set up special councils for such areas as the Garo Hills on the basis of adult franchise and representation at the rate of one member for every 10,000 population may be more suitable. The subjects in respect of which powers of legislation conferred on the council may be specified; also the powers of taxation and powers to appoint an executive and staff subject to rules framed by the Provincial Government or by the council itself.

Clause 5.—Whether a district can have a satisfactory High Court needs to be considered.

Clause 6.—All other district councils may want the same or similar rights.

Clause 7(c).—This seems to nullify powers conferred on the Provincial Government by Clause 1(b).

Clause 9(a).—The implications of this need clarification.

(b) & (c) Places certain responsibilities on the Province while conferring no powers.

Clause 11.—Will be covered by the fundamental rights of the Indian Union in all probability.

R. K. RAMADHYANI,

Secretary.

The 16th May 1947.

PROPOSED CONSTITUTION

of

GARO HILLS UNION

Within the Province of Assam.

Drafted by the Representatives of the Garos.

Submitted to the Advisory Sub-Committee for Minorities of the Constituent Assembly of India.

GENERAL INTRODUCTION

The district of Garo Hills comprises an area of 3,152 square miles with a population of 2,23,569 according to the census of 1941.

Recently there has been an immense awakening of life among the Garos as is reflected in their desire, political, social and economical and their cry for greater liberty. Whatever system of Government may be, the recognition of the tribal authority in their own district is essential as it is basically democratic and one of sound administration of the Government as the village democracy has never meant not only rule by majority but also securing general agreement through full and exhaustive discussions. Also it has for its background the authority of tradition, practice and experience of ages which would be lacking in any alien system of Government but which should rather be incorporated in any new scheme of Government for the district. Thus the foundation for the future development and progress of the Garos should be based on this tribal authority rather than on their capacity for adopting or adjusting themselves to the alien system of Government.

However the Garos realise that their tribal authority or the Government at present cannot provide with resources necessary for higher education, modern communication and other services or amenities which the advanced communities enjoy. In these matters measures for guidance should rest with the Provincial Government.

Also the Garos consider that setting up the Hills as a separate province will not be to the best interest of themselves as the Hills are geographically like isolated islands and the people are widely different in language, culture and many of the tribal customs and traditions. Economically the Hills should be linked with the Plains as their economic prosperity largely depends upon the Plains. Also from the economic point of view the Hills will present serious difficulties as they are scattered and deficit areas. This necessarily points to linking the Hills with the Plains under a common Provincial Government in which both should have an effective voice enjoying a considerable measure of autonomy.

There are other very important matters which are particularly required to be brought to the notice of the Sub-Committee.

(i) The boundaries of the district should be so adjusted on the linguistic basis as to include many of the Garos living in other districts on the borders of Garo Hills, such as Goalpara, Kamrup, Mymensingh, etc.

(ii) The Zemindari system in Garo Hills should be immediately abolished. The Zemindari system which is at present extended into Garo Hills in relation to land revenue and other matters should be abolished

immediately as the action is being taken both by the Provincial and Central Governments, and particularly their claims over the land revenue and forest revenue and other sources of income are unjust and unfair as they have made no contribution whatsoever towards the welfare of the subjects from their lion share.

THE GARO HILLS UNION

1. (a) On the date on which the New Constitution Act of India comes into force, the Garo Hills district shall be considered autonomous, and the Government of Garo Hills Union shall be established in the district.

(b) On the date on which the New Constitution of India comes into force, the Garo Hills Union shall be federated with the Province of Assam and be connected therewith in the following subjects:—

- (i) General and all kinds of technical education.
- (ii) Medical and Public Health.
- (iii) Provincial communication.
- (iv) Exports and Imports, and
- (v) All other subjects in which the Province of Assam is connected with the Central Government of India.

2. The Garo Hills Union National Council.

(a) There shall be a Council of 25 members 2 of whom shall be women, which shall exercise power to legislate and perform other functions as will be provided herein below. This Council shall hereinafter be referred to as the Garo Hills Union National Council, which shall have power to extend its number if necessary including non-Garos.

(b) The life of this Council shall be for 5 years.

(c) The 23 members of this Council shall be elected by adult franchise of both the sexes, and the women members shall be elected by the adult women from the general constituencies. For this election the whole district of Garo Hills shall be divided into 23 constituencies on the population basis of about 10,000.

(d) The method and regulation of election and the demarcation of these constituencies shall be fixed by rules to be framed hereafter.

(e) The functions of this National Council shall be as follows:—

- (i) To codify the customary laws and reform administration.
- (ii) To legislate for the administration of the Garo Hills Union and to perform another legislative function that may be decided by two thirds majority of the members of the National Council.
- (iii) To impose cess or tax upon the whole Garo Hills Union.

(f) This council shall have a Chairman elected by the majority vote, and a Secretary who shall be appointed by the rules prescribed hereafter.

(g) This Council shall also form an electoral college for election of members of the Executive Council and those of the Judiciary of the Union Supreme Court as will be provided herein below. The term of Office of the members of the Executive Council and the Judiciary shall be five years but they shall be eligible for re-election at the expiry of the term. The qualification of the members of the Judiciary shall be prescribed by rules.

3. Executive Council.

(a) There shall be an Executive Council of five members who shall be elected by the National Council from its members under prescribed rules. Their term of office shall be five years.

(b) This Executive Council shall have an Executive Chief whose term of office shall be five years.

(c) The function of the Executive Council shall be as follows:—

(i) This Executive Council shall have power over the Union Treasury and shall frame budget of the Union to be placed before the National Council.

(ii) It shall have power to appoint Garo Hills Union public Officers through the Service Commission for the administration of the Union.

(iii) It shall have power to appoint Police force subject to the approval of the National Council for the maintenance of laws and order in the Union.

(iv) It shall exercise the final executive authority to decide all disputes relating to any administrative affairs.

(v) It shall have any emergency power to pass any executive orders for the peaceful administration of the Union, but such orders shall be in force for a specific time only.

(vi) It shall appoint the Secretary of the Executive Council.

(vii) It shall have power to fix the salaries of the Secretary of the National Council and the Secretary of the Executive Council subject to the vote of the National Council.

(viii) It shall have power to deal with the external affairs connected with the Union.

(ix) It shall arrange all elections within the Union of Garo Hills.

4. The President and the Vice-President of the Garo Hills Union.

(a) There shall be a President of the Garo Hills Union who shall be elected by Adult Franchise and in accordance to the rules to be framed hereafter. The members of the National Council shall be eligible to stand as candidates and the successful candidate shall be required to resign from the membership in the Union Council. His term of office shall be five years.

(b) The one who receives the second highest vote in the election for the Presidentship shall become Vice-President.

(c) The authority and the duties of the President shall be prescribed by the rules to be framed hereafter.

5. Assent to the Legislation of the National Council.

(a) All financial bills to be placed before the National Council shall get the previous assent of the Executive Council.

(b) Any legislation passed by the National Council shall not come into force unless the Executive Council gives its assent, but the Executive Council shall normally give its assent unless it considers that such legislation will affect public peace or the administration and is unreasonably against the interest of any people.

(c) The Executive Council shall have power to return any legislation passed by the National Council for its reconsideration with a full statement of reasons for doing so. But normally it shall give its assent unless it considers that such legislation shall be detrimental to the interest of the Union.

6. Judiciary.

(a) There shall be a Judiciary of the Union Supreme Court for all civil and criminal cases in the Union.

(b) The Council shall be called the Garo Hills Union Supreme Court.

(c) The jurisdiction of this Court shall extend to all civil and criminal cases only which are outside the administrative affairs. In case of doubt as to which jurisdiction a particular matter falls, the decision shall be made in the joint meeting of the Executive Council and the Judiciary.

(d) The decision or the judgment of this High Court which comes before it shall be final.

(e) All serious cases such as transportation for life, long term imprisonment, etc., shall be appealable to the Provincial Supreme Court.

(f) There shall be no capital punishment in the Garo Hills Union.

7. The Finance of the Union.

(a) All the revenues derived from the Union of Garo Hills that now come to the Provincial Exchequer shall be handed over to the Executive Council of the Union.

(b) The contribution of the Union to the Provincial Exchequer shall be a certain sum of money that shall be agreed upon between the Executive Council of the Union and the Government of Assam for the expenditure in the subjects in which the Union is connected with the Provincial Government.

(c) All the heads of revenues and all the sources of taxes that the present Provincial Government of Assam are deriving shall be handed over to the National Council. The heads and the sources are as follows:—

(i) Land Revenue.

(ii) Forests.

(iii) Mines.

(iv) Excise.

(v) Fines, Stamp and Court fees.

(vi) Amusement tax.

(vii) Custom Duty.

(viii) Fishery.

(ix) Proportional Export and Import duties.

(x) Proportional amount of any kind of income-tax.

(xi) Proportional amount of subvention allotted to Assam by the Central Government of India.

(d) All the hydro-electric power and the income therefrom.

(e) All the Reserved Forests and Mines shall be vested in the Executive Council and income therefrom shall go to the Union Treasury.

(f) All the inter-communications within the Union and the income therefrom shall be vested in the Executive Council of the Union.

8. Relation of the Union with the Provincial Government.

(a) The Garo Hills Union shall send four elected members to the Provincial Legislature. The Constituencies for these members shall be as prescribed by rules.

(b) The Garo Hills Union shall be represented in all the Provincial services, in the recruitment for which a reservation of appointment in the posts should be made for a reasonable period of time.

(c) No legislation of the Provincial Government shall directly be applicable to any part or the whole of the Garo Hills Union without its previous assent.

(d) The Garo Hills Union shall be represented in the Provincial Cabinet by one of the representatives of the Union in the Provincial Legislature.

9. Protection of land.

There shall be a provision incorporated in the Constitutions of the Province and Garo Hills Union Autonomy for safeguarding the lands and other resources by the Statutory laws from the expropriation and exploitation of the foreigners. This is the most important part in the relation of the Garo Hills Union with the Assam Government.

10. The Interim Period and thereafter.

(a) In this interim period before the National Council and the Executive Council function, the Deputy Commissioner, Garo Hills shall exercise powers which are vested in him.

(b) All the arrangement for the election of the National Council shall be made by the Government.

(c) Immediately after the National Council and the Executive Council have functioned, all the powers exercised by the Deputy Commissioner shall be handed over to the Executive Council.

(d) The Executive Council shall have power to appoint Advisor if necessary for certain duties to be entrusted to him temporarily for any specific time.

11. Relation of the Provincial Executive Head with the Garo Hills Union.

(a) The Government of Assam shall have general supervision over the subjects in which it is connected with the Union.

(b) In case the Union sends a request to the Government of Assam to help it by sending a civil police or an armed police, it shall be its responsibility that such help be rendered to this Union and in such cases and in adopting method the Government of Assam shall be guided by the advice of the representatives from this Union to the Provincial Legislature.

12. The Position of the Hills and Tribal People within this Union.

(a) All the hill tribes and the tribal people such as Rabhas, Khasis, Mikirs, Nagas, Lushais, Kacharis, Hajongs, Koches, etc., who have their permanent dwelling in this Union and who claim themselves to have permanently resided therein shall have the same rights and privileges as a Garo and shall be subject to the administration of this Union.

(b) The other peoples who have permanent residents in the Union shall also be subject to the administration.

13. Liberty in Religion.

(a) All religions shall be equal in the eyes of the law.

(b) Subject to the requirements of law duly made in the interest of the public morality safety and order, there shall be a complete liberty of conscience and freedom of worship for all.

(c) The sanctity and inviolability of the places of religious worship shall be guaranteed by law.

APPENDIX "A"

President; Constituent Assembly Sub-Committee for the Excluded and Partially Excluded Areas in the Province of Assam, and his associate members of the Tribal area Sub-Committee of the Constituent Assembly Advisory Committee.

Dated the 16th May, 1947

1. Jotindra Momin, Nokma of Chima.
2. Dawil Nokma of Bangsiapal.
3. Singran Nokma of Bangsiaga.
4. Ranna Nokma of Damit Aphil.
5. Subaran Nokma of Mendima.
6. Muni Nokma of Depa.
7. Jobet Nokma of Imbanggi and others.

In the matter of the fundamental Rights of the Garo Nokmas of the Garo Hills District (Assam).

Memorandum submitted by the undersigned Garo Nokmas for selves and on behalf of others most respectfully shewth:

1. That your humble memorialists heartily welcome the contemplated momentous legislative measures whereby the "Tribal Areas" in the province of Assam are destined to form an integral part of the great Indian Union.

2. That the aboriginal races in the so-called Excluded or Partially Excluded Areas in the Hill Districts of the province of Assam were, for administrative and strategic reasons, all along kept isolated; but it is now confidently hoped that in a Free India these sturdy races will be afforded an ample scope for advancement and progress.

3. That your humble memorialists have come to learn from the columns of the daily Press that the Hon'ble Rev. Mr. J. J. M. Nichols Roy, P.W.D. Minister, Govt. of Assam, has prepared a draft constitution for the Tribal areas in the province of Assam which, it is understood, will be taken up for discussion in the Constituent Assembly, after the Tribal Areas Sub-Committee of the Constituent Assembly Advisory Committee will have finished their labours by coming in close contact with the spokesmen or representatives of the various Hill Tribes in Assam. We, the Garo Nokmas, therefore, beg to place this memorandum before the Tribal Areas Sub-Committee, embodying as it does the fundamental rights of the Nokmas in Garo Hills District (Assam) which need safeguarding under the New Constitution.

4. The Garo Nokmas—their fundamental rights.

(a) The Nokmas were, and still are, heads of their clansmen. The Garos are divided and sub-divided into numerous "Maharis" or clans, each clan having a chief or a 'Nokma' of its own, whose status is akin to a feudal chief of the mediaeval age.

(b) *Akhing*.—The tract of land comprising a group of Garo villages in the occupation of a Nokma is called an 'Akhing.' The Nokma is the joint proprietor of the Akhing to all intents and purposes. He controls the internal affairs of his Akhing and is looked upon by the clansmen as their protector.

(c) In the pre-British days, there were mutually destructive bloody feuds amongst the Nokmas over the boundaries of their respective Akhings. But when the Garo Hills District came under British occupation, such internecine-war-fares had already been on the wane and quite a good number of distinct and autonomous Akhings had sprung up all over the hilly tracts.

In the early days of the British rule, a Deputy Commissioner of Garo Hills District made an extensive tour in the interior, in course of which he recovered numerous skulls of persons killed in tribal fights from the Nokma-Villas, where these were kept as trophies of victories achieved by their valiant ancestors over their opponents, stacked them in a huge pile at Rāngreng and burnt them to ashes and thereby the last vestige of these barbarous practices of head-hunting was rendered non-existent.

(d) Garo tribal laws and customs:—

The Garos were all along an independent race. They had never before come under any foreign domination. They lived under their Nokmas who were the sole proprietor of their Akhings, which are heritable according to Garo customs, whereby the 'Nokrom' or the son-in-law becomes an heir to the Nokmaship. These Garos developed a local autonomy in their socio-economic relations amongst themselves. Thus, customs and usages grew up which, through long processes of evolution, became well-established and acquired the force of laws. The British Government all along followed a policy of non-intervention so far as the Garo tribal laws are concerned and governed them according to the provisions of what might be termed as the unwritten laws of the land.

Mr. G. D. Walker, Deputy Commissioner, Garo Hills District, made a general survey of all the Akhings belonging to the Nokmas, prepared their respective geneologies, mapped out the Akhings and demarcated them all by masonry pillars, which received the sanction and approval of the local Government.

5. The rights, and privileges of a Nokma may be broadly outlined as follows—

(a) Garo Hills district comes within the category of a "Scheduled district" and is a "Partially Excluded area". No outsiders or non-Garos can acquire any land within any Akhing and the Deputy Commissioners never questioned this absolute right inherent in a Nokmaship.

(b) No Garo tenant resident within an Akhing is permitted to make "Jhum" cultivation, fell tree, cut bamboos or collect thatches from a different Akhing without obtaining previous permission from the Nokma concerned and without paying him the prescribed royalty or *awil* fee for the purpose. (*vide* circular order No. 854, dated 17th December 1925, issued by G. D. Walker, D.C., Garo Hills).

(c) The Nokma makes annual allotment of lands to his clansmen for periodic "jhum" cultivation. The control thus exercised by the Nokma does indeed go a great way to minimise the fear of serious agrarian disputes amongst his tenantry.

(d) Promulgation of executive orders etc.

All questions relating to assessment of rent, settlement of civil or petty criminal cases etc., are decided by the Nokma, and it is again through his agency that all executive orders relating to forest administration, viz—felling of sal or other valuable trees, restriction on killing of deer, birds etc., during their breeding seasons, are promulgated for general information and guidance.

(e) Matters religious—Nokma looked upon as the defender of faith.

The annual Wangala worship, which is a famous Garo festival and is celebrated usually in the month of September or October, the Nokma's presence is essential for religious observances, and in case the Nokma be prevented from participating in the functions, a formal permission must be obtained from him for celebrating the festival.

(f) *The Asongtata worship*.—This is a worship of the presiding deity of the Akhing, who must be propitiated by sacrificial offerings to prevent outbreak of cholera, small-pox, rinderpest in cattle, ravages or depredations by tigers, wild elephants and ferocious animals—as well as for purification of the Akhing in case of like disasters. This worship must be performed by a holy priest to be nominated by the Nokma, provided he himself cannot officiate as a priest.

6. Clarification needed on the following—the present position rather anomalous.

(a) There are sources of decent income within the Akhing lands of the Nokmas, viz (1) Sal trees (2) hats (3) grazing fields for buffaloes (4) elephants and (5) elephants' tusks, from which the Nokmas derive no benefit at present except a nominal commission on Sal trees extracted from their Akhings. They assess their rights for royalty on the following items as well—(i) Lac (ii) cane (iii) kheda operations for elephants (iv) elephants' Tusks found inside the Akhing. (v) grazing taxes on cows and buffaloes @ 50 per cent on the royalty recoverable from the persons concerned. The Nokmas are *de-facto* proprietors of their Akhing. But the Forest Department grants permits, even on monopoly system, to outsiders or foreigners without the consent of the Nokmas who are apt to view these matters with a sense of grave misgivings. This is not only detrimental to the financial interests of the Nokmas, but is calculated to curb this fundamental rights as proprietors of their Akhings. It is respectfully submitted that in future no Forest permit should be issued to anybody, far less to a foreigner, without the knowledge and consent of the Nokma or Nokmas within whose Akhing or Akhings the permit-holder, may enter for operation.

(b) Forests permits for business purposes.

In matters of obtaining forest permits for business purposes, the Nokmas may certainly claim some preferential treatment in the hands of the Forest Department, wherever and whenever they themselves apply for permits to fell Sal trees etc. But, strangely enough, for reasons best known to the Forest Department, the Nokmas were all along denied such privileges, even when the Nokmas were agreeable to pay the usual royalty.

It is urged that the Nokmas should be allowed Forest permits on concessional rates, with a view to encourage them in business spheres.

(c) According to circular order No. 479, dated 24th September 1926, issued by G. D. Walker, I.C.S., late D.C., Garo Hills District, the Nokmas are entitled to a certain commission or Awil fee @ 0-1-0 one anna per rupee on the market value of bamboos, thatches, unclassed trees, fuel wood etc. brought by the Garos or other people to markets for sale. The present practice, however, is to realise an extra one anna per rupee in addition to the scheduled amount of royalty recoverable from the sellers by the forest Department for payment to the Nokmas. This is contrary to the provisions made in the C.O. referred to. Necessary instructions be issued to the Forest Officers concerned to abide by the C.O. with a view to prevent a huge financial loss to the Nokmas.

(d) That your memorialists have come to learn that preparations are in progress to explore the mineral wealth of the district. Your memorialist do fervently hope that opening of these new avenues of wealth will not fail to cast its reflection on the economic condition of its people and that proper safeguards will be provided for the owners of the various Akhings within which mining operations will be carried out and a fair share of the income,—say, 25 per cent., be set apart for them.

(e) The present practice of granting free permits to house tax paying natives of the Garo Hills District at Tura and the surrounding villages, praying for permission to fall and appropriate sal trees for house building should be totally abolished and all *bona fide* natives of the district, whether house-tax paying or not be exempted from the necessity of taking such permits for house building purposes.

7. Creation of further Reserves within Garo Hills undesirable.

The population of the Garo Hills is daily on the increase. They require more and still more lands for cultivation. There are still lands within the forest Reserves fit only for wet or jhum cultivation, having no valuable trees therein. This has deprived the Garos of good arable lands. It is therefore respectfully prayed that these lands should be made available to the Garos. The present practice of making temporary settlement of these lands only to those employees of the Forest Department that execute written agreements to render free manual service for a given period to the Forest Department must be stopped and the privilege extended to all Garos without any restrictions whatsoever.

Moreover, no further Reserves should be created within the district.

8. Appointment of Laskars.

The Laskars are employed to execute various functions, including trying of petty civil and criminal cases. They are appointed by the Deputy Commissioner on the votes of the Nokmas. They continue to serve for an indefinite period and are not liable to be removed from office except by the D.C. himself. The existing rules regulating their tenure of service is far satisfactory and highly prejudicial to public interests.

It is suggested that the Laskars thus appointed by Nokma votes will hold their office for a fixed period—say, five years, and that they will render themselves liable to dismissal for grave dereliction of duties, if complained against by the people. The Laskars, however, be entitled to re-appointment on approved service subject to approval by the Nokmas.

MIKIR HILLS

**THE NORTH-EAST FRONTIER (ASSAM) TRIBAL AND
EXCLUDED AREAS SUB-COMMITTEE**

Camp Lumding, the 18th May 1946.

PRESENT :—

THE HON'BLE SHRIJUT GOPINATH BARDOLOI—Chairman.

THE HON'BLE REV. J. J. M. NICHOLS-ROY.

THE HON'BLE SHRI RUP NATH BRAHMA.

} *Members.*

Mr. ALIBA IMTL.

Mr. R. K. RAMADHYANI—Secretary.

The Committee met at 9-30 A.M.

1. The Secretary placed before the Committee the letter received from Shri A. V. Thakkar.

Mr. CHAIRMAN: The Secretary has placed Thakkar Bapa's letter before the Sub-Committee for taking whatever action is considered desirable by us. (Read out letter.)

The general opinion was that Shri Thakkar should be requested to continue as a member of the Committee and to join the Committee later when he was able to do so, if necessary at Shillong towards the end of the tour.

2. It was decided to co-opt the following two gentlemen as members of the Sub-Committee.

1. Sjt. Khorsing Terang, M.L.A.

2. Sjt. S. S. Engti, B.A.

The Mikir witnesses were then presented to the Committee and stated as follows :—

We come from the area included in the district of Nowgong. We have also dealings with the Mikir people in the district of Sibsagar. Mr. Khorsing Terang is from Duaramla Mauza about the western most portion of the Mikir Hills. We held a meeting of the Mikirs in Assam in Habaipur Huzai some two months ago. About 2,000 people attended that meeting. In that meeting we elected our President Mr. Khorsing Terang Haboi, M.L.A. and Secretary Mr. S. S. Engti. They are Sibsagar Mikirs. We have not had any written constitution of the Karbi-A-Durbar (Mikir Jatiya Mahasabha) showing the aims and objects of this Durbar. We shall place before you some of the resolutions that were discussed and passed at that meeting. Since some of the people from other districts were present in our meeting, we think the resolutions that we have adopted will be acceptable to them also. We cannot say whether any representatives came from Kamrup. Some people came from Khasi and Jaintia Hills as well from North Cachar hills.

By a resolution, the Secretary was authorised to pick out some name from among the list which the Karbi-A-Durbar had suggested and we are included in that list. Tribal people other than Mikirs are not represented in this list.

There are other tribal people inside the Mikir Area. There are Cacharis about 3,500, Rengmas about 1,000 and Lalungs, (number is not available).

Mr. CHAIRMAN : The Constituent Assembly which has been instituted to frame a Constitution for India resulting from the declaration of the British that they are going to withdraw from June 1948, has set up an Advisory Body to advise them on the rights of minorities and also to determine the nature of the administration that shall prevail in the Excluded and Partially Excluded Areas in India. That Advisory Committee has set up this Sub-Committee.

The method of procedure that has been followed by this Sub-Committee has been to ascertain the views of the people in different places and to base their recommendation on such evidence. We shall surely give our opinion also, but the enquiry as we carry on at present is more or less aimed directly at securing your views about your future. We have only to add one remark, a remark which we have made elsewhere, that the Constituent Assembly are pleased to maintain the customs and manners of the people as are not opposed to morality and the improvement of the people and are also prepared to take steps in reference to their preservation. We are as anxious to give the Units such autonomy as lies in their power to exercise. But you have to remember the limit which you all, consistently with your ability, could exercise.

I would now like to hear from you what you have got to say about your future.

WITNESSES: There are two reasons which are responsible for the backwardness of the Mikir people at present and they are growing worse in the future. One is that the provincial Government do not spend as much money for the Mikir Hills as they take away in taxes from them. Secondly, people from outside have come and settled in these lands and are exploiting the people economically and in every possible way. They are also backward in education and therefore they cannot adjust themselves to the circumstances of the times. The Mikir people are also backward on account of the method of agriculture they pursue. Cultivation in the Hills does not give as much yield as in the plains and what they earn is hardly enough to meet their subsistence. If, in the administration of these areas, more people from the Hills are allowed to participate, they will be able to tackle these problems more effectively as the people of the area will be able to understand these problems better than somebody from outside.

I think it is admitted that there is some slight difference between the people of the Mikir Hills and other people in the plains. Therefore we claim certain safeguards for our benefit and protection. We have detailed below the directions in which these safeguards should be given to us.

No. 1. We want a separate District for the Mikir Hills people. We think that the District should be composed of the present Mikir Hills Partially Excluded Area, the Mikir portions of the Nowgong Plains which adjoin, the Sibsaga Plains where the Mikirs are living at present contiguous to the Mikir Hills, North Cachar Hills, and Khasi and Jaintia Hills areas where the Mikirs live.

A boundary commission should be set up by the provincial Government in which there should be representative of the Mikirs.

Mr. SATRASING TERON : Mikirs of other areas which cannot be conveniently added to the new District should have certain protection in their land problems, education, social customs. Their areas should be well defined and their lands should be inalienable. They should have free primary education, middle and high school education and State Aid for higher studies. Instructions in the Primary Stage should be in their own vernacular. All their social customs are to be preserved by law.

We think that the New District should form part of the State of Assam with certain local autonomy for internal administration. Therefore certain regulations should be enforced to save the people from foreign exploitation.

In the Mikir Hill area for convenience sake, the Mikir language should be made the official language for the continuance of administration.

So far as local autonomy is concerned, it is not clear as to what subjects should be dealt by us, but we take it that the Government of Assam will appoint certain specialist officers for the administration of the hill areas. It should be specialist in the sense that if possible it should be a qualified Mikir youngman. We think that all the services within the Union should be filled by Mikir young man in that area. Failing to get qualified Mikir youngmen for administrative posts, then highly qualified, sympathetic officers of other castes may be appointed temporarily to these posts, preferably from amongst the other tribes of Assam. Of course they should know the Mikir language.

As for local autonomy we think it will be exercised by the local council which should be formed on an elected basis, on representative basis from the different parts of Mikir Hills and that the election to the local council should be on the basis of universal adult franchise, male and female. In any affairs affecting the interest of that area that means the Mikir Hill area, the head of the executive must always consult this local council. It does not mean that this local council will be just an advisory body but it should have both the power to decide and initiate. If they want to do something then they must have the compelling force upon the head of the executive to do it and if the head of the executive decides something which is not for the interest of the area, then the council should have the power to alter the decision of the executive head. The strength of the local councils should be according to population on the basis of one member to every 5,000 or part thereof. All residents of the unit shall be eligible for candidature. Each different tribe or caste will be allotted according to the population. The members for the Local Council will be elected by adult franchise and a Chairman and Vice-Chairman shall be elected for the local council who shall advise the administrative officers on behalf of the local council.

The Local Council will act as both advisory body with certain executive powers and Supreme Court for all cases involving land disputes and disputes in connection with local customs. They will advise the Provincial Assembly through their representatives in regard to all new methods of taxation, advisability of application of all provincial laws in the Union. Proposals for new measures for the benefit of the Unit shall be decided by the Local Council and will be presented to the Provincial Assembly. The Local Council shall decide the people who should be allowed to settle in the district and who should get the benefit of having businesses and contracts and such other openings of works within the district. The life of the Council shall be for five years.

The powers of the Local Council may be changed from time to time by decision of the local council with the approval of the Provincial Government.

There shall be elected representatives in the Provincial Legislative Assembly on the basis of one Member to every Fifty thousand population. Candidates should be confined to Mikirs. There will be about 2,00,000 population in the new District and as such it is the desire of the Mikir people to have at least 4 members in the Provincial Legislature. If there be any Upper House in the Provincial Legislature, there should be one of this tribe elected by the Local Council.

There should be a portfolio "Welfare of Tribals" which should be held by a Tribal member. This includes hills and plains. The Minister in charge of this portfolio shall always take the advice of the members of this district in matters relating to the Union. There should be a report every three months showing the demands of the different tribal areas and the action taken thereon, by the Provincial Government. This should be made public. Social customs are to be preserved at all costs and cases arising out of these shall be

decided by village panchayats. Appeals against these decisions should be heard by Mauza Panchayats. Big cases such as murder and such other cases as may be decided by the local council may be taken up by the ordinary criminal courts of the Unit. Appeals can be made according to the rules framed for the ordinary criminal courts of the province.

Free compulsory state education should be provided for all the boys and girls of the Unit for the primary stage for at least 20 years. At least 75 per cent. of the Mikir students desirous of having middle or technical education should be given by the State for at least 20 years. 50 per cent. of the Mikir students desirous of having further studies in all branches should be given freely by the Province of Assam for at least 20 years. One foreign scholarship should be allowed for Mikir students for at least 20 years. Instructions in the primary stage should be in the vernacular. Above the primary stage all instruction is to be through the medium of Assamese or such other language approved by the State of Assam. The social customs are not to be changed unless demanded by the local council. The same rule should be applicable to the Mikirs living outside the Mikir Hills District.

All services within the Union should be filled up by qualified Mikir youngmen. They should also be appointed in the Provincial services within the quota allotted to the tribal people of Assam according to their fitness. For inferior services within the Unit the required minimum qualifications may be reduced for the Mikir candidates for at least 20 years. As soon as qualified candidates are available for service, it will be borne in mind that only qualified candidates are appointed to the services. The local council should have power to approve appointments of services within the Unit with the approval of the Provincial Public Service Commission. All revenue derived from the unit and 50 per cent. extra should be spent by the Provincial Government for the improvement of the Unit in all respects for at least the next 20 years.

All the people of the Unit should have the right to carry and bear arms freely and to carry their customary dao at all times and in all places. There should be no restriction for the people to bear and carry fire arms and they should be given licenses to bear and carry arms freely. All taxation and other matters relating to the Union shall have to be approved by the local council before being applied to the Unit. Government business, P. W. D. and forest contracts and all other openings of work within the district should be given to the people of the district.

The people of the district should have compulsory military training for some time, so that they may be useful later for the defence of India.

The Lumding Railway Colony and personnel should be under the control of the local council in matters of their relations with the people or the locality. The bazaar area or the colony should be under the control of the local council.

We think it is the desire of the Mikir people to live harmoniously with all her neighbours and they are willing to take equal responsibilities in the discharge of their duty for the peace and prosperity of India and the world and we think all this should be our statutory rights and should be written in the constitution.

Mr. CHAIRMAN: You have given a lot of details. There are two or three things in which we are immediately concerned. As a matter of fact, the settlement of the boundary of the Mikir Hills in itself does not come within the purview of the Advisory Committee's functions. But nevertheless, we are trying to understand your attitude in regard to this very important question. You may know that the provincial Government are just now thinking of creating a Sub-Division for the Mikir Hills with a view to be able to concentrate their activities for the good of the Mikir Hills people. We are unable to take any final decision on account of the impending charges in so many things.

The second thing that I would particularly want to know is in reference to the council that you are proposing. There also, we do not propose to go into details, because that would be a matter of internal administration. So far as its relationship with the province is concerned, we should have a clear picture.

Your representation in the provincial legislature is another matter in which we propose to ask you further questions. I think we may confine ourselves to these three points and if some information is necessary, you will be pleased to give us.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you mean to say that only those portions of the areas which are outside the Mikir Hills area at the present time, in which the majority or most of the inhabitants are Mikirs are to be brought into the new unit? Supposing there are areas in which there is a majority of non-Mikirs.

You do not claim those areas?

A. Yes. We must take into consideration geographical convenience also.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing the area in the North Cachar Hills is divided by rivers. Geographically it is more convenient to form into the North Cachar Hills Area. In that way, I suppose from the geographical point of view you may not claim that area?

A. The thing is this. Because the North Cachar Hills portion is mostly inhabited by Mikir people, we think that it is proper to be included with the Mikir Hills.

THE HON'BLE REV. J. J. M. NICHOLS ROY : There will be no natural boundary.

A. The boundaries will have to be fixed up by the Boundary Commission.

We want the areas where the Mikir people are inhabiting, which are adjacent to the present Mikir Hills Partially Excluded Area and which could be conveniently added to this area should be included in the new Unit. Even if it is not geographically convenient, if it is administratively convenient, these areas should be brought in.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing there is an area in the Jaintia Hills where the Mikir people have migrated. Would you claim that area?

A. The thing is this. The people have been inhabiting in that area for long time. They have almost become inhabitants of that area. They are not like the emigrants from Bengal. We want the areas inhabited by these people should be included in the new Unit.

Our claim is that all areas which are contiguous to the present partially Excluded Areas and not any area which is intervened by areas inhabited by other people should be brought together. If any Mikir village or two or three villages are surrounded by Khasi villages, we cannot claim that area.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing again there is a Mikir village about six or seven houses surrounded by Lalungs, Cacharis which are incorporated in the Kamrup District, I suppose you won't claim that area?

A. If it is a single village which is a little distant from the Mikir Hills, we do not claim that.

In areas in which the Mikirs and other people are living together if it is convenient to divide, then they should be divided. Suppose on the side of the Mikir Hills there are two or three villages and just adjacent to it there are three or four villages belonging to other people, in that case, division may be made.

Mr. CHAIRMAN: Do you mean to say that you will take other people also into your area?

A. Not at all. In areas in which people other than Mikirs are living, we would not like to include that area.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Suppose the Mikirs in a certain area do not want to be included in the area?

A. We cannot force anybody. We do not want to include such Mikir people in Mikir areas as would not like to come within the new Unit.

Mr. CHAIRMAN: Have you any idea of the map of your future Mikir place or Mikirsthar, so that we can ask concrete questions?

A. We want to leave the concrete questions to the boundary commission.

Mr. CHAIRMAN: In between the two blocks of Mikir area, you have the whole area excluded from the Mikir Hills administration. What do you say about this?

A. In these areas, there are some Mikirs. In reference to the area from Chaparmukh to Lanka, we would only claim such areas as are contiguous to the present boundaries of the Mikir Hills Partially Excluded Area actually inhabited by the Mikirs and not those areas which are inhabited by other people. There are other people in those areas beyond the borders of the present Mikir Hills Partially Excluded Area. They are considered to be tribals of the plains and should be entitled to such privileges and safeguards as would be devised for them.

Mr. CHAIRMAN: You may know that there has been an almost persistent demand that the Barpathar and Sarupathar areas have been included in the Mikir Hills area for administrative reasons and that the people living there have been deprived of the right of getting regular administration of justice unlike their brethren in the plains. They are incidentally asking that they should be separated from the Mikir Hills. What are your ideas about these questions?

(Mr. Khorsing Torang thinks beyond the Dhansiri areas, Sarupathar and Barpathar may be connected with the ordinary administered areas. That is, up to Devapani River. Any region beyond that can be included in the ordinary administered areas. The details of the areas will be determined by the Boundary Commission according to the wishes of the people).

WITNESSES: Regarding the other Mikirs of the plains, we want more and more consideration especially in reference to the protection of the land. They should get the same privileges as other Mikir people in the Hills and get increased education and in other respects.

We want to form a council of our own. According to the present estimate that we have made, there will be 40 members. We have not yet assessed the expenditure that may be involved in setting up such a Council. The percentage of literacy is 3.1 per cent. It would not be more than 3 to 4 per cent. If the scheme that we have put forward before you is accepted and worked out we expect that within 10 years we would be able to exercise adult franchise.

Mr. CHAIRMAN: In the meantime will you accept any other kind of franchise?

A. We yet think that we can have elections for the local council on the basis of adult franchise.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you have a village headman or not ?

A. Yes. They are not usually elected.

THE HON'BLE SRIJUT RUPNATH BRAHMA : You say that you want one council for your Mikir Hills area and that this council will be for all the people living in the Mikir Hills and including the different tribes. Can you say that all the non-Mikir will join your Council ?

A. Some of them are willing to join the Council.

Q. In the future constitution you will get a certain representation in the local Legislative Assembly. I find that you demand about 4 seats. Is that so ?

A. We definitely think that for every 50,000 we should have one representative and we have a population of 2 lakhs and therefore our representatives should be four.

Q. You have no elective system so far.

A. Our customary laws are administered by Hawais. They are appointed by a body known as Buranas Pimpos. A pimpo is nominated by other Pimpos. Pimpos are people who are specially versed in the customary laws and only such persons who are specially versed in them are actually appointed Pimpos. There are two classes, gaon-burras, one appointed by Government and the other appointed by Mauzadars. The village gaon-burras are appointed by the Mauzadars and these men sit together to settle disputes of a petty nature. More serious offences go to the British courts for trial and decision.

In the area under wet cultivation private ownership with fixed boundaries is recognised. But in the Jhum cultivation in the hills the village gaon-burra and not the Sirkary gaon-burra distributes the lands. Even for basthi land we have no fixed boundaries but when anybody plants valuable trees and exercises control over the same, he is not disturbed by the people.

Q. Can he sell that land to somebody else?

A. There has been no selling system so far. If you leave a place you leave the whole property.

THE HON'BLE REV. J. J. M. NICHOLS ROY : If he leaves that place he cannot sell it to any other person. But something will be occupied by the gaon-burra. Can he also not own the property. If another gaon-burra comes in his place the income thereof will be used for village purposes or by the gaon-burra himself.

A. The gaon-burra himself. Supposing the gaon-burra is no more and another gaon-burra comes in, the new gaon-burra will use them.

We have village paths and the portion falling within the jurisdiction of a village is done by the people of that village. We simply clear the jungles. Sometimes houses are also built on co-operative efforts of people in 4 or 5 villages under the direction of the gaon-burra.

Q. What happens to wet places which are settled permanently to different persons ?

A. These areas inside the hills and on the plains are very small and scattered and therefore they are not settled.

Q. Supposing a person dies, to whom does that property go ?

A. That property goes to his family members.

Q. I understand that there is a kind of local fund in the Mikir Hills area. How is that managed ? Is there any Board or is it administered by the Deputy Commissioner ?

A. Yes. It is raised from the bazaars and we do not administer the fund in consultation with anybody.

SECRETARY : Suppose some kind of a council is established now as an advisory council to the Deputy Commissioner. Do you think that will help to train the people in running these councils in readiness for the transition ?

A. At present, of course it may help.

SECRETARY : In your Memorandum you have stated that all legislation of the Provincial Government should be approved by your Council before it becomes applicable. Suppose the Provincial Assembly passes legislation for the registration of births and deaths for the purpose of statistics even such legislation should go through your council before it becomes applicable ?

A. I do not consider it unnecessary.

SECRETARY : Legislation to control Posts and Telegraphs and to control the railways, all these should go through your local council !

A. Should not go, of course.

Mr. CHAIRMAN : Supposing the Government to introduce legislation to control the spread of epidemic diseases ?

A. General matters which pertain to the whole province need not go to the local councils.

Mr. CHAIRMAN : There are certain matters the legislation of which need not pass through your local council !

A. I agree.

SECRETARY : Your village sites shift from place to place. How often does it take place ?

A. There is no certainty as to when it occurs. They usually shift when they feel some sort of inconvenience there.

SECRETARY : If you have franchise or make constituencies for your election purposes would the shifting of village sites from time to time cause some disturbance or difficulty ?

A. The shifting of the village will I think not affect this.

SECRETARY : Do you not think that the population of certain constituencies may suddenly increase or decrease ?

A. I think the people even if they shift, they will remain within their area, because we have found that villages remaining in a particular area though they shift to another site they always remain within their area.

SECRETARY : Supposing there are villages close to each other ?

A. There is the setting of boundaries and the people of one place always remain within their area. They never exceed their area.

In the Hill areas there should be a member in the provincial legislature for every 50,000 of the population. This principle should also apply to the Plains Tribals. We have no objection to follow a general rule for the province.

At present, only the Mauzadars, both Sirkari and non-sirkari and gaon-burras only vote for the provincial legislature. Mauzadars, Village Headmen (both Sarkari and nonsarkari), Pimpos, Habais, L. P. passed people (both male and female) and the head of each family should be allowed to vote for the election to the Provincial Assembly.

Heads of families pay a house tax of Rs. 3 annually.

For franchise, we include not only the Mikirs, but all people who live in the Mikir Hills, Cacharis, Nagas, etc. All persons who can vote should be allowed to stand as candidate for election.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Suppose a man from Bengal come and lives in the Mikir area. Will he be allowed to be a candidate ?

A. The question depends upon whether he will be considered a proper citizen of the Mikir Hills. We think it should be restricted only to the Tribal Householders.

We contemplate that there should be some sort of salary for the office bearers of the Council. They should not be mere honorary workers.

SECRETARY : In the Plains Districts, there are District or local boards. It is found sometimes that they are not able to manage their affairs satisfactorily. In other words, they mismanage their affairs. To provide against such a contingency, should not the provincial Government or the head of the provincial Government have powers to dissolve or break up such local council and take action to administer the territories ?

A. So far as the functions are concerned it is absolutely left to the head executive of the Unit. The council is existing merely for the guidance of that officer.

SECRETARY : You contemplate that your Council would act as an advisory Body to the local officer ?

A. Yes ; an advisory body with certain definite powers. I have already stated that it should have powers even to overthrow the decision of the Executive Officer if it goes against the interests of the Unit.

Whether it is detrimental or not would be decided by the majority of the council.

SECRETARY : You want to over-rule the decision of the person who is advised ?

A. Yes.

SECRETARY : Should the provincial Government or the Minister in charge of Tribal Areas not have powers in such cases to interfere and regulate the administration ?

A. Of course, these Ministers should be advised by the Council.

Mr. CHAIRMAN : Supposing the Council has failed to discharge its duty towards the people whom they represent and they are usurping the powers and actually waste the public money. In such circumstances, will you not agree that the power of setting these things right must rest with the provincial Government through the Minister who will be in charge of tribal Affairs ?

SECRETARY : Your Council will consist of people comparatively inexperienced in administration or mechanism of Government. Suppose they go wrong, as they have done in other areas ?

A. In that case, of course. Still we should not like to be curbed. We can allow the provincial Government to dissolve the council, but not to interfere in day to day affairs.

Then the Committee adjourned for Lunch till 3 P. M.

The Sub-Committee reassembled at 3 P. M. at the European Club at Lunding.

Mr. SARSING TERON : As regards the representation of the provincial and local councils the President and other members have told me that what I told the Committee this morning are not quite correct. I therefore feel that this question should be discussed again. The tribes from the Mikir Hill area shall not be eligible to stand for election if they do not possess a minimum population of 50,000.

Mr. CHAIRMAN : None but a 50,000 population of any tribe or other places in the Mikir Hill area can stand in the Mikir Hills.

A. Only the tribals are eligible to stand. The other tribes if they are 50,000 in number, then they will be able to stand. If they are less than 50,000, they will not be able to stand. Even among the tribes unless the population is 50,000 they will not be able to stand as a candidate for membership in the Provincial Legislature.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing one of the agriculturists or a Garo living in your area has married your Mikir women and lives there as one of the tribes, will he be able to stand or not ?

A. It will be decided by the social customs whether he is eligible. If he is recognised as a Mikir then he can.

Q. You want such a kind of extension should be given in the other hill areas for the Mikirs settling there. You want that the Garos should make the same kind of laws for the Mikirs living in the Garo Hills.

A. We have clearly stated that they should at least possess a population of 50,000. Similarly we do not claim the benefit of representation for Mikirs in non-Mikir area if they have not the 50,000 population of Mikirs.

Mr. CHAIRMAN : You have asked for some safeguards. What are the difficulties from which you are suffering in respect of which you want safeguards ?

A. Syhlet Muslims and Mymensingh Muslims have entered into Oxipathal Donkin, Laskarpatal, Habaipur. In these areas the Mikirs have opened land in the plains. These Muslims are occupying land around the area where the Mikirs have any cultivation. Similarly in three other Mauzas such occupation have taken place. In some places like Oxipathal Donkin they have taken the lands under the occupation of the Mikirs. We have written to the Deputy Commissioner, but he has taken no steps. The land should be made available to us immediately. In some cases even the blocks meant for the Mikirs have been thrown open to people other than the Mikirs, mostly Mohemmadans.

Q. You want compulsory primary education.

A. Yes. But we cannot afford to pay any taxation as we are poor.

Q. Cannot your Council impose an education cess and utilise it for this purpose ?

A. Very little can be realised on what should be spent to bring these people to the level with others.

Mr. CHAIRMAN : Your Council should act.

A. We have not claimed that the primary education should remain under the Local Council. We say that in all these matters the Provincial Legislature shall discharge these functions but special protection should be given to the people of the Mikir Hills in these matters. In areas where Mikirs predominate, we should be given the privilege of becoming Mauzadars. We hope that Government will pay adequate attention to cottage industries, communication, health and hygiene in our hills?

Q. Supposing we have mines in the Mikir Hills, will you leave it to the Provincial Government or not?

Mr. S. S. ENGTI : For some time it will have to be nationalised. Everything will have to be nationalised for the benefit of the hill people.

SECRETARY : You said that for elections to the Assembly you wanted it provided that only a Mikir should be able to stand for election?

A. Yes. If other tribes have more than 50,000 population, then they are eligible to stand.

SECRETARY: What you are obviously afraid is that if somebody else is permitted to stand, he might get into the legislature in the Mikir constituency.

SECRETARY: In the Mikir constituency you have got a majority of the votes. How can a non-Mikir get in unless you vote for him?

A. Some times it happens that a non-Mikir who does not have the confidence of the Mikir people may be returned.

SECRETARY: A Mikir who has not the confidence of the Mikir people may be compelled to stand for election and be eligible, whereas a non-Mikir who is probably serving the Mikirs better and may be better qualified to stand for election will be excluded.

A. It is the Mikir who can represent the Mikir interests best.

SECRETARY: The question is for you to choose. Who is going to be your most suitable representative. If you have a majority of the votes you can be certain that you can return a man of your choice. If a non-Mikir will not represent your interests all you have to do is to cast your votes in favour of a Mikir candidate. But if you find that at any time that a non-Mikir is a better man than a Mikir candidate, you would in spite of that cast your votes only in favour of the Mikir? I doubt the wisdom of providing a rule in a Mikir constituency where a candidate is to be returned by Mikir votes and the need for providing that only a Mikir should stand. It may be to your own advantage not to have such a rule because in any case you command the votes. If you find a suitable person who can possibly serve you better from some other community, since the constituency is your own and you command the votes, it seems to be of no consequence whether the man who stands is a Mikir or a non-Mikir. If you do not like you can always vote him down. Suppose you get a Mikir who is completely illiterate and who knows nothing whatever do you think he will represent your interests better than a Cachari?

A. We shall be able to send proper men to the legislature.

SECRETARY: Then why this reservation? Assuming that a Mikir will be able to represent by all means vote for the Mikir and send him to the legislature, but what harm is there to keep it open because the constituency in any case is yours? It is open to you to send a Mikir. Then why do you want an additional restriction? I presume there will be no migration from other places.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Is it because you are afraid that the non-Mikirs may be rich men and they will be able to bribe all your people and then take the seat?

A. We are afraid also of that.

There are four graduates in this District. If any further information has got to be obtained for the purposes of the enquiry in connection with the affairs of the Mikir Hills, it may be obtained from the Secretary or President of Karbi A-Darbar.

**THE NORTH EAST FRONTIER TRIBAL AREAS ASSAM
EXCLUDED AND PARTIALLY EXCLUDED AREA
SUB-COMMITTEE**

Camp, Lumding, the 18th May 1947.

PRESENT :

The Hon'ble Shrijut Gopinath Bardoloi	—Chairman.
The Hon'ble Rev. J. J. M. Nichols Roy.	} Members
The Hon'ble Shri Rup Nath Brahma.	

Mr. Aliba Imti
Mr. Khorsing Terang
Mr. S. S. Engti

} Members.

Mr. R. K. Ramadhyani—*Secretary*.

NOTES OF EVIDENCE OF CACHARI WITNESSES

Names of witnesses.

1. Sjt. Akhil Chandra Rajiyung.
2. Sjt. Bidyadhar Barman.
3. Sjt. Rajmani Barman.
4. Sjt. Purna Chandra Barman.
5. Sjt. Churanon Barman.
6. Sjt. Khuamsing Barman.
7. Sjt. Rangfaiam Baman.
8. Sjt. Debendra Barman.
9. Sjt. Jewanram Pandit.

The witnesses present a memorandum. (Appendix 'A').

WITNESSES: In the Lanka, Lumding, Dipu areas there are Mikirs also, besides Cacharis. In Lumding, Hojai, and Lanka Mauzas there are more Dimasa Cacharis than Mikirs. Without Lumding, the Hojai and Lanka areas cannot be amalgamated with the North Cachar Hills as Lumding falls in between. Even now, in Lumding area we are in the majority. Walgong sub-division was in the Cachari Kingdom under Tularam Senapati. There are about 10,000 Cacharis in the Dhansiri, Hojai and Lanka areas. Besides these, there are Dimasa Cacharis in Maudonga. Cacharis are predominant in Mohong Dijowa. There are about 5,000 Cacharis in the Mikir Hills besides the area we have already stated.

Just when the British took over, these places were under the Cachari Kingdom under Tularam Senapati. We want that now that the New Independent Government comes into existence, these territories should be joined with the North Cachar Hills.

Mr. ENGTI: Will those areas which are outside the Partially Excluded Areas come under our purview or not?

Mr. CHAIRMAN: These do not come under the purview of the Advisory Committee; but they may come under the purview of the Government.

WITNESSES: There are 24 Cachari villages in the Lumding Mauza. The Mikirs may be just a little more in number than the Cacharis in the Lumding Mauza.

Q. Would you not like to live together and have some joint representation with the Mikirs in all matters?

A. We shall have nothing to do with the Mikirs. We want to join the North Cachar Hills together with the plains portion of Dimapur. Our social customs are just like those of the North Cachar Dimasa Cacharis. There are inter-marriages between our people and the people in the North Cachar Hills; but we cannot freely go there because they impose the dao tax. Similarly in the Naga Hills, restrictions are put upon us. We want all Dimasa Cacharis to be joined together.

Examination of D. C. Mr. Khound

Mr. CHAIRMAN: I do not know whether you have seen the representation of the Mikir Jatiya Mahasabha ?

Mr. KHOUND (Deputy Commissioner): No.

Mr. CHAIRMAN: I can tell you for your information that their aspirations are to have a sort of Mikir State consisting of all the Mikirs not only living in the present partially excluded area but also those who live in the neighbourhood of the partially excluded area, so that they may have a compact Mikir Hills Sub-division or district. They have also asked for a certain measure of autonomy so far as the internal administration of the district is concerned, possibly with the ultimate object of taking over the whole administration of this area for themselves. Of course they want a sort of executive and advisory body to help the district officer on the one hand and to carry out certain functions of local self-government on the other. In view of this, however, it has become very necessary not only for us but also for the organizers of the Durbar to know what the financial condition of the present partially excluded area of the Mikir Hills is. What is the average income that the district gets from this area ?

A. I have presented a statement. Attached to that is a statement of income and expenditure. The income is Rs. 2,60,000 or about 3 lakhs, from my area. That of course does not give the exact figures of revenue derived from forests. The expenditure is about Rs. 40,000 mostly on roads. I have submitted certain recommendations for making this area into a Sub-division. The headquarters of the sub-division should be in Dingaon—a kind of valley—and should be within the Mikir Hills. This place will be excellent for my district, being centrally situated. The total Mikir area including both Nowgong and Sibsagar portion is 4,174 sq. miles. The total population of the Mikir Hills partially excluded area and Golaghat is 1,28,531.

Mr. CHAIRMAN: In the redistribution of the Mikir territories in this area you say that the Mikirs land should include also a portion of the North Cachar Hills. Will that lead to better administration as they have lands beyond the Kopli river ?

DEPUTY COMMISSIONER: I would not venture an opinion because I have not studied that matter. If we have a proposal for a separate district then the suggestion that the Mikir areas attached to the North Cachar Hills should be included seems to be justified.

Mr. CHAIRMAN: The question of a sub-division of a district is almost immaterial in view of the fact that it will more or less depend on the expenditure that Government is prepared to incur.

DEPUTY COMMISSIONER: The people here in the Mikir Hills area immediately want some development, better standards of living and better standard of cultivation.

Mr. CHAIRMAN: Can you give any information about the inclusion of certain portion of the Khasi and Jaintia Hills ?

A. I have not the slightest idea. The people here want some extension of the Boards of the Mikir Hills, particularly the foot area. I personally dealt with the question of creating tribal belts. I have been drawing up maps by which the tribal area will be vastly increased. I have taken all these Mikir villages round about the foot of the hills and almost all the Mikir boundary. These maps will be submitted to Government in about a week or ten days.

Mr. CHAIRMAN: There you have shown the extension of these areas for inclusion in the tribal belt in the Mikir Hills.

A. I have included everything which I could reasonably include there.

Mr. CHAIRMAN : There has been a talk that the Cacharis of Hojai, Lanka, Lumding and Danasiri areas be tacked on to the North Cachar Hills administration on racial lines. Will this affect the interests of the Mikirs in any way ?

A. I could not tell without further study. There are certain Cachari villages in which there are also Mikirs. They will certainly be affected if they go out.

The same feeling might remain with the Cacharis if they have got to remain within the sub-division which will be ruled more or less according to the wishes of the Mikirs.

SECRETARY : The dispensaries and medical facilities for these hills are wholly inadequate ?

A. The medical facilities are inadequate. The difficulties in the way of extending medical facilities are lack of funds, proposals and projects. In fact, the only dispensary was started on the initiative of a civil surgeon. The D. C. could not take any initiative. It depends on the D. M. O. The last Medical Officer started three. In the meantime he has been transferred. The next man did not take any interest. There is no continued interest.

SECRETARY : The position in respect of education seems to be similar. No higher education. Two M. E. Schools in Nowgong, one M. E. School in Sibsagar. That again indicates inadequate facilities for education. Could you suggest any financial safeguards if you feel that the interests of these areas could be better looked after in the future ?

A. That is just the idea behind making this a separate sub-division. If it is not separated, attention will fade away.

Q. What was the idea in making it a partially Excluded Area ?

A. To prevent exploitation.

Q. Not to see that special attention is paid ?

A. I think, as a matter of fact, speaking very frankly, I think the Government thought that issuing Gun licences was enough to these Mikirs.

Q. In any case, what financial safeguards would you suggest to see that the interests of these Mikirs are not exploited?

A. There should be a separate Budget statement. Funds should be earmarked. That would be essential to start with.

SECRETARY : Would you also favour any departmental arrangements by which attention can be concentrated on these areas ?

A. My pet idea is always to have a Development Officer for the District. He will be really keeping liaison between all the departments and he will really be a capable worker in the spot. I would call him a Development officer. He will work in co-ordination with all the departments. I would not like to call him an S. D. O.

Q. I understand there is some sort of a local fund. What is done with it ?

A. There is a Local Board for the whole District including the Mikir Hills. On each Rupee of land revenue there is a local rate. That local rate goes to the Local Board. There is no representative on the Local Board from the Partially Excluded Area. I think the Mikirs should be represented in the Local Board. There are Mikir representatives from the plains.

Mr. CHAIRMAN : Do you think if, even now, some kind of village authority is created for the Mikir Hills Partially Excluded Area, it will be some improvement on the present state of things ?

A. Not as the Mikirs are at present. No improvement will be made. I do not think they will be able to manage. They have got to be led for a number of years till they can stand on their own feet.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Will it not be advantageous to the Mikirs if these two Sub Divisions of Golaghat and Sibsagar be joined together and made into a District by itself so that the District officer together with the local council may be able to manage the whole district and pay proper attention to the district ?

A. A great deal depends on the officer who will be in charge of the District. I suppose it does not make much difference if it is a District or a Sub-Division. It all depends on the personality of the District Officer. If he wants to learn, he will be a good officer. If he wants to rule, things will be as they are.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing you get an officer who is sympathetic with the Mikirs for their aspirations and with their local council. Don't you think it will be much better than a Sub-Division under another District Officer ?

A. I will agree to give it a trial.

THE HON'BLE REV. J. J. M. NICHOLS ROY : A District officer would have better facilities and greater freedom than a Sub-Divisional Officer ?

WITNESS : Quite right. If we can get sufficient area and sufficient population, I do not see why it should not be a district. But this will be a very costly district.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing money is raised from the industries that will be worked inside the Mikir Hills, forests also may be developed, it appears to me that you can make a very good district. With a District Officer sympathetic and working together with the local council, that may be possible I think.

A. At any rate, the administration will be better if both these places are combined and placed under one uniform administration. So far I quite agree. But where will you find that ideal District officer who would renounce the world and remain in the Hills ?

THE HON'BLE REV. J. J. M. NICHOLS ROY : First of all, from the amount of money realised from the District, roads should be opened up otherwise, it would be useless.

WITNESS : Even foot paths are not cleared in the Mikir Hills.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Don't you think that you will be able to stir up the feelings of the Mikir people to make paths and roads ? In the days of the Ahom Kings, the King called the people and said, " Make roads " and roads were made.

Mr. S.S. ENGTI : That was done in the Mikir Hills. But we cannot always keep them in good repair. We cannot build bridges. In fact, a big hillock has been cut by the people to make a road. That was done voluntarily by the Mikirs. If this area be created into a separate district there will be more interest created in the minds of the people and if the Government spends money and asks the people to help, there would be many volunteers.

SECRETARY : At present it is only the headmen of the village who are enfranchised to vote for the provincial Assembly. Is that a fact ?

WITNESS : Yes. I should think there is no harm in the proposal to extend the franchise and make it adult franchise.

Q. The question is whether the people will be able to exercise the franchise.

A. I would ask why not? In the sense that I do not think that only the people over here really exercise their franchise all right.

If adult franchise is extended to the plains and to other parts, I do not see any reason why it should not be extended to the Mikir Hills.

There are two funds created for the Mikir Hills. Previously, 20 years ago, I find that the D. C. spent out of that. Since then, I must deposit. I have put forward proposals and if these proposals are sanctioned then I can draw that amount and spend it. The amount is very small.

The D. C. used to realise Rs. 20 or 25 to the poor fund. That is again without sanction. I also charge these jugglers who want to show something in the compound. That is put into the Poor Fund. This amount has not been spent for the Mikir Hills.

The Mikirs are being very generously treated as regards guns. From the records for the last 150 years, the only feature you get is the issue of M. L. guns. They do not want B. L. guns.

It is essential that there should be some provision in the constitution for the protection of their land. Separate laws and regulations will have to be made to safeguard these peoples' land.

The Committee then terminated at 5 P.M.

Appendix "A"

To

THE CHAIRMAN,

THE NORTH-EASTERN TRIBAL AND EXCLUDED AREAS
SUB-COMMITTEE OF THE ADVISORY BOARD, CONSTITUENT
ASSEMBLY, LUMDING.

Dated, Lumding, the 18th May, 1947.

HONOURABLE SIR,

We, the Dimasa-cacharis of Lumding, Lanka, Hojai, Moujas of Nowgong District, most respectfully beg to submit the following representation for your kind consideration and necessary action:—

That, we are one and the same tribe with the Dimasa Cacharis of the North Cachar Hills. The areas that we inhabit are called, in Dimasa-Cachari, Demra (Lanka area) Walgong (Lumding area) and Dijowa (Dipu Dhansiri area) have the same dialect, customs and social institutions as those of our brethren in North Cachar Hills. During Tularam Senapati's reign, Dembra (Lanka and Hojai plain area), Hasao (N. C. Hill) Walgong (Lumding Mikir Hills) Dijowa (Dipu to Dimapur Naga Hills area), were four "KHELS" or Parganas and even during the early part of British Administration these areas were under one Administrative Unit. But the policy of divide and rule of the British Government, separated us from our main body even against our will. Now, that the British are leaving our country, we desire that the Indian National Government would sympathetically consider our case and redress our long standing grievance. And that our areas be allowed to join in the North-Cachar Hills. The areas that we inhabit are a contiguous block to the North-Cachar Hills and as such these arbitrary and artificial separation should not further be allowed to remain.

We much regret that the Dimasa-Cacharis from whom the greater portion of the Nowgong District were taken by the British and who even now forms nearly half the population of Mikir Hills, of Nowgong District, have not been called for interview with Sub-Committee, Advisory Board, Constituent Assembly, to let them know our aspiration and desires. We have a committee of Dimasa-Kacharis of Nowgong and Naga Hills at Dhansiri and have our desires and demands incorporated in a memorandum passed in a meeting of the Committee on the 7th instant. We, therefore, desire that the members of our Committee should also be examined by the Sub-Committee at Dimapur

We cast our lot with that of our brethren of North-Cachar Hills and desire to have the same rights and safe-guards with them.

Your loyal Dimasa-Cacharis of Nowgong District

Signatures of Kachari Mauzadars,
gaonburas and elders 60 (sixty)
in number attached to the
copy to the Chairman, Ad-
visory Sub-Committee.

Appendix "B"

A MEMORANDUM ON THE FUTURE SAFEGUARD OF THE MIKIR PEOPLE SUBMITTED TO THE MEMBERS OF THE ASSAM SUB-COMMITTEE KARBI A-DURBAR (MIKIR JATIYA MAHASABHA).

Dated, J. umding, the 18th May, 1947 and Dimapur, the 22nd May, 1947.

The Karbi A-Durbar (Mikir Jatiya Mahasabha), the only All Assam organisation of the Mikir people beg to submit as follows in regard to the future safeguards required for the Mikir people.

INTRODUCTION

The Mikir people are one of the most original and numerous tribes of Assam, scattered over the Hills and Plains of Assam. They are to be found in the districts of Sibsagar, Nowgong, North-Lakhimpur, Darrang, Balipara Frontier Tracts, Kamrup, Khasi and Jaintia Hills, North Cachar Hills and Naga Hills. The total population of Mikirs will be about 2 lakhs. Majority of them live in the districts of Nowgong, Sibsagar, and Khasi and Jaintia Hills.

The Hill portions of Sibsagar and Nowgong Districts where the Mikir people reside is called the Mikir Hills Partially Excluded Area. It has an area of 4,174 sq. miles and a total population of about 1,50,000, out of which Mikirs are a little more than 1,00,000. Some contiguous areas, where only Mikir people are to be found, are attached to the Khasi and Jaintia Hills and North Cachar Hills districts. Mikir Hills Partially Excluded Area had been, also, gradually reduced by Government Notifications from time to time. Thus though the Mikir people had been moving since 1928, for a Separate District of their own so that all the Mikir people can combine and work together for the improvement of the people, they have not been allowed to unite uptill now by creating a separate District for them.

The people are economically very poor, educationally very backward and exploited by foreigners in all respects. Communication in the area is nil. The Government revenue derived from the area is considerable but the amount spent for their improvement is negligible. This is all due to the apathy and neglect of the British rulers and the Provincial Governments. Such being the case, the Mikir people need the most sympathetic consideration and sufficient Statutory safeguards for them in the coming constitutions. Therefore, the following provisions are urged to be incorporated in the coming constitutions.

Safeguards proposed

1. The area should be formed into a Separate District at the earliest opportunity. Compact contiguous blocks of Mikir Areas in other districts and plains area should conveniently be added to the New District to be formed.

Explanation

(i) The present Mikir Hills Partially Excluded Area, the Mikir portions of the Nowgong Plains, Sibsagar Plains, North Cachar Hills and the Khasi and Jaintia Hills should form the New District. Due consideration should, however, be given to convenience and efficiency of administration and natural boundaries.

(ii) A "Boundary Commission" is to be set up immediately where Mikir members are also included by the Provincial Government to report on the areas which can conveniently be added to the existing Mikir Hills Partially Excluded Area.

2. Mikirs of other areas which cannot be conveniently added to the New District should have certain protection in their land problems, education, social customs. Their areas should be well defined and their lands should be inalienable. They should have free Primary Education, Middle and High Education and State Aid for higher studies. Instructions in the Primary Stage should be in their own vernacular. All their social customs are to be preserved by law.

3. The New District should form a part of the State of Assam with certain local autonomy, as hereafter described, for internal administration. Certain Regulations should be enforced such as the Chin Hills Regulations or a substitute thereof to protect the people from foreign exploitation.

4. The Mikir Language should be the Official Language of the Unit. There should also be Mikir Interpreters in other Units where Mikir people are to be found according to their needs.

Executive

5. The Head Executive and other Officers for the administration of the Unit should be Specialists Officers.

Explanation—

(i) If possible a qualified Mikir youngman should be trained to hold the charge of the District. Qualified Mikir youngman should be appointed to the various services immediately so as to utilise their services in the District.

(ii) Failing to get qualified Mikir people for administrative posts, highly qualified, sympathetic officers of other castes may be appointed temporarily to those posts, preferably from amongst the other tribes of Assam. They should however pass the Mikir Language.

6. The Head Executive of the Unit and other administrative officers should always take the advice of the Local Council and should act according to their advice in matters of internal administration.

Local Council.

7. There should be formed a Local Council to advise and enforce its advice upon the Administrative Officers on all matters of internal administration. The strength of the Local Council should be according to the population on the basis of One Member to every Five thousands or part thereof. All residents of the Unit shall be eligible for candidature. Each different tribes or castes will be allotted a seat according to their population. The Members for the Local Council will be elected by adult franchise and on Separate Electorate System. A Chairman and a Vice-Chairman shall be elected for the Local Council who shall advise the Administrative Officers on behalf of the Local Council.

8. The Local Council will act as both advisory body with certain Executive powers and Supreme Court for all cases involving land disputes and disputes in connection with local customs and such other cases as may be decided by the Local Council with the approval of the Provincial Government. They will advise the Provincial Assembly through their representatives in the Legislature on all new measures of taxation, advisability of application of all Provincial Laws in the District. Proposals for new measures for the benefit of the District shall be decided by the Local Council and will be presented to the Provincial Assembly, who should be responsible for introducing all those measures. The Local Council shall decide the people who should be allowed to settle in the District and who should get the benefit of having business and contracts and such other openings of works within the District.

9. The life of the Local Council shall be 5 years. Members shall be eligible for re-election.

10. The powers of the Local Council may be changed (either for enlarging or reducing the powers) from time to time by a decision of the Local Council with the approval of the Provincial Assembly.

Representation in the Provincial Assembly

11. This District shall be represented in the Provincial Legislative Assembly by elected members on the basis of One Member to every Fifty thousand population. Candidature should be confined to Mikirs or other Tribes having a population of Fifty thousand in the District.

Explanation—

(i) There will be about 2,00,000 population in the New District and as such it is the desire of the Mikir people to have at least 4 Members in the Provincial Legislature.

12. If there be any Upper House in the Province, there should One Member of this Tribe in the Upper House elected by the Local Council.

13. For the Central Assembly, all the Tribes of Assam should have representation on the population basis and the different tribes including this tribe should be elected alternately to the Central Assembly.

14. There should be seats in the Provincial Cabinet for the Tribal people on the ratio of the total number of Tribal members to the total number of members. It will be open to the group of Tribal members to select their representative in the Cabinet. They may be allowed to elect their Cabinet member on Single Transferable vote if they so desire.

15. There should be a portfolio " Welfare of Tribals " in the Provincial and the Central Cabinet which should be held by a Tribal Member. The Minister in charge of this portfolio shall always take the advice of the members of this district and /or the Local Council in matters relating to this district. The Minister shall prepare a report every three months showing the demands of the different Tribal groups or Local Councils and the actions taken by the Government. This report should always be made public.

Franchise

16. Tribal people residing in the district having the following qualifications should have franchise :—

Mauzadars, Village Headmen (both Sarkari and Gaolia), Pimpos, Habais, Lower Primary passed people, the head of each family paying House Tax or Land Revenue of both sex when they attain the age of 18 years. (For Provincial Assembly).

The Local Council shall elect the member for the Upper House.

For Central Assembly all persons having the following qualification should have Franchise :—Members of Provincial Legislature, Local Councils Mauzadars, and all Middle passed males & Females.

Judiciary

17. Petty cases such as all thefts, land dispute, disputes involving social customs and such other cases which shall be defined and decided by the Local Council shall be decided by village panchayats. Appeals against the decision of village panchayats should be heard by Mauza panchayats. Appeal against the decision of Mauza panchayat shall be heard by the Local Council.

In the Panchayats, there shall be representatives of the Mikir religious leaders such as Habais and Pimpos.

Big cases such as murder and which does not fall under the jurisdiction of village panchayats should be tried by the ordinary criminal courts of the district. Appeals can be made according to the rules framed for the ordinary criminal courts of the Province. The district courts should have some Mikir representatives elected or nominated by the Local Council.

Education.

18. Free compulsory state education should be provided for all boys and girls of the district for the Primary stage for at least 20 years. At least 75 per cent. of the Mikir students desirous of having Middle education should be given by the state freely. 50 per cent. of Mikir students desirous of having further studies should be given freely by the state for at least 20 years. All Mikir students in Technical and Specialised departments, such as Engineering, Medical, Agriculture, Forest and such other education should be given freely by the state. Two foreign scholarships should be allotted for Mikir students for at least 20 years.

19. Instructions in the Primary stage should be in Mikir. Above the Primary stage all instructions is to be through the medium of Assamese or other language approved by the State.

20. The state should immediately start Adult education scheme and spend sufficient sums for it.

Social Customs

21. Social customs are to be preserved at all costs unless otherwise demanded by the Local Council. The same rule should be applicable to the Mikirs living outside the Mikir hills district.

Public Services

22. All Government services within the district should be filled up by qualified Mikir youngmen. Besides they should also be appointed to the Provincial Services within the quota allotted to the tribal people of Assam according to their fitness.

23. For inferior services within the districts the required minimum qualifications may be reduced for Mikir candidates for at least 20 years. However as soon as qualified candidates are available in sufficient numbers, they should be appointed to the services.

24. The Head Executive and the local Council should jointly be the appointing authorities for all interior services within the District but they should have also the approval of the Provincial Public Service Commission.

Agriculture

25. There should be started in selected villages which should be quite a good number Co-operative Farming Societies with direct Government control.

26. The Government should purchase all the produce of the Mikir Hills so that the Mikir producers can get good return for their produce.

Industries

27. Government should directly help the local cottage industries to grow. Government should even finance big industries if and when started within the district.

Health and Hygiene

28. The state should open hospitals in different centres of the Mikir Hills Districts so as to provide one hospital for every 10,000 population within the next ten years.

Concluding Observations

29. All revenue derived from the district and 50 per cent extra should be spent by the Provincial Government for the improvement of the district in all spheres for at least 20 years which are mainly to be spent for providing communications, hospitals, health and hygiene, water supply, cottage industries, etc.

The Central Government should also spend sufficient sums to help the Provincial Government in meeting all the expenses in connection with the district.

30. The people of the district should have compulsory military training for sometime so that they may be useful for the defence of India.

31. All the people of the district should have the right to carry and bear arms freely and to carry their customary 'dao' at all times and in all places. Either the people should be allowed to purchase and keep and use firearms freely or they should be given licenses on the mere asking of it.

32. Government business, P.W.D. and Forest Contracts and all such other openings of work within the district should be given to the people of the district.

33. The Lumding Railway Colony personnel should be under the control of the Local Council in matters of their relations with the people of the locality. The Bazar area of the colony should be under the full control of the Local Council.

34. The Mikir religious heads such as Pimpos and Habais should be recognised by the state and their government revenue may be made free upto a limit of 5 puras.

It is the desire of the Mikir people to live harmoniously with all her neighbours on an equal basis. They desire to be united with the Province of Assam and India with certain local autonomy. They have therefore suggested the formation of a Local Council for the Mikir Hill District whose powers are defined. We do hope that our desire to have a local autonomy will find sympathy and encouragement from the member of the Sub-Committee.

The Mikirs are willing to take equal responsibilities in the discharge of their duties as a citizen of Free India like the other races and tribes of India.

S.S. ENGTI,

*Secretary, Karbia-Durbar,
(Mikir Jatiya Mahasabha) Assam.*

SARSING TERON HOBAI

*President, Karbia-Durbar,
(Mikir Jatiya Mahasabha) Assam.*

Appendix 'C'

To

The Chairman,

North Eastern Tribal and Excluded Areas Sub-Committee of
Advisory Board,
Constituent Assembly,
LUMDING.

Dated, Lumding, the 18th May 1947.

Sir,

We the undersigned representatives of the Dimasa Kacharis of Hojai Lonka, Lumding, Langchilit, Dipu, Dhansiri Areas of Nowgong District have the honour to state that we have come to give our views and opinion on behalf of the Dimasa Kacharis of above areas and we desire to interview the Advisory Sub-Committee separately, but not jointly with the Mikirs, but as it would be inconvenient for us to give our evidences without a Co-opted Member from among our Dimasa Kachari Hill tribe, we invited Mr. Desandas Hojai of Maibong to help us by acting as a Co-opted member from among us to the Sub-Committee during our interview at Lumding to day, and we also elect Mr. Akhil Chandra Barman and Debendra Barman as our spokesmen in our interview.

We therefore, pray that you would kindly appoint Co-opted member and spokesmen as suggested above.

List of representatives to be examined.

1. Srijut Jiban Ram Pandit from Hojai.
2. " Debendra Barman
3. " Purna Chandra Barman } from Lanka.
4. " Lab Chandra Kachari from Hojai.
5. " Raj Moni Kachari from Lumding.
6. " S. N. Barman from Lumding.
7. " K. S. Barman from Langchilit.
8. " Joy Ram Barman from Dipu.
9. " Rungpairam Barman from Dipu Mohang Dijowa.
10. " Akhil Chandra Barman from Dhansiri.
11. " Upendra Barman from Dhansiri.
12. " Bidyadhar Barman from Langfer-Mouja.
13. " D. S. Barman from Langfer-Mouja.

Your Loyal Dimasa—Cacharis.

Leaders of Nowgong District.

- (1) Sd. A. C. Barman of Dhansiri.
- (2) Sd. Debendra Barman, Lanka.
- (3) Sd. Purna Ch. Barman, Maujedar Lanka.
- (4) Sd. Jiban Ram Pandit.
- (5) Sd. Bidyadhar Barman, Maujedar.
- (6) Sd. Raj Moni.

The Assam Excluded Areas and North-East Frontier Tribal Sub-Committee met at Manipur Road on the 22nd May 1947 under the Chairmanship of the Hon. Mr. Gopinath Bardoloi.

The following members were present :—

The Hon'ble Mr. Gopinath Bardoloi, (*Chairman.*)

The Hon'ble Rev. J. J. M. Nichols-Roy.

The Hon'ble Mr. Rup Nath Brahma.

Sjt. Khorsingh Terang, M.L.A.

Sjt. S. S. Engti.

Mr. R. K. Ramadhyani, I.C.S. (*Secretary.*)

The Sub-Committee examined the following Mikir Hills witnesses from the Sibsagar District :—

Sjt. Soisoi Terang

Sjt. Barelong Terang

Sjt. Bonglong Terang

Sjt. Jeksing Engti

Sjt. Sala Kathar

Sjt. Maniram Lengne

Sjt. Shyamhori Bardoloi

} Borjan Mauza.

} Duar Bagori Mauza.

Sjt. Khoyasing Ronghang, East Rengma Mauza.

Sjt. Chandrasing Terang Mauzadar, Duar Disha Mauza.

Sjt. Song Be Mikir (*Interpreter.*)

Sjt. Diliram Mandal

Sjt. Langtuk Senar

} Sorupathar

&

} Barpathar

We belong to the Sibsagar portion of the Mikir Hills.

Mr. CHAIRMAN: A memorandum was submitted to us on behalf of the Nowgong Dist. Mikirs about your future. Do you know anything about it?

A. Yes, we know about it. There is no difference between the demands put forward by the Mikirs of Nowgong and what we are submitting today.

Our desire is that the Mikirs in both the Areas should live together under a common administration. We think that a separate district should be created between these two areas.

It is now included in the Mikir Hills Partially Excluded Area but we cannot say when this was included.

We shall have no objection if Dhansiri River is fixed as the boundary of the Mikir Hills District. If on account of this most of the reserved areas are excluded from the Mikir Hills we shall have no objection.

The manners and customs that prevail in our area are exactly those prevailing in Nowgong District.

Q. Are there any Rengma Nagas in your areas?

A. Some Rengma Nagas are found in our area. There are only about 10⁰ Rengma Naga houses there. None of their representatives are here.

If they want to have a separate existence of their own, they shall have to leave the Mikir Hills, but if they work in co-operation with us, we shall also be pleased to keep them with us. We shall be prepared to give them separate representation in our local council if they have a population of between 1,000 and 5,000. We shall be prepared to extend the same privileges to other tribes living in the Mikir area.

There are about 11 villages of Rengma Nagas in our Area.

Besides Rengma Nagas, there are also Kukis and Cacharies in the Sibsagar area. The population of Cacharies there will be 1,800 to 1,900. None of their representatives are here today. We are on very friendly terms with the Cacharies.

There are about 60 families of Kukis. They are new comers to this area from Manipur. They are on terms of hostility with us.

The Cacharies have not joined our Darbar till now, nor have the other tribes. We are not prepared to allow other tribes into our Darbars.

While our Darbar is for the improvement of the Mikirs, we shall welcome the co-operation of the other people living in this area when we have a common administration for the Mikir Hills area.

We will be prepared to give representation to other tribes provided their population is 50,000 in our area. It is only when a non-tribal outsider gets a certificate of domicile from the Mikir Council, such an outsider will get enfranchisement. Under the non-tribals, we would include the Marwaries, the Muslims and the Bengalis. The rules of domicile will be framed by the Mikir National Council.

We cannot give you any idea of the income and expenditure of the Mikir Hills area which falls in the Sibsagar Sub-Division.

SECRETARY : Do you think that it will be better to submit any rules framed by the local council to the provincial government for approval because of the comparative political inexperience of your area ?

A. We would not like to take that approval.

NAME OF WITNESS :—Mr. DANDESWAR HAJARIKA, M.L.A.

(From Sorupathar and Barapathar constituency.)

Sorupathar and Barapathar constituency is included in the partially excluded area. These two mouzas have an area of 520 sq. miles. The population is about 28,000, of which about 90 p.c. are plains people. They are not under the general law. The area comes under the Calcutta High Court.

SECRETARY : How is it that your constituency is in the Mikir Hills ?

A. For the local administration it is under the Mikir Hills. These two mouzas are included in the general south constituency of Golaghat and yet they are included in the Mikir Hills Excluded Areas, since the reforms of 1935, I think, may be a bit earlier.

Mr. CHAIRMAN : In any case, the present demand of the Mikirs is that the Dhansiri river should form the boundary between the Mikir Hills and the Sibsagar District, is that so? Will that satisfy everybody?

A. Sir, the demand is there, but I am afraid there will be some difficulty because there are people from the plains also on the other bank. I would like the present boundary to remain, instead of the Dhansiri river.

Q. What is the population of Mikirs in both your mouzas?

A. About three to four hundred.

Q. Is the area peopled by Hindus only?

A. No, there are Ahoms, Cacharis and other tribals. Roughly there are about 500 Mikirs in places beyond the Dhansiri river, *i.e.* on the western side and on the eastern side there are no Mikirs. In the area between the present boundary and the Dhansiri river there are Cacharis.

Q. Your whole idea, I suppose is that the area inhabited by the plains people is under the administration of the Calcutta High Court and that his area should now be included within the general constituency as early as possible, and with reservation?

A. Yes, Sir.

SECRETARY: For my information, if you remove this area and put it under the Calcutta High Court, will it not increase the difficulties of the people in getting decisions?

A. No, I don't think so; in any case the advantages are much more. The poor people do not go to the High Court. There is a belief that proper justice can be had only there.

Mr. CHAIRMAN: In other words, a lack of confidence in the judicial capacity of the executive head?

A. Yes.

WITNESS: MR. S. K. MALLICK, I.C.S. (*Sub-divisional Officer, Golaghat*).

(Total service 2 years 6 months and in Golaghat 2 months 13 days.)

Mr. CHAIRMAN: Mr. Mallick, you have not been here for long, but could you do any touring?

A. No Sir, and so whatever statements I may make are all based from papers and local discussions. I have prepared some notes here. (Hands in).

Q. Have the Mikirs had quarrels with the people of other tribes living in their midst?

A. Some years back Mr. Terang, M.L.A. brought in four or five Kukis families into the Borjan, but now there are 55 houses with about 450 souls. They came originally from Manipur State and were brought in for killing the tigers; but now there are quarrels because the Mikirs are a peace-loving lot and the Kukis are not.

(The Chairman goes through the notes and statements given by the witness).

Q. Has the cost of Education, Medical, Irrigation etc. been included in this head "Expenditure"?

A. Yes, Sir. The expenditure in the Forest Department, both for the lower staff and the supervision staff has not been shown in the statement. That Department is spending considerable sums and is now beginning a new road from Dayagurung to Kalyani and to Alangbati.

The HON'BLE REV. J. J. M. NICHOLS-ROY: Do you say the expenditure on the forests is less than the revenue from them?

A. Yes, because of these new road projects. The forests were not exploited during the war.

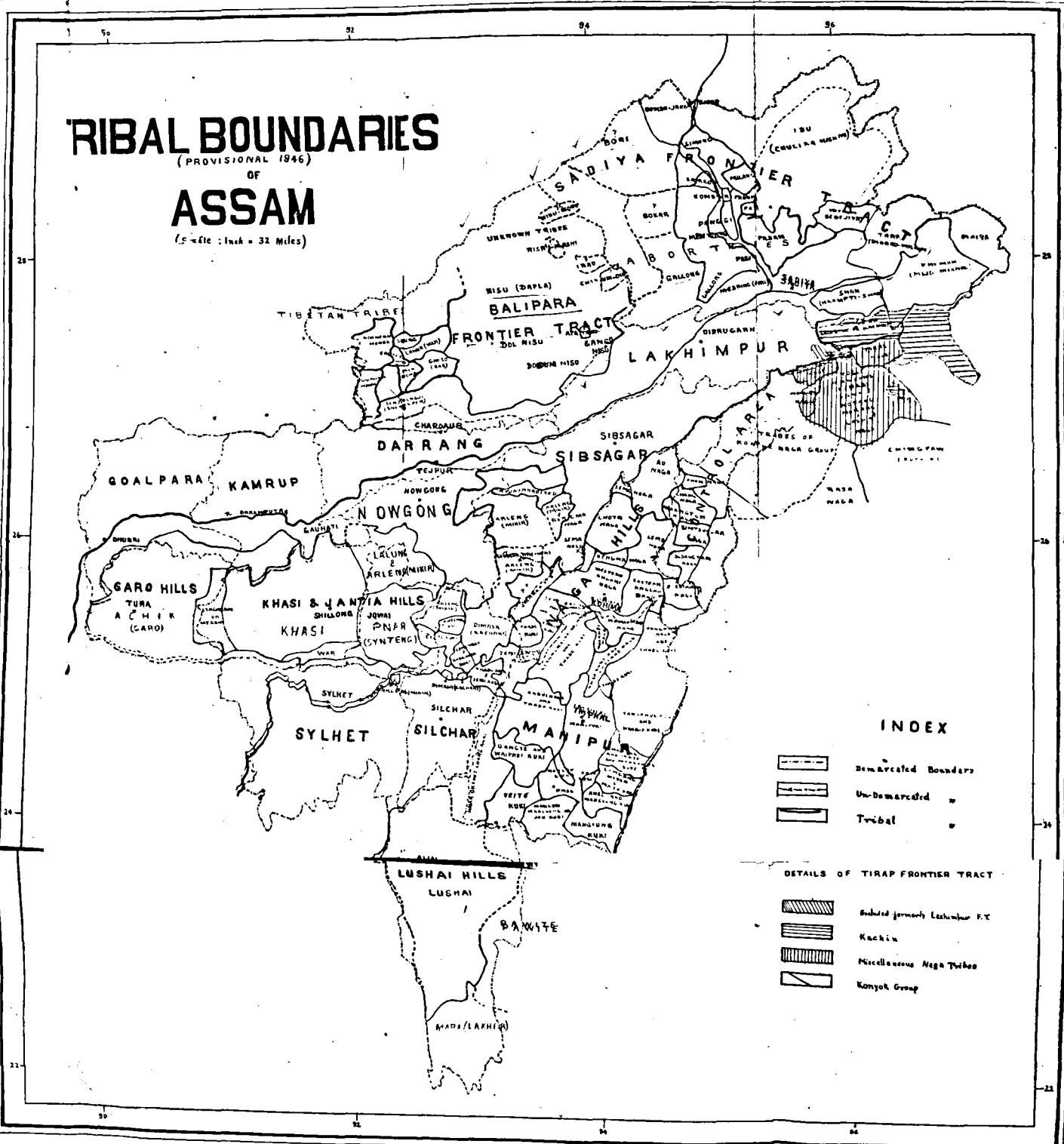
RIBAL BOUNDARIES

(PROVISIONAL 1946)

OF

ASSAM

(Scale: Inch = 32 Miles)



Mr. CHAIRMAN : Which place would you suggest for the headquarters for a Sub-division?

A. (Pointing to a statement). If it is located at Dengaon, it will benefitthese people. If at Silani it will benefit the people of this area and if it is at Commong, it will benefit both of them. But as I have said, I have visited none of them, and my knowledge is only from local discussions and papers.

Q. What is the population of Mikirs in Sibsagar and the Golaghat area?

A. There are 347 houses of Mikirs, and estimating at 4 souls, average, for a house, I suppose the population will be about 1,400. This population is almost equally distributed on either side of the Dhansiri river.

Q. If the Mikirs want to incorporate one with the other, into a compact area, can they be allowed to do so?

A. Yes, Sir, they can very easily shift from one area to the other.

Meeting at PURANA BAZAR L.P. SCHOOL, of Cacharis of Dimasa which is an area within the Naga Hills.

Some representatives of the Dimasa Cacharis living in Dhansiri area submitted a written representation. Chairman gave a free translation.

"We, Sir, humbly submit that the Dimasa Cacharis of this area should be amalgamated with the Dimasa Cacharis of the North Cachar Hills."

Mr. CHAIRMAN : Are there other people also living along with you?

A. Yes, there are some Mikirs, a few Bengalis and ex-tea garden labourers. The population of Dimasa Cacharis living in this area is about 3,000 in the Dhansiri and Dimapur area.

Q. Will you feel any difficulty if with special protections for your interests, you can remain in different districts just as at present?

A. No, Sir, we demand that we cannot remain under the administration of the Naga Hills. It is on account of the creation of the reserved forest that this separation from North Cacharis has taken place. There are no people in these reserves. It takes two days' march from here to Walkong. We belong to the same stock of people as the Dimasa Cacharis of Cachar.

Q. Will you find any difficulty if you are treated as a minority along with other tribals of the plains?

A. Sir, we are more backward and if there is no special protection for us, there will be difficulty. Our people are very backward, we practice 'jhuming' only; we are different from the plains people and are not as advanced as the plains people.

Mr. CHAIRMAN : The problem is very difficult; we shall examine it but I cannot say now what can be done.

WITNESS : Sir, Dimapur was the capital of the ancient Cachari kingdom. There are still many Cacharis all around Dimapur. Now we have social relationship with the other Cacharis of this area. The Dimasa Cacharis and all the other Cacharis are all identical. In the event of any future reconstruction of the area for the Dimasa Cacharis, we shall have no objection to remain with the Cacharis of the plains. We should not be amalgamated either with the Mikir Hills or the Naga Hills.

The Secretary, Dimapur Tribal Union read out a welcome address and gave it to the Chairman. In short, it stated that the people of Dimapur—the Mikirs, the Cacharis and all others are opposed to the proposal of the Mikirs and the Dimasa Cacharis to incorporate Dimapur within the Mikir Hills or the Dimasa Cachari area and that they disapproved strongly, the resolution of the Naga National Council regarding their 10 year interim government scheme.

The Chairman addressed the meeting in Assamese mentioning the different claims made by different tribes and stressing the need for unity in a free India. The Hon'ble Mr. Rupnath Brahma also addressed the gathering.

Appendix 'A'

I. Statement of receipts and expenditure of Excluded Areas excluding Tirap Frontier Tract for 1939-40 (copied from pp. 8-9/c of Adviser's file No. Misc./51/45-Ad.).

Name of districts.	Receipts.	Expenditure.
1	2	3
	Rs.	Rs.
North Cachar Hills	53,224	1,08,770
Balipara Frontier Tract	13,149	1,57,053
Sadiya Frontier Tract	1,48,937	4,29,809
Lushai Hills	82,574	3,55,554
Naga Hills	1,33,320	4,89,038
	4,41,204	15,40,224
		-70,200(a)
		Rs. 14,70,024

(a) Represents contribution payable by the Central Govt. for Central Political administration by the Political Officers and for cost of interpreters appointed for dealing with Naga Tribes in the loose areas, and for proportionate cost of maintenance of roads running through both administered and unadministered areas.

II. Statement of receipts and expenditure of Tirap Frontier Tract during 1944-45 (Copied from p. 18/c of Adviser's File No. Misc./15/45-Ad.).

Name of district	Receipts.	Expenditure.
1	2	3
	Rs.	Rs.
Tirap Frontier Tract	2,61,526	1,90,016

III. Statement of receipts and expenditure for Partly Excluded Areas during 1939-40 (copied from p. 16/n of Finance Department File No. BB.57/40)

Name of district.	Receipts.	Expenditure.
1	2	3
	Trs.	Trs.
Jowai	82	1,02
Garohills	3,97	4,52
	4,79	5,57

Appendix 'B'
Statement showing the annual income from the Mikir Hills Area.

District	Land Revenue	Local Rate	House Tax	Forest	Excise	Hat	Ghat	Income Tax	TOTAL
1	2	3	4	5	6	7	8	9	10
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nowgong	68,575-0-0	5,658-0-0	17,409-0-0	1,46,120-0-0	9,261-0-0	1,040-0-0	40-0-0	12,000-0-0	2,60,103-0-0
Sibsagar	6,015-0-0	478-0-0	11,805-0-0	2,144-0-0	..	..	..	..	20,842-0-0
GRAND TOTAL	74,590-0-0	6,136-0-0	29,214-0-0	1,48,264-0-0	9,261-0-0	1,040-0-0	40-0-0	12,000-0-0	2,80,945-0-0

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R. R. KHAWL,
Deputy Commissioner, Nowgong, Assam.

Appendix 'C'
Statement showing the expenditure etc. annually in the Mikir Hills area.

Name of District.	Commission to Mauzadars.	Pay of S.D.C.s	Pay of S.K.s	Pay of Mandals.	Pay of office Assistants.	Pay of orderlies, office peons, process servers. etc.	Pay of Teachers.	Gaonbura remission.	TOTAL.
1	2	3	4	5	6	7	8	9	10
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Nowgong . . .	9,065-0-0	1,140-0-0	222-0-0	1,524-0-0	138-0-0	175-8-0	25,768-0-0	737-0-0	38,769-8-0
Sibsagar . . .	2,397-0-0	570-0-0	111-0-0	180-0-0	69-0-0	19-8-0	14,717-0-0	237-0-0	18,300-8-0
GRAND TOTAL . . .	11,462-0-0	1,710-0-0	333-0-0	1,704-0-0	207-0-0	195-0-0	40,485-0-0	974-0-0	57,070-0-0

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R. R. KHAWL,
Deputy Commissioner, Nowgong Assam.

NAGA HILLS DISTRICT

The Sub-Committee of the North East Frontier (Assam) Tribal and Excluded Areas met in the School hall at Kohima at 3 P.M. on Monday, the 19th May 1947, the Hon'ble Mr. G. N. Bardoloi in the chair.

The HON'BLE REV. J. J.M. NICHOLS ROY : Will you please tell us who is the chairman of the Naga National Council ?

A. Mr. Aijan is our present president. There is no permanent President. It is not that we have not been able to appoint a President yet. If we tried we could. It is not impossible, but we have not been able to.

Q. How many Secretaries do you have ?

A. Two—Mr. Aliba Imti and Mr. Sakhrie.

Mr. Sakhrie read out the following welcome address :—

Honourable Premier and the Members of the Sub-Committee of the Advisory Committee, on behalf of the Members of the Naga National Council who truly represent the Naga people I welcome you in our midst today. You have come to find from us the desire of the people on the question of how their land should be governed when the British power withdraws from India. I am sure the Members of the Naga National Council and the members of the various tribal councils who are all present in this House will make your task easy. Angami Nagas are indivisible and with one voice we hope you will do all in your power to help the Nagas to achieve their freedom.

The Chairman addressed the Naga National Council in Assamese.

Mr. LONGUDANGJETVA : Some members have not understood what the Chairman said. It may help better if you speak both. We speak Assamese, but it is not pure Assamese. We speak in broken Assamese. Many could not understand it. It is all right for those who understand pure Assamese. For those who could not follow, if the gist is given in English, that will be very good.

Mr. CHAIRMAN : Would it be good also if he interprets the same in broken Assamese ?

A. Yes.

Mr. CHAIRMAN : I said that I thanked you for the address of welcome which you presented to me. Two points were made out in that. One was that this Naga Council was representative of all the people. The second point was that the Council would represent the hopes and aspirations of the people of the Naga Hills. As I said about these hopes and aspirations we shall discuss later on. I told you, when I came six months ago, that the British Government had made it clear by their Statement of May 16th that they are going to leave the Government of India and are in favour of giving it to a Government which may be determined by the people of India themselves. Accordingly the Constituent

Assembly was to be set up amongst the people and that Constituent Assembly was to be representative of the people of all the Provinces. Ten members were elected by the province of Assam to represent the province in that Constituent Assembly. I told you in this connection that those areas which did not find representation in the Legislative Assembly were excluded from sending representatives to the Constituent Assembly by a method of election. For example the Naga Hills were not represented in the Assam Legislative Assembly and therefore the Naga Hills or the Hills area of Assam could not have any representative by direct election from the people. However, according to the provisions of the Statement of May 16th an Advisory Committee was set up to deal with the administration of the excluded and partially excluded areas and of tribal areas. That selection was not based on the principle of election, but on the principle of nomination by the Constituent Assembly. As a result of that our friend, Mr. Aliba Imti has been included as a member of the Sub-Committee. Of course before him Mr. Mayangnokcha who was known to be the President of the Naga National Council, was nominated for this function, but he could not act as a member of this Sub-Committee and therefore the Secretary of the Naga National Council, Mr. Imti was taken. It is thus a sub-committee constituted of certain member elected from the Members of the Constituent Assembly and also some members who are nominated for this purpose who have taken upon themselves the responsibility of conducting this inquiry. Seven members in all were to have come to your place today. But it is to be regretted that Sir V. N. Rau who was to have acted as our legal adviser has not been able to come on account of pressing business elsewhere. For that reason we shall not be deprived of his services. He will be giving us his advice although he has not been able to come. The second member who could not come is Mr. A. V. Thakkar. He is a great friend of the tribal people and because of his ill-health he could not come. We also hope that he will be able to give his services when he will be better. The rest of us you possibly know. Here is Mr. Brahma. There is Mr. Nichols Roy, myself and Mr. Imti you know. Here is the Secretary of the Committee, Mr. Ramadhyani.

I should like to say a few words regarding the functions we have to discharge. Our duty is to act according to the framework of the powers that have been given to us by the Constituent Assembly and the work of the Constituent Assembly itself is determined by the Statement of May 16th. In that Statement the powers of the Advisory Body of the Constituent Assembly has been defined to extend to recommendations regarding the administration of partially and fully excluded areas and also tribal areas. I want to lay special stress on the word "administration". It is not for me or for the Sub-Committee to speak on a matter which will not fall strictly within the subject of administration. For example, I cannot discuss with you the question of your independence apart from the Government of India or the Province of Assam acting as agent of the Government of India. Here too that does not fall within the scope of administration of those area. There are also other questions in which we may not be quite competent to give any opinion. Secondly, our function is only in the nature of an enquiry and our duties will be to report only. Whatever official action is to be taken will be taken by the

Constituent Assembly as advised by the Advisory Committee. We are only a part of the Advisory Committee. But within the framework of this enquiry the method that we propose to pursue is purely democratic. In other words we shall be guided in submitting our recommendations as far as possible by your wishes and your desires about your future. I would therefore request you to submit your wishes and desires within the framework of what is possible for us to do. Broadly speaking I should speak a word regarding what should be the conduct of all associations of people regarding their future. We all desire independence and as much as it is possible for us to work out, but the meaning of independence should not be to mean isolation. In this modern world isolation means nothing else but death. Therefore, while we should try to have as much autonomy as it is possible, we should try to have that autonomy linked up with such chances as might lead to our development broadly. Take the case of Assam. We are a people of one crore excluding the partially excluded areas and possibly the States. Now supposing I wanted to stand completely isolated from the rest of India, what would happen. If Bengal wants to be our enemy, then Bengal with six crores of people can easily swamp Assam tomorrow. Therefore I must be connected with some power which may be able to give me help if necessary in times of danger. For civilisation also we want force from outside to be coming and operating in areas which are backward. We are trying to send out boys to England and America to get them educated and we have got to maintain certain contacts with those countries. All these facts, I hope you will bear in mind when you discuss your future with this Sub-Committee.

I received a letter from the Secretary of the Naga National Council saying that they do not want any co-opted members to come and sit with us. The Sub-Committee would have been very happy if you had elected two members for that purpose. There are other people in these Hills who are also approaching us regarding their future status in these Hills. If some of the coopted members would have been present, they might have asked these people questions which might be useful to the Naga National Council itself. At any rate, they would know what we are doing, what proposals we are discussing and this might be useful to the Naga National Council. So, we thought it would have been better if you had sent two members for co-operation with us.

I am very much pleased to find that the Council is so representative of all the Naga people. But merely the formation of the Council is not the end, I suppose, of your ambitions. You shall have to undertake great responsibilities and I hope that if you continue to work in the spirit of co-operation, you shall surely be able to discharge those responsibilities. I wish you well.

Again, you have addressed the letter and memorandum to His Majesty's Government through the Prime Minister of England. You have not addressed it to us who have come to enquire about what you want and what the future administration of this area should be.

NAGA NATIONAL COUNCIL: We are here personally to talk to you.

The Secretary addressed the N. N. C. and explained the need for co-option of two members.

Secretary of N. N. C. (spoke in the local language) (interpreted in English): The tribal councils do not want to give evidence separately.

SECRETARY: As you are a Government Official, we would prefer to hear the President.

SECRETARY N. N. C.: Here is the President of the Kohima Central Council.

SECRETARY: Are you also a Government servant ?

Mr. L. LUNGALONG (President, Kohima Central Council) : I am. Almost all the leaders in the Hills are Government servants.

The Kohima Central Council with tens of States under it came to a decision that the Kohima Central Council will give evidence in the name of the Naga National Council and that all the other tribes, the different Sub States will not give evidence separately.

SECRETARY : Is that a decision you are communicating or is it a question ?

Mr. L. LUNGALONG : I have been asked to state this.

(THE SECRETARY after explaining that the object of separate examination was not to create division but to find out to what extent the differences between the tribes in language, customs or culture would necessitate special arrangements) :

Actually we asked for the names of the organisations who would want to give evidence before us and we have received a list which I think has emanated from the office of the Naga National Council, in which a number of names, 18, excluding the D. C. 17 other organisations, were mentioned. These were not named by us ; they were named by you . If we put them down in the list that we will see them separately, please do not think that we have done that with a view to creating differences among you. That is not our idea. This list came to us from this District, from your own organisation and therefore we have allocated separate times for the different organisations to express their views. As I have already explained, in many of these places, the position is not exactly the same. Of course, in the Naga Hills you may claim that all the tribes are of Naga stock. But you are aware there are differences in other places ; there may be different tribes living together. For instance, in the Mikir Hills there are Nagas, Cacharis, Kukis and Mikirs. Each of these tribes has got to be interviewed by us to find out the facts in the first instance what exactly they want and what exactly is required to see that the integrity of the people and their separate ways of life, if they desire to maintain them, are maintained and not interfered with by others. If we ask the organisations to give evidence separately, it is firstly because you have sent them as such and secondly with a view to find out the facts of the

Mr. L. LUNGALONG (President, Kohima Central Council) : This decision was made not to suppress the wishes of the people. That want to make quite clear. You know the organisations and you have a list of them. But what we want to make clear is that even if one group

or one Tribal Council says that the evidence given by the Naga National Council is their evidence and we have nothing more to say, I think they are perfectly right.

SECRETARY : We have never denied that right. On the other hand, we have a right to ask questions to elicit facts. If you intend that if they say such a thing, it is finished, that would certainly be tantamount to suppressing facts and possibly imposing the will of a body called the Naga National Council on everybody without giving a chance to ask questions.

Mr. L. LUNGALONG : If any Tribal Council, apart from the evidence given by the Naga National Council, refuses to give evidence what will be their case ?

SECRETARY : We have nothing to say. We will have our own inference in the matter. The main point is this. The Committee have not come to impose anything on anybody. At the same time, we want to know from all persons that we can possibly meet, their idea. One thing, and that is very necessary, is that when you have already given these separate names as separate bodies, the fact that you do not want them to come today leads to certain conclusions, I must tell you very plainly, which are not very favourable for a body which would represent all people.

Mr. L. LUNGALONG : It is not the Council which is refusing the Tribal Councils to give evidence separately ; but it is the opinion of the representatives of these different tribes.

SECRETARY : Would you kindly ask the representatives of the different councils to stand up and say whether they wish to be heard by the Committee or not ?

SHRI ALIBA IMTI : Mr. Chairman, I just want to say a word. I happen to be a member of this Sub-Committee and I feel, and I must say, I am labouring under some disadvantage here. But I am also aware that I am the Secretary of the Naga National Council. I was elected by the people and still I have my full privilege and consciousness of my responsibilities upon the Naga National Council.

As far as the political attitude is concerned, I will be the last man to deprive the political privilege from the Naga people. I am always for a united Naga people. I am always for a free Naga people. I am always for an independent Naga people.

But seeing the political changes and the political atmosphere in India, when our leader Mr. Mayangnokcha tendered his resignation on personal grounds as explained already, I ventured to accept the membership in the Advisory Committee without caring much about the consequences. But I was always aware and as far as my political knowledge goes, I thought, by accepting this membership in the Advisory Committee, we the Naga people would get what we want, our wishes, our demands, whether you agree or not, only through the Constituent Assembly, because the British Government have already given all power according to the recent declaration. So here today I wish that I am not

a member and I want to speak on behalf of the Naga people. But the constitution of the Committee and principle do not allow me that.

I want to point out to you that by coming in contact with the Committee and speaking with them it does not mean that the Naga people are divided or that the National Council has come to certain terms with the Committee. According to my view above, the evidence given by the Naga National Council, there is better chance by giving evidence as given by the different tribal organisations. When the provisional programme was drafted by the Secretary and myself, I requested Mr. Pawsey who had received an order from the Governor's Secretary. We had no time to consult the members of the Naga National Council. But we had a full discussion and we thought it better to have these bodies separately. Because, I have great confidence that what our people will say, what the Angamis or Lohtas will say, their political ambition is the same. I myself do not see any reason why the Angami Central Council should not give evidence. It will add nothing, but it is a loss to us. As the Chairman said, if we do not give our evidence to the Committee there is no alternative left but to go on their own way.

I request the Naga National Council and the members present here to come with open heart without any reservation and talk with the Committee what we want and what we do not want.

The Secretary then again addressed the Naga National Council regarding the objects of the Committee's visit and the correct attitude to take.

Mr. CHAIRMAN: Now two things remain. One is co-opting members and secondly our programme for tomorrow.

The Hon'ble Rev. J. J. M. Nichols Roy also addressed the N. N. C.

Mr. L. LUNGALONG: The intention of the Naga National Council in not sending two members was not for fear of learning too much, but because it was not considered necessary or essential and I think you may consider the matter of adjourning the meeting.

Mr. CHAIRMAN: I propose to adjourn the meeting, but in the meantime I may request you in the first place to consider the co-option again and to be ready tomorrow at 9 o'clock with the names of the two members to be co-opted. We hope 9 o'clock will suit you all. We propose to sit from 9 to 1 o'clock and then adjourn for two hours and sit again at 3 and carry on till 5. That is our proposal. I hope this will not be inconvenient to you. The second point is that we propose to carry on the programme formerly submitted by you. I would request you to re-think over this matter and kindly see that we can proceed with our business tomorrow and finish it as early as possible. In the meantime I think we shall require some time to consider. I want again to repeat that it is in the spirit of highest co-operation that we have come here and it will make us sorry if we find that on account of an attitude on your part, we are prevented from creating that co-operation which we are willing to give. Believe me when I say that your good or betterment is as much dear to my heart as the provincial premiership. Your wellbeing is as much dear to my heart as any one of you who are present here. May be that my angle of vision and my way of thinking may be different from that of yours, but I could definitely say before all that is sacred that the good

of you people is as much dear to my heart as to any one of you. I therefore expect you will accept us for what we have said before you. We have all spoken to you and you shall in the meantime consider the point that we have placed before you and come before us with the same spirit of co-operation which we entertain towards your ideals and your aspirations. We now propose to disperse. We hope you will be pleased to come at 9 o'clock tomorrow with the right spirit to help us in the inquiry, not for my good, believe me, but for your good.

The meeting then terminated, for the day. After the members left the Secretary requested the Naga National Council to stay on and had a personal discussion with them regarding the memorandum they had sent to H. M. G., the attitude they should take up and the need for co-opted members.

**THE NORTH-EAST FRONTIER TRIBAL AREAS AND ASSAM
EXCLUDED AND PARTIALLY EXCLUDED AREAS
SUB-COMMITTEE**

Camp Kohima, the 20th day of May, 1947.

PRESENT :

The Hon'ble Shrijut Gopinath Bardoloi—*Chairman.*

The Hon'ble Rev. J. J. M. Nichols Roy.

The Hon'ble Shri Rup Nath Brahma.

Shri Aliba Imti.

Mr. R. K. Ramadhyani—*Secretary.*

1. The following gentlemen, named in a letter received from the Naga National Council, were co-opted as members of the Sub-Committee:—

1. Mr. Kezehol.

2. Mr. Khelhoshe.

Mr. CHAIRMAN : (Spoke in Assamese.) (After thanking the Council for having chosen members for co-option by election.)

I told you yesterday that we would like to discuss the facts regarding the conditions in the particular Tribal Councils separately and then would talk to the Naga National Council as a whole. We may tell you that although we may not have the power to come to conclusions in reference to the memorandum that you have submitted to His Majesty's Government, we may yet be prepared to discuss that with you so that we know your mind better and we are in a position to know the exact conditions of things. If you wish that we should discuss even now with the representatives of the Naga National Council, I am prepared to do so. But I think that it would be better for us to know the facts about the individual Tribal Councils before we sit together. If you so wish, in the afternoon we can sit together and discuss the broad things which

you want for the Naga Hills as a whole whom the Naga National Council represents. This is the proposal which I am putting forward before you. If you however thought that it would be better to discuss the whole before you go to the parts, that is a different matter ; but I think we can take the parts first and then come to the whole. I wish you kindly let us know your views in the matter.

Mr. MAYANGNOKCHA : The memorandum that we have drawn up has been the work of the various Tribal Councils separately and collectively. We have drawn up this memorandum not by a majority of votes, but by general agreement only. I, therefore, personally feel that if in the memorandum, some articles and items are to be discussed, it is better to have these items discussed generally here and then if the various Tribal Councils are to be met separately, it will be better to have it done so later.

Mr. CHAIRMAN : It was explained by the Secretary that this thing which we have broadly before us may be accepted to be actually from the people of the Hill. But what we actually wanted to know of the Tribal Councils was the conditions which prevail in a particular tribe. It is necessary to know these things as facts. We have not the slightest objection to follow your procedure and discuss the points contained in the memorandum. Possibly I know most of the Tribal customs from books and, at any rate, from conversation with some of our friends. But this is a matter which as you all know should go finally to the Advisory Committee and ultimately to the Constituent Assembly. Therefore some knowledge of the things has got to be sent to them. That is the reason why we thought, as Mr. Ramadhyani put it yesterday, that these Tribal Councils should be enquired into in reference to what pertains to any particular Tribal areas. That is the idea. But we have no objection, if you so desire, to start discussion even on the broad principles of the memorandum which you have submitted.

(It was agreed that any member of the Naga National Council who wishes to express an opinion can do so.)

(It was also decided that the proceedings will be conducted in English, but the most important questions will be translated into Assamese so that the whole Assembly can understand.)

Mr. LONGU LANGJETBA : The discussion should be conducted in English. Where there is anything important, then it may be translated into Assamese, so that the parties should be able to follow.

Mr. CHAIRMAN : You have referred in your Memorandum about an Interim Government for ten years. Supposing it is recognised by H. M. G., can you give us an idea of what an interim government would imply in full ?

Mr. MAYANGNOKCHA : The Memorandum was sent not only to H. M. G. but the Government of India also, so that they may separately or jointly consider our case and if one of them or the two jointly come to a decision, then our case may be considered and therefore it was not our intention that it should be considered only by H. M. G. But then we meant that the case may be considered by both H. M. G., and the Government of India.

Mr. CHAIRMAN : Then your position is that the Interim Government should still be given by the present Government of India.

A. Our idea is since the British Government exists in the Hills and because there is a Government of India, they therefore could jointly give us something.

Mr. KEVICHUSA : By Interim Government we mean a Government of the Naga people by the Naga people and that the people would run their own show with little or no disturbance from outside and during the period of those 10 years they would be able to make a responsible choice.

Q. You are saying that since the British are there in the hills, therefore you are asking H. M. G. to deal with this. Is that the idea ?

A. No, it is not our idea. It is our idea to ask H. M. G. and the Government of India to deal with our case jointly.

Q. You know our jurisdiction also. We are enquiring into conditions of things when the British retire, as they have said they are going to retire soon. You know that the Sub-Committee has been set up to enquire into conditions which shall come into existence after the retirement of the British. We can discuss only such things which come into existence after the withdrawal of the British. They say that they are going to withdraw before June 1948 at any rate and from talks that are going on they seem inclined even to go earlier than that. So we have got to set up something in which the question of British being there cannot be within the purview of our discussion. Therefore the next question will be what will be your position of things after the British withdrawal. That is the way I suppose in which you ought to approach this subject and we can approach that subject in this way. Is that not the correct way, Mr. Ramadhyani ?

SECRETARY : We can only discuss the future when the British withdraw and we cannot discuss the existing state of things until the British Government withdraw.

A. We are not talking of the existing state of things. The Government of India will just run the Government of the future India. Therefore before the departure of H. M. G. they can jointly take up our case. With that hope we have put up our Memorandum.

SECRETARY : In other words you want that a different kind of administration should be introduced here before the British departure ?

Mr. MAYANGNOKCHA : No, that is not our idea. By the ten-year interim Government we just mean a Government that has been defined by ourselves in our memorandum and further elucidation of the case has been just submitted now. All the four points will clearly speak our minds as to how we would like to stand in our future Naga Hills.

SECRETARY : The setting up of this interim Government should coincide with the departure of the British ? The machinery for that should be set up now ?

A. The machinery should be set up before they go.

SECRETARY : You are of the same opinion that whatever constitution or whatever constitutional arrangement comes into force should be effective when the British withdraw, and not before that ?

A. Well, we have just put our case and then we have not stated the time and therefore it is for the future to decide regarding the time.

SECRETARY : The new constitution can come into force only when the British are going to withdraw after a treaty has been entered into between India and Britain, and now you are asking that before the treaty can be entered into some arrangement should be made here ?

Mr. LUNGALONG : Before the withdrawal of British Government a separate constitution according to the Memorandum should be made and the constitution should be recognised by the Government of India and it must be recognised by H. M. G.

SECRETARY : It seems to me that you are asking now for a separate treatment altogether for this particular area apart from the general proposals made by the British Government. They have stated that a scheme of administration has to be drawn up, a constitution has to be drawn up and on the basis of that a treaty will be entered into by the British Government with the Government of India and we expect that the withdrawal of the British will coincide with that. But you obviously ask for something different from the general pattern ? Are you clear that whatever you are asking should be coincident with the withdrawal of the British ?

A. Our answer to your question will now depend upon the answer we get to the proposal of an interim Government about which we have already submitted a Memorandum.

Mr. CHAIRMAN : You mean that you do not propose any action in reference to your Memorandum until you have heard from H. M. G.

A. The Nagas have decided to press for an answer and they have also decided to get the interim Government anyhow.

SECRETARY : There are two different points involved. One is that you have addressed a memorandum to the Government of India and H. M. G. You are awaiting a reply to that. In the meantime it has been pointed out to you that the framing of a scheme of administration for these areas has been made a charge of the Constituent Assembly and the Constituent Assembly Sub-Committee for this particular purpose has been informed of the Memorandum sent up by you to the Government of India and H. M. G. In other words it has been sent to us with a view to our discussing with you what exactly the implications of the Memorandum is and what exactly the scheme of administration should be. It is the Constituent Assembly's particular charge to work out a scheme of administration for these areas. Therefore if you are saying that you have addressed a Memorandum to H. M. G. and you are awaiting a reply, there is no objection to that, but in the meantime since it has already been made clear in the general proposals framed for the future administration of India that a scheme of administration for these areas should be worked out by the Constituent Assembly through an Advisory Committee, it is up to us now in consultation with you and in co-operation with you to

work out a scheme of administration. It is quite possible that the reply which H. M. G. or the Government of India may give to you will possibly wait until we have submitted these proposals because the Constituent Assembly is the body charged with the work of reporting on a scheme of administration. Well, you are waiting for a reply. This work has to go on simultaneously and it is quite possible that the reply which you will ultimately get will depend upon the report which this Constituent Assembly submits and the scheme of administration which is worked out. It is for that purpose that while we can record that you want a reply from the British Government and from the Government of India, the actual details of what you have in mind and what you desire should be the future constitution of India should be discussed with us and proposals framed clearly. It is for that purpose we want to know what exactly the contents of your demands are and we want to discuss the implications of the different proposals that you have put up. One of the things, for instance, you have stated, as you have given in your Memorandum, is the history of the British connection with the Nagas. You have given here the actual extent of what you term the Naga land. You have stated that it includes the hills district, it includes certain areas outside the hills district, it includes certain areas outside British India. Then you have stated that there is a psychological factor and relationship with the plains people of Assam. You have stated that ethnologically the Nagas are a very distinct stock and that they have a distinct social life, that the great majority of the Nagas are animists. You have given certain features which are special to this area. I have explained separately yesterday to you that the questions of boundary adjustments particularly between areas which comprise British India now and Indian States will have to be taken up either directly with the States concerned or possibly by a body which will consider this question of re-demarcating district or sub-divisional boundaries. It is a big task which a separate body with plenty of time at its disposal has to undertake. Remember that many of these administrative areas were formed after actual administrative experience. They were formed after taking into account that certain tracts are inhabited by certain tribes and it is quite possible that in some of these areas there are mixtures of tribes, for instance, the Nagas in the North Cachar Sub-division are divided into possibly three blocks. Some of them adjoin this district. Even then in the area which it adjoins, I believe, there are some members of the Kuki tribe. These questions have to be considered very carefully. It has been pointed out to us that the North Cachar Sub-division boundary was formed after taking all these things into consideration and it has been now in force there since 1901. All these are historical facts. Some of the Kukis will raise the question as to what will happen if you straightaway alter the boundaries of the Sub-division. Also, Manipur State will raise a question and they may say that it is their territory. Then there is a great deal of historical fact and administrative convenience also which will have to be taken into consideration in drawing the boundaries. For this purpose a separate body which will work whole time on it and will consider the different aspects of the case will have to be set up and that body can go into all these questions to examine the matter from various points of view. We see nothing wrong in the Naga people, or may be, Mikir people, or

others wanting a common administrative boundary. We quite understand that. If we are now saying that it is a thing which should be taken up by a body specially constituted for the purpose, it is not with a view to avoid the question or refuse your demands. But it is a complicated question and the present boundaries have been set up after actual administrative experience. Therefore it is not easy to pass orders on a matter like that by a stroke of the pen and to say that in future such and such an area shall go into such and such an area.

The next point you have given is the Naga connection with the British and that there are certain special facts about the Nagas. It is quite true that the Nagas are possibly ethnologically different from others. But if you look at the whole of India it consists of many number of races speaking different languages, sometimes with admixture, sometimes with no admixture. If you take a man from the south of the Indian peninsula you will find him speaking a totally different language and altogether, even racially, completely different, from a man from the Punjab or the N. W. F. P. or Bengal or Assam. Well, it is a factor which one has to take into consideration. It does not necessarily constitute a case. You have your own customs. You have your own language. In fact you have several languages and quite possibly there are slight racial differences even among you. If that does not prevent you, coming and sitting like a Council to discuss your common interests and your common future that should not necessarily mean that you cannot consider that to be a basis for making your demand. In any case whatever separateness and aloofness there is that should be given due weight. There is no doubt about it. But what weight we should give to that is a matter for careful consideration. Then the next point you have mentioned is that there is a Naga system of administration. We fully appreciate and admire your village organisation by which many of the comparatively serious disputes are settled without taking the matter into courts. I think people in other parts of India have definitely a great deal to learn from you. There are many cases which go to the courts there and are bitterly fought out. You have an admirable system which I think is worth while for others to copy and I hope nobody will be foolish enough to try and interfere with it or to suppress it or to discourage it.

Finally in your Memorandum you have summed up as your case that the areas inhabited by the Nagas were outside the jurisdiction of the Provincial and Central Governments and were formed into Excluded areas and now the change would throw this society into the heterogenous mixture of other Indian races. It is quite true that you have been shown as an Excluded area. Well, quite a number of areas like, for instance, the Khasi and Jaintia Hills or the Mikir Hills have got a representative in the Assam Provincial Legislature of the Assam Government with which you are at present connected. They have got their separate representatives. They can press their case. You have been prevented from doing so in that manner. You have no representatives who can put forward the claims of your people and of your country in the Assam Legislature, but that again is a question which we ought to consider. You say that the British Government or the British throw this society into the heterogenous mixture of other Indian races. It is quite true

that this land is composed of a great many races and languages. But I do not understand the implication of the word 'throwing' if it means compelling you. Well, that is not the idea at all. That will amount to annexing your areas. It would mean the establishment of one race over another. That is not at all the idea, I am sure of anybody who is at present taking part in framing the constitution. It has been made clear that this is going to be an association. It is not going to be the domination of one area by another. If anybody forces domination on one area it is certainly bound to ask for safeguards and you are effectively provided with constitutional arrangements by which you can protect your own interests.

"A constitution drawn by the people who have no knowledge of the Naga Hills and the Naga people will be quite unsuitable and unacceptable to the Naga people." This is a perfectly obvious statement. We agree entirely with you that a constitution framed for you by persons who know nothing of the Naga people will be completely unsuitable and unacceptable to you and that is exactly the reason why we have come to you and pleaded for your help in not only giving your evidence factual as well as your political views, but we have pleaded with you for co-option of certain members so as to assist us to know you better, to associate persons of your own stock in the proposals which we want to make. That is exactly the object of this co-option of members and we are extremely glad that you have seen your way to give us your members who will co-operate with us and who will tell us what exactly should be the proposal and how it should be framed and who will be entitled on your behalf to guide us in framing a proposal. You state that there are among 40 crores of Indians 1 million Nagas with their unique system of reform who will be wiped out of existence. In fact the object of associating you with the proposals is to make the constitution in such a way that you will not be wiped out of existence and that you should provide for your own safeguards. You state that you wish to have a separate form of interim Government. Here again I find terms which are somewhat not easy to understand and which we should like you to explain. We quite admit that for the administration of these particular territories we may have to make constitutional proposals which will differ from the proposals for the rest of India. But what we do not understand and want clarification of is what exactly you contemplate and what the full implications of this Interim Government are. *Prima facie*, it appears that the full implications are not contained in this. As you will very well appreciate an Interim Government is something which will go on pending the setting up of a new thing. You have already stated in your memorandum that what you want is to be able to run your own affairs without domination or interference. That means in effect you are asking for separate autonomy. Now, where does the question of Interim Government come in when you want to manage your own affairs, I do not understand. Do you mean to say in 10 years you will be managing your own affairs more than you want today? You want your way of life not to be interfered with, freedom from domination and exploitation, and as large a voice in the administration of these areas. Possibly it is quite clear that after 10 years you will want that state of affairs to continue. In other words, there seems to be some kind of contradiction in this idea of an Interim Government.

In this memorandum it is stated that with financial provisions, you should be left for a period of ten years. But in the memorandum, a copy of which was given to us yesterday, you have stated something slightly different. You have stated that there should be a 'guardian power', which term and expression is not to be found in your original memorandum. Is that not a fact? 'Guardian power' is an expression which is not to be found in your original memorandum. Therefore you have put down here something different, something slightly changed from what you had put down before. In other words, you are probably now giving some more of the implications of what you mean by "Interim Government".

Two things arise out of this. I have noticed a certain amount of distrust in your minds. You probably see that you are different from the people in the plains, that you do not feel as they feel and that you are likely to be wiped out of existence. Who will be the guardian power if you do not want the Government of India to be the guardian power? If you feel that you will be thrown among 40 crores of Indians and wiped out, it seems obvious that that is not what you contemplate. Do you then mean that the British rule should perhaps continue in this area? (A number of members shake their heads.) I understand that that again is certainly not the case. Therefore I hope you will appreciate that this point requires clarification: What exactly do you mean by guardian power, who is going to be the guardian power if it is not the British or India?

What we want now really is to arrange that you have the maximum of freedom to manage your affairs, free from domination and exploitation and all that. You have probably realised that you need a certain amount of assistance and additional strength at least in the preliminary portion of your constitutional life. What we want to do is to make an arrangement, in consultation with you and with your consent, which will associate you with the larger administration of India in such a way that your independent way of life, your liberty to manage your own affairs, your right to your property against domination be fully preserved. This, I think, is probably what you mean. You may say that at the end of ten years you would like to exercise a free choice. Well, I think that is the right of every unit. If you peruse the State Paper of May 16th, there is a clause there, which definitely states that after ten years there shall be a revision of the constitution. That is one of the basic proposals.

So you will see that what you have put down here boils down really to this: that you want constitutional arrangements to be able to live with your own way of life, with assistance where you need it, and with freedom from being exploited or fear. Now, it is on this basis generally that the Committee will be glad to discuss this matter with you and will be willing to help you in every possible way. That is why we have got your co-opted members who will, I am sure, safeguard your interests as fully as possible. They will see that nothing is done which is due either to ignorance or a desire to ignore your interests. May I now request you to proceed further?

Mr. CHAIRMAN: Mr. Kevichusa has already tried to explain what he means by 'Interim Government'. Will you please repeat the words?

Mr. KEVICHUSA : In submitting this memorandum we have asked for something not covered by the framework of the Cabinet Mission. We have asked that we will be left free to run our own affairs in our own way with financial aid by agreement, and we have stated in yesterday's memorandum that there will be a guardian power. The memorandum, as you know, was addressed to His Majesty's Government and the Government of India.

Mr. CHAIRMAN : Who is the guardian power which gives financial aid ?

A. Whether Indians or His Majesty's Government, who will give aid will be our guardian power.

Mr. CHAIRMAN : Is that the general idea ?

A. Yes.

Mr. CHAIRMAN : You have stated "administration for the Naga people by the Naga people". That is how, I suppose, you have put it. This itself is a very good expression, a democratic expression. But what is the real implication of this ? Do you mean that you want to exercise the functions of a separate State altogether ?

THE HON'BLE REV. J. J. M. NICHOLSROY : That cannot be under a guardian power.

Mr. CHAIRMAN : The guardian power may put some money into their hands and possibly they are a free State otherwise ?

THE HON'BLE REV. J. J. M. NICHOLSROY : I want to ask this question. Do you mean that this guardian power will have some power to say, "this way you should not run the administration if you want us to give money to you," or do you want simply that the guardian power should give you money and you run your own way ?

A. Para. 1 of the memorandum submitted to you yesterday will answer that question.

Mr. CHAIRMAN : Is this conditioned by the guardian who finds the money for you ?

A. We have stated in paragraph 4 of the memorandum that for defence and for aiding civil power in case of emergency a force considered adequate by the N. N. C. will be maintained in the Naga land by the guardian power and that force will be responsible to the N. N. C. who will in turn be responsible to the guardian power.

THE HON'BLE REV. J. J. M. NICHOLSROY : Do you mean, s
ay that the guardian power will be connected with you only in mat-
s of defence ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLSROY : And not in any other matter, education or in any other department of administration. Is that the idea ?

A. Yes.

Mr. CHAIRMAN : In other words, the guardian power will spend their money for the purpose of defending you and aiding civil power in cases of emergency.

THE HON'BLE REV. J. J. M. NICHOLSROY : You will have no connection therefore with the guardian power in regard to medical aid, in regard to roads, communications. Is that the idea ?

A. Paragraph 3 of the memorandum will answer that question.

Mr. CHAIRMAN : Your idea is that the guardian power will only spend what is necessary for your defence and for aiding the civil power in case of emergency, that a force considered adequate by the N. N. C. will be maintained by the guardian power. Is that the only way in which you want assistance from the guardian power ?

A. Paragraph 3 of the memorandum answers that.

Mr. CHAIRMAN : Firstly, you want the guardian power to assist you for your defence, for defence of the Naga land. Is that the idea ?

A. Naga land.

Mr. CHAIRMAN : And for aiding the civil power in case of emergency by a force considered adequate by the N. N. C. maintained by the guardian power. Do you mean to say that the guardian power will defend the Naga land and will also maintain a force to be considered adequate by the N. N. C. ? That is the first proposition in reference to how the guardian power should help you.

A. Yes.

Mr. CHAIRMAN : The second thing is, that the Interim Government for the Naga Hills will have full powers in the matter of raising and expenditure of revenue, an annual subvention being given by the guardian power to cover the deficit. In other words, you want the guardian power to supplement your revenues by a kind of subvention. Is that the idea ?

A. Yes.

Mr. CHAIRMAN : The point is whether the guardian power will have also the authority to determine what subvention they will give and in what matters that subvention will be given. You ask for a subvention. I want you to answer whether you would or would not like the guardian power to determine what amount that subvention will be and in respect of what subjects that subvention will be given ?

A. That will be a matter for further negotiation between the Naga people and the guardian power if a guardian power comes forward.

Mr. CHAIRMAN : If a guardian power does not come forward then you do not want a subvention, you do not want defence, and you will live just according as you wish ? Is that the idea ?

A. When we know definitely what is the reply to this memorandum then it will be decided by the Naga people.

Mr. CHAIRMAN : Possibly the reply to your memorandum will depend on what we may report. That is the reason why we want to know. We should not get into a vicious circle, so that we may be waiting to get something from you while you will be saying we want to get something from you.

THE HON'BLE REV. J. J. M. NICHOLSROY : The point is this. The Constituent Assembly has been set up by the Cabinet Mission

and the Cabinet Mission has been appointed by His Majesty's Government. In that Cabinet Mission's statement there is a provision that all matters of the Excluded Areas should be dealt with by the Advisory Committee. That Advisory Committee has appointed a Sub-Committee which has come to deal with these questions. So, in reality, it appears to us that your question has already been replied to in the Statement of the Cabinet Mission in the very fact that a Committee has been set up and there are members from your area in that Sub-Committee of the Advisory Committee. You are, it seems to me, working in a vicious circle. You are waiting for a reply whereas a reply has already been given in the very statement of the Cabinet Mission in the setting up of the Advisory Committee and the Sub-Committee. You do not seem to realise the position where you are now.

Mr. CHAIRMAN: The fundamental question is, do you or do you not want a guardian power. If you say, "if a guardian power is coming", then it is a conditional question. We can only proceed on a certain basis.

A. It is very clear that we want a guardian power. We have used the term interim period because of that only. We have stated that we want a guardian power and the relation we want to have is also put down there.

Mr. CHAIRMAN: If it is said, "if there is a guardian power", then we cannot pursue that matter. That is the reason why I put this question.

Coming to paragraph 3, I put this question to you just now, would you not leave it to the guardian power to determine what that subvention will be and how that subvention will be utilised?

A. No. It is up to the guardian power to decide how much will be given. But how to utilise that amount will depend on the will of the people. The N. N. C. will be responsible to the guardian power for the subvention.

Mr. CHAIRMAN: The guardian power will give a certain subvention. How that subvention will be utilised will be determined by the N. N. C. That is your view?

A. Yes.

SECRETARY: The other view is that the N. N. C. will be responsible to the guardian power as to how that subvention will be utilised.

A. It is the Naga National Council which will determine the method by which the subvention will be utilised. What subvention will be given will of course depend on the guardian power.

Mr. CHARMAN: When you speak of subvention, you surely require the subvention in respect of certain branches of administration. Don't you? You will be doing some kind of budgeting on the basis of what you are going to do. Won't you in determining your subvention, determine what amount of money will be required on particular items of administration?

A. This is answered in paragraph 3 of the memorandum. The Interim Government of the Naga people will have full powers in the matter of raising and expenditure of revenue, an annual subvention to cover the deficit being given by the Guardian power. No specific item is stated.

Mr. CHAIRMAN: You will require a lump sum subvention.

A. Yes.

Mr. CHAIRMAN: And will not require any subvention for any particular heads of expenditure.

A. Yes.

Mr. CHAIRMAN: Supposing the guardian power wants that, would you not furnish the details. In determining the subvention, the guardian power may well think that expenditure on certain heads would be better for its ward. I am talking in the language of guardian and ward. The guardian power may think that it would be more profitable for the ward to get more education rather than possibly, say, communications. Would you or not agree that the guardian power settles this subvention according to the needs of the people which are considered best by the guardian power?

A. The people of the land know the needs of the people; but we do not have enough money. That is why we are looking for help from the guardian power. But the needs are fully known to the people of the land and therefore we can know how to utilise that money to our fullest advantage.

Mr. CHAIRMAN: In your opinion, it is not necessary for the guardian to know even what progress you have made with the money that is given to you by the guardian power?

A. That question comes in at a later stage.

Mr. CHAIRMAN: Do you think that the guardian power should know what improvement you are making with the money that it gives?

A. The guardian power has every right to know that.

Mr. CHAIRMAN: In other words, you will be prepared to submit your budget to the guardian power: a sort of administration report in which you show your income and expenditure to the guardian power?

A. Yes, for information.

Mr. ALIBA IMTI: The whole point is this. The Naga people want somebody to come out as the guardian power. It does not matter much to us whether it is the Government of Assam, or the Government of India or any Government. But the point is this. We want a guardian who accepts the ten year interim Government in principle. When that power comes forward, the N. N. C. is ready to enter into all this agreement with them and then only we shall be in a position to know what subjects shall be handed over to the guardian power. I do not think the N. N. C. is ready to say that this power we shall give to the guardian power and this power we shall not give. As pointed out, this comes in at a later stage.

Mr. L. LUNGALONG : The whole point is the Naga people, the Naga National Council will be ready to give the budget in detail to the guardian power for information and the guardian power has every right to know in what way the money they give to the Naga people is used.

SECRETARY : You have stated that the Budget will be submitted for information. At the same time you have stated that it will be open to the guardian power to satisfy itself how the money has been spent. You surely do not mean that the budget is beyond discussion. You agree that it covers discussion ?

Mr. L. LUNGALONG : I do not mean for approval. I only said for information only.

Q. How is the subvention going to be determined if it is not on the basis of discussion and to find out how much revenue is needed and in what manner it should be allocated, and so on ? You may actually work out a scheme or you may put forward your demands to cover a period of 20 years all at once. You admit that is not feasible at all.

Mr. CHAIRMAN : Budgets are framed annually. Money is raised annually and money has to be spent annually. You cannot spend 20 years' expenditure in one year. Neither can you expend all in one direction and totally ignore it in another. Therefore the question is whether the budget of whatever estimates you have framed will be open to discussion and allocation. For instance, if you have asked for a certain sum which the Central Government or the Provincial Government find cannot be allotted fully to you at once, but only in part because of financial considerations, you agree that there will be discussion as to which of the schemes or proposals should be taken up first and which should be done last in order that one of them at least should be fulfilled. Supposing you have a road as well as a scheme for building a hospital or a dispensary and suppose the amount which the Provincial Government is able to allocate to you can cover one and not the other. Do you agree that it will be to the advantage of both you and the Provincial Government to discuss and decide which of those schemes should be given priority ?

Mr. L. LUNGALONG : We have already stated that the Naga people ask for generous subventions not for specific purposes and the details are left to the Naga National Council or the nation. The Naga National Council will give a report of how the money is used to the guardian power for information.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Supposing the guardian power will say : " We give you only Rs. 50,000 for education only." Will you object to that. Supposing they say we cannot give you any more than Rs. 50,000 and this should be used for education, will you object to that ?

A. That covers only education and that is specific, I take it. I think that question does not arise and it is not in the demand of the Naga people.

Q. The question is whether you will want the guardian power to state that such money may be given to you to be used for certain purpose only and not for any other purposes whether you will allow that freedom to the guardian power or not.

Mr. CHAIRMAN : If you agree to the guardianship, do you agree to the guardian's way of paying you. As Mr. Ramadhayni has already pointed out you can have discussion with the guardian power. The guardian power, for the purpose of wanting certain such things to be done for that area, might just discuss.

THE HON'BLE REV. J. J. M. NICHOLS ROY : I am asking simply for the sake of knowing whether you will allow that freedom to the guardian power or not.

A. It is not a question of allowing or disallowing if the guardian power will just make that grant or subvention in full in accordance with the Naga peoples' demand. There will be no objection to discussion if the Naga National Council's agreement is obtained.

SECRETARY : The object of discussion is always to reach agreement.

Q. Do you think that the guardian power should be limited only to H. M. G. or the Central Government or do you want to add also the Provincial Government of Assam ?

A. We have not set any limit on this.

Mr. CHAIRMAN : There is the human relationship. You say that you want the money from the guardian power to be given to you. Are you prepared on the other hand to do something for the guardian power, and that comes under para 4 of your memorandum? In this para you are placing the obligation on the guardian power.

A. If we have an attack from the Frontier side it will mean a danger to Assam and to India and if a force should be maintained here and if we undertake that defence, I think we are doing something to the guardian power.

Mr. CHAIRMAN : You say that all this defence has got to be maintained by the guardian power and what is more if you want any further help that has to be found by the guardian power. Then where do you actually help the guardian power in any way. You look to the the guardian power for your defence but you do not actually contribute anything in return.

A. In our opinion defence is the most important question of ours and India and therefore we will have to come to a definite understanding regarding that.

Mr. CHAIRMAN : You are leaving that defence to the Government of India.

A. If we are allowed to have our own defence, we shall do it, of course, but we think it is not the time. If the guardian power is remaining with Assam and a military force is stationed in the Naga Hills, it is not for the safety of the Naga Hills or Assam but India as a whole

Mr. CHAIRMAN: Assam could be defended from its frontiers also, possibly at lesser expenditure. Is that the only way in which you think that you can exercise reciprocity?

A. What we will do will have to depend upon the future circumstances.

Mr. CHAIRMAN: You are getting subvention. You will get something for your maintaining your autonomy by a subvention. My question was one of human relationship. Are you prepared to reciprocate in any way to the guardian power, in any other way?

A. That will depend upon future circumstances.

Q. At present you are not prepared to have any reciprocity but at the same time you want to have the subvention?

A. We cannot say just now what we shall do or what we shall not do in the future.

Q. How you will reciprocate will depend on the future?

Mr. CHAIRMAN: Now I think we should ask you certain questions regarding your organization itself. There are also certain things which we have got to know from you regarding certain people who live here other than the Nagas. You very well know that there is a vast territory and you have already made out in the statement that there is a vast territory outside the Naga administered areas in which the Nagas live. Is that so? Can you give us an idea of the number of various tribes who are there, regarding the Nagas whom you want to represent and whether you know the number of the many tribes that live in this unadministered area.

A. They are the following:--

Konyaks.

Chang

Phan

Kolekenyo

Yin

Sangtam

There may be others but I know only of these six. The Konyaks are in the border and in the partly administered area. They speak different languages. There are interpreters and they interpret. Each tribe has its own interpreters who can understand each others language. Those who live close to each other are in good terms but those who live at a distance quarrel. From 1947 we have started schools. In other tribes also the Christian schools have been started.

(One of the members of the N.N.C.)

I am a Chang from the Administered areas. Lands in our area are under private ownership. Lands are liable to be sold.

Mr. ALIBA IMTI : He has got a family ownership and clan ownership and joint family ownership and individual ownership and all these things.

Q. Can you explain what the clan ownership referred to by Mr. Imti is ?

A. There is collective holding of land. It is only to the people of the clan that the lands in a particular village can go and be sold or disposed of. There are several clans in a particular village and each clan has their own holdings. The people of the clan will divide the land belonging to the clan. Between one village and another, there is always some demarcating boundary. This applies practically to all the Naga people. If a man goes from one village to another, he must take the permission of the headman of that village and he is sheltered also. Otherwise, he will not be safe.

The Gaonburras generally settle disputes in reference to land and cases of assaults.

In the unadministered areas there are headmen and they in consultation with the heads of their Khels (clans) will settle the disputes. Even in cases of grave offences such as murder and grievous hurt, it is these heads of Khels who decide the cases.

Q. Is there any agreement between these unadministered areas and the British Government in regard to reporting or disposal of these cases?

A. The British Government does not know these cases at all.

If any relationship has to be established with the Burma Government, they do it. They are the agents of the British Government.

Q. Is there any agreement between these tribes outside and the British Government for surrendering offenders, slaves taken in custody by these people, etc.

A. In 1937 the D.C. Naga Hills brought back certain people from captivity from the Changs who had taken certain people from the unadministered areas captive. Of late there has been no such instances. Now there is friendliness between Changs and Kalukenis. Kalukeni is a Naga village and Kalukenis inhabit the place. This village lies only about two days march from the administered area, about 40 miles.

The D.C. is now on an expedition to a village (Pangre) due east from here. All that we have heard is that the heads of 49 persons have been cut. The fight is between the same tribe but in different villages. These head-hunting feuds arise out of hereditary enmity between one village and another for generations.

In the unadministered areas head-hunting takes place from time to time on account of quarrels regarding land.

SECRETARY : Is there any agreement by which the D.C. can impose a fine on people who are outside the administered areas?

A. He has no such powers to realise fines from areas which are not within his administered areas. It is not the usual rule for the D. C. to take any action ; but in cases where the people of a village call him,

he may go to their aid. The D.C. goes and settles disputes where smaller villages are oppressed by the larger villages.

Mr. CHAIRMAN : (Addressing the Naga National Council):

What are your proposals regarding the people who are here who are not Nagas, the Gurkhas ?

A. They are quite safe with us.

Mr. CHAIRMAN : Have you thought whether they should get the same privileges and rights as you? Except saying that they are safe, you do not say anything else.

A. Most of the domiciled people are in the Kohima area. That question was brought up in the Council. We passed a resolution to that effect. I can produce a copy of the resolution.

Mr. CHAIRMAN : Shall we proceed now with the resolution that has been handed over to us. The resolution says that the domiciled people including the Gurkhas be asked to join the respective sub-states in which they are living. No separate sub-state can be recognised for them. What do you mean by sub-state?

A. There are various Sub-Tribal Councils. By "Sub-State" we mean Sub-Tribal Councils.

These people will be joined with the Sub-Tribal Councils in the respective areas. It means they cannot have a State of their own.

Mr. CHAIRMAN : Do you mean to say that they cannot have a Council of their own?

A. Of course they can have a council of their own, but they cannot come into the Naga National Council. They will be represented through the area in which they live. This is our understanding. We thought it was clear, those who are domiciled or those living in a range will be represented in the particular Sub-Tribal Council. Whether domiciled or native, they will be treated as regular citizens and will be represented there. These Sub-Tribal Councils are represented in the Tribal Councils. The Districts are arranged territorially and people who live within that territory will be constituted into a Sub-Tribal Council.

Mr. CHAIRMAN : If they claim minority rights, you are not prepared to grant them excepting by the general procedure? You are not prepared to recognise them as a minority or as having any interest which should be specially safeguarded?

A. They will have their own representatives in the Sub-Tribal Councils. They will have the same privileges as citizens of the Naga land.

Mr. CHAIRMAN : There are certain tribes, for example, Kukis who live along with the Nagas in certain parts of your territory. How would you like to deal with them? They will also be governed by the same procedure or you are prepared to make any special 'consideration' for them?

A. The Kukis are grouped together now. They are represented in the N.N.C.

Mr. CHAIRMAN : My point is this : Whether you are going to consider the Kukis as minorities? Or, any people who would not like to come within the N.N.C., are you prepared to make any special consideration for them?

WITNESSES : In what way?

Mr. CHAIRMAN : In any way, for the protection of minority rights.

A. We are prepared to do so. Their interests will be protected.

Mr. CHAIRMAN : As minorities? Minorities always claim a certain protection from the majority. For example, in Assam, the Scheduled Castes are a minority. We have got to make special provision for their protection.

A. If there are 15 Naga houses in Gauhati, how will you consider their case ?

Mr. CHAIRMAN : The question is whether you are proposing to consider giving them representation in the council or any special safeguards ?

A. In the Naga Hills, the first consideration is the village.

Mr. CHAIRMAN : Supposing there are certain Kuki villages, what are you going to do with them ?

A. In their village they have got their rights. If there are 30 or 40 Kuki villages and living in a certain block, they will have their own council and will be represented in the N.N.C.

So far, Kukis, Cacharis, Zemis form a Sub-Tribal Council jointly.

Mr. CHAIRMAN : The Kukis will have a right to form a Sub-Tribal Council of their own. Is that what you mean ?

A. They have never asked for their rights. When the question comes up, the N.N.C. will consider it.

Mr. CHAIRMAN : I am putting it as a question of minority, of some people who would like to have safeguards : whether you are prepared to give those safeguards to the minorities ?

Mr. ALIBA IMTI : This is our understanding. Firstly, we emphasise on the territorial unit. There are some Sema villages in the Ao area. These are classed together with this particular Sub-Tribal Council. The Kukis and Semas are living mixed up. The Kukis and Semas are fully represented in that particular Sub-Tribal Council. This we follow everywhere.

Mr. CHAIRMAN : Your Tribal Councils are more or less not only territorial, but at the same time representative of tribes. There may be certain areas where two or three tribes may be living together. What are you going to do with them. Will it be territorial principle or whether you would like to have Sub-Tribal Councils according to tribes ? That is the question.

A. The principle is territorial always.

Mr. CHAIRMAN : Regarding boundaries, as Mr. Ramadhyani pointed out, the boundaries cannot be resolved immediately. Supposing there are certain areas in the outskirts of the Naga area, and

they claim that they will not come into your council. Do you agree to their being governed by their wishes ?

A. The Nagas who live on the outskirts of the Naga area and who do not want to come into the N.N.C., we are not prepared to force them to come into the N.N.C. If any area or people are to come within the N.N.C., it must be done by their voluntary desire and by consent of the people concerned. Any one who is living in the Nāga land, we have a right to claim them.

Mr. CHAIRMAN : The question was in reference to the border land.

A. The Nagas have a right to claim all the area within the Naga land.

Mr. CHAIRMAN : The Naga land has not been actually defined. So far as the people inside the borders are concerned, do you mean to say that even if they do not want to come within the N.N.C., you have a right to force them.

A. No.

Mr. CHAIRMAN : In no case is your organisation anything but a voluntary association of people. Is that the idea ?

A. Yes ?

Mr. CHAIRMAN : This is so far as the border land. With regard to the Nagas and other people inside your territory, do you have any idea of compelling anybody to come within the N.N.C. ?

A. So far as the Nagas are concerned, it is not voluntary only, but it is compulsory also.

Mr. CHAIRMAN : So that if one Naga does not want to come into the N.N.C., would you like to enforce them to come ?

A. So far as the Nagas are concerned, we have not had to use compulsion.

Mr. CHAIRMAN : The N.N.C. is one of voluntary association rather than compulsion ?

A. Yes. In the N.N.C. any one who is living in the Naga land or a naturalised Naga, is a full citizen.

Mr. CHAIRMAN : You have several councils. All combined together form the N.N.C. My point is that whether your council is composed of voluntary associations or you can compel anybody to come within the Union.

A. That question does not arise.

Mr. CHAIRMAN : It does arise. If you say that you can force certain people within your area to come into the Council, then you can agree to compulsory association; some people compel others to come within a certain association. In another case, people voluntarily or their free association form a Union just as the N.N.C.

A. We have not compelled anybody.

Mr. CHAIRMAN : Let us put it then that this association is composed of voluntary associations of various people on principle.

Mr. ALIBA IMTI : We are guided by the principle of voluntary association. At the same time, we are also aware, if necessary in the future, we will think of compulsion also. At present it is a voluntary association.

Supposing if a Sub-Tribal Council wants to walk out from the N.N.C. we shall still have power to claim these people.

Mr. CHAIRMAN : Whether you can compel or not ?

Mr. ALIBA IMTI : If the Ao people declare independence, we think the N.N.C. have to use force. We shall try by peaceful means and if necessary we will compel them.

Mr. CHAIRMAN : The point is that till now it has been a voluntary association; but in the future, if it is necessary to use compulsion, it will be used. Is that correct ?

A. Yes. Because, we want to be on the safe side. This is only about the Nagas.

Mr. CHAIRMAN : Since when is the N.N.C. functioning ?

A. The N.N.C. came into being on 31st January 1946. Their first meeting was in 1946.

Mr. CHAIRMAN : How many tribes did they represent in the first meeting ?

A. All tribes except Konyaks were present at the first meeting.

The Tribal Councils existed even before 31st January 1946. Regarding the names Sub-Tribal Councils, Tribal councils and the Naga National Council, the names are new. The system had been our custom. We only changed the name. If you are going to the back history of the formation of the Sub-Tribal Council, we have got to go back right to our forefathers.

Mr. CHAIRMAN : I want recent history. If we have read your history correctly, there were some kind of Tribal Councils. Undoubtedly, this N.N.C. is a recent growth ?

A. Yes.

Mr. CHAIRMAN : Do you mean to say that each of the tribes that lived in the Naga Hills were more or less administered in reference to local affairs by themselves ?

A. Yes.

Mr. CHAIRMAN : You had some kind of organisation before 31st January 1946 to look after the administration of these tribes by some kind of representative body ?

A. Yes. There was a loose form of organisation.

Mr. ALIBA IMTI : Co-operative working together among neighbouring villages existed from time immemorial. When we organised into one political body, it was first organised in 1937, that is in one range in the Ao land, and the Ao Tribal Council came into existence in April, 1939. After that, other tribes went on organising their own tribals and then the N.N.C. came into existence in the modern form. The first Tribal Council was formed in 1937.

Mr CHAIRMAN : In the old form, it was in the nature of village-councils. A more organised form came into existence in 1937 in the Ao territory in the shape of the Ao Tribal Council ?

A. Yes.

Mr CHAIRMAN : And that model is being followed by other tribes in respect of other areas also ?

A. I do not say that they have followed that model. That kind of organisation was established.

Mr. CHAIRMAN : How have you formed this National Council ? Is it an elected body ?

A. The Naga National Council is an elected body. The election was on the population basis. The elections were through the Tribal Councils. It is indirect election. According to the population, certain numbers were allotted to particular tribes and the Tribal Councils send those persons from those areas.

The Kohima Central Council got 12 seats.

Angami	7
Rengma	2
Kacha Naga	2
Kuki	1
	<hr/>
	12
	<hr/>

From the Mokokchang council there are :

Aos	5
Sema	4
Lhota	3
Sangtam	2
Chang	1
	<hr/>
	15
	<hr/>

Mr. CHAIRMAN : I find that the Assam Tribal Council consists of Rengma, Lhota, Sema, Sangtam, Ao, Chang tribes. Are these included in the names that you have given just now ?

A. Yes. There are none else to represent these people and they are represented by the Naga National Council.

Q. Of course the Zemi Nagas have all their individual Tribal Councils ?

A. Yes.

Mr. CHAIRMAN : The Angamis, Zemi, Rengma, Lhota, Sema, Ao tribes have their own separate Tribal Councils ?

A. Yes.

Mr. CHAIRMAN : What functions are you at present discharging in the matter of political administration? You are not exercising any political or administrative action?

A. No.

Mr. ALIBA IMTI : We have started some courts. These are very different from the village courts. We are going to organise the administration to deal with justice.

Mr. CHAIRMAN : They were also existing in some shape or other even before?

Mr. ALIBA IMTI : Yes. They were in a crude form. Now it has been reformed.

Mr. CHAIRMAN : You think this is judicial, but you are not having any administrative activity.

A. I just want to say by illustration one thing about our court. Sometime ago there was a case when one man used a certain instrument and he hurt another man with intention to kill and it was taken up by the D. C. but the Nagas asked the Deputy Commissioner to give them the case into their own hands and so the D. C. agreed and it was settled. Before that also the Nagas have been settling their own affairs all the time.

Q. In that case the man did not die.

A. He did not die.

Mr. CHAIRMAN : Previously, before the British courts were established, the Nagas used also to dispose of cases in which murder and grievous hurt were involved?

A. Yes.

Mr. CHAIRMAN : Beyond this you are not exercising any function in the matter of administration. Are you acting as an Advisory Body to the Deputy Commissioner in reference to matters of administration?

A. We are not directly administering the country. The D. C. or the S. D. O. pass any law or order without consulting us. Sometime we are consulted but not regularly. It is left to the discretion of the D. C. to consult the Naga National Council or not.

Q. Have you done any other work for the Naga people as a whole in any sphere.

A. Well, it has not been done by the Naga National Council as a whole. The tribal councils look after their own affairs, their own roads and schools. It is confined to small areas.

Mr. CHAIRMAN : I do not know whether you have any idea of the plains administration of local boards. But they exercise certain powers of taxation and certain powers of expenditure in reference to the subjects that were entrusted to them. Have you any idea that in the immediate future you shall be functioning in that manner?

A. Regarding that the Tribal Councils are also having their own talks.

Q. Do you not think that there is necessity for the Naga National Council to be undertaking activities in that direction?

A. That is our aim.

Q. Your aim is that you should take those powers which have generally been given to the local boards in the plains for immediate administration.

A. Not that, Sir, and more. The aim of the Naga National Council is to take the entire administration of the whole Naga land into their hands.

Q. Would you in the meanwhile take early steps if opportunity is given to take certain preliminary actions for administration in the way in which local boards have been allowed to administer in the plains. They relate to a large field, the field of education, communication and medical aid, and veterinary aid ?

A. We may say the Sub-Tribal Council have already taken up that work with the exception of medical aid and veterinary aid. Of course these things are new to the Nagas. In the villages that work has already been taken by the Sub-Tribal Councils. They have their own schools. They are independent of any Government aid. They have made their own roads. There is more roads dug by the people themselves in the Naga Hills than anywhere else in Assam.

Mr. CHAIRMAN: All people make their village roads, but that is very good, and the aim of the Naga National Council is said to be to take the entire administration of Nagas. You do not want a co-ordinated activity to be performed by this Naga Council in respect of those things which the Tribal Councils are doing ?

A. That will have to be taken by the Tribal and Sub-Tribal Councils.

Mr. CHAIRMAN: Have you any franchise in the matter of present elections to the Naga Tribal Councils ?

A. Any body can vote.

Q. Is the voting by adult franchise or by certain village organizations ?

A. By village organizations, mainly.

Q. There must be a village body also ?

A. The village body is set up by the entire people. There is not a single man who is a member of the Naga National Council who has asked for vote like in other countries. They have been duly elected, and not a single man among the Nagas has asked for vote.

Mr. ALIBA IMTI: It is not in the real sense a village council. We have to send all the persons to the Sub-Tribal Council and five villages usually form a Sub-Tribal Council or one man is sent from each village and they have a public meeting. All the village people are collected in some place and discuss as to whom they shall send to the Sub-Tribal Council.

Mr. CHAIRMAN: The Gandhian ideal is to have the whole thing by indirect election just as you are having. His ideal is that a people in a particular area would together form a panchayat and ultimately the whole head of the administration will be elected by that process of indirect election where all the people get the chance of voting in the beginning.

Your Naga National Council took up a different attitude regarding the whole question of constitutional development in August 1946. Is that a fact ?

A. Yes.

Mr. CHAIRMAN : I have got a copy of the Times of Kohima to which I am referring. I am reading from page 3 of the Times of Kohima August 1946. "The Memorandum drafted by the Members of the Naga National Council and approved by the General Meeting at Wokha containing 4 clauses concerning the future position of the Naga Hills has been submitted to the representatives of H.M.G. by the Naga National Council". Was that done ?

A. Yes.

Q. "This Naga National Council stands for the solidarity of all the Naga tribes including those of the un-administered area." This is one of the resolutions adopted therein and forwarded to H.M.G. There is also another resolution which runs like this : "This Council strongly protests against the grouping of Assam with Bengal."

A. Yes.

Q. The third resolution is : "The Naga Hills should be constitutionally included in an autonomous Assam in a free India with local autonomy and due safeguards for the interests of Nagas." The fourth resolution is "The Naga tribes should have a separate electorate". This was passed on the 19th June 1945 and it was signed by T. C. Sakhrie, Secretary. I suppose this is correct ? Your present attitude is surely different from that which was adopted at Wokha Council. You have now taken just a little go-ahead attitude. How was this change effected ?

A. When we passed the resolutions we were thinking of autonomous Assam and of a free India, I mean a united India. But developments in India have taken different shapes and we cannot remain waiting for Assam or India. So we have taken decisions on different lines. That is the reason for this change.

Q. You think that the autonomous Assam will not be now ?

A. We cannot wait. We do not see what its position will be and also of a United India.

Q. You said free India, you did not say United India.

A. By free India we mean United India.

Q. Do you or do you not agree that the powers that you have sought for in the Naga National Council are the same as you had demanded in your resolution of 19th June at Wokha ?

A. We can only say that it has taken a different shape.

Q. Are there other reasons also ? Mr. Kevichusa has stated that they would not wait to see the fructification of an autonomous Assam. Secondly it is also not known whether free India will be a united India and the Naga National Council could not wait, till then and therefore they have adopted the present attitude. Is that the only reason for this present change ? Are there other reasons also ?

A. There may be many reasons, but the most important reason is that the Naga people want to take the present stand. The Naga people have changed their mind and want to take their present stand. That is the will of the Nagas.

Q. In regard to the other resolutions I think you stand by that.

A. We stand by the first two resolutions.

Q. With regard to the third resolution that the Naga tribes should have a separate electorate, you do not think it is necessary at all?

A. No.

THE HON'BLE REV. J. J. M. NICHOLS ROY : In regard to the question of the relation of the Naga people with the province of Assam I want to know in case the Province of Assam is an autonomous province do you want to have connection with the Province of Assam or not?

A. Of course we are bound to have relations with our neighbours through negotiation. The Naga people are pressing for the demand and the Naga people will be very good neighbours of Assam. I think you can say that.

Mr. CHAIRMAN : That does not mean anything. Supposing Assam becomes autonomous the question arises whether you would like to be connected with the Legislature of Assam, with the services in Assam and many other things.

A. That has to be decided at the end of the ten year interim Government.

Mr. CHAIRMAN : What do you want now?

A. From now until that ten years, we are standing by the Memorandum. That answer, I think, is found in the Memorandum.

HON'BLE REV. J. J. M. NICHOLS ROY : We do not understand your Memorandum. That is the reason why we want to get these specifically from you whether you want or not to be connected with the Provincial Legislature.

A. No.

HON'BLE REV. J. J. M. NICHOLS ROY : It is already given there that the Interim Government of the Nagas will have some sort of connection with the guardian power. What is that connection? Would you not have connection with the legislature? Supposing the guardian power is the Government of Assam and supposing it has been decided by the Government of India that the guardian power will be the Government of Assam, whether you want to have connection with the Provincial legislature or not?

A. That will come after negotiation and at a later stage as far as we can see it. That will be the time when the Naga people are given their demand.

Q. The demand is to get a guardian and supposing that guardian has been decided to be the Provincial Government. Can you tell us what kind of constitution or relationship you will have with that Provincial Government or with that guardian?

A. We are not going into the constitution of Naga Hills right now and until we the Nagas are given our demand, we cannot anticipate anything.

Mr. CHAIRMAN : Mr. Ramadhyani explained to you as to what extent your demand will be considered or not is also to be enquired by us. That is the reason why we have been taking your time and taking our time also.

SECRETARY : The question is that now you have said of course that there should be a guardian power, the question asked is whether you want to have a representative of yours in the Provincial Legislature who will be able to negotiate or represent your case with the Provincial Government. That is the question.

A. The position is that when we know who the guardian is going to be we will be ready to enter into negotiation with him first and before that we cannot enter into negotiation with any other.

SECRETARY : The question is whether you would like to have elected representatives of yours in the Provincial Legislature or any other legislature which will be the guardian power to represent your interests and to negotiate. It is not a question of starting negotiations, but who will carry out those negotiations or representations ?

A. The Nagas will represent their case in the Naga Interim Government Legislature and not with the guardian state or in any other.

SECRETARY : There must be somebody to represent your interests.

A. When we know who our guardian is then only we can enter into negotiation and until then we cannot say anything.

Mr. CHAIRMAN : The British Government are going to leave India and it is left to the Constituent Assembly to decide how India and the parts of it will be governed, unless of course it is in your mind that what the British say are all false propaganda, that is, we have not understood the British Government, we have taken them for what they have said. Unless you are not prepared to believe them you have got to assume that your guardian will be India and that guardian is wanting through the Constituent Assembly to know what are your wishes and how you will be connected with the Government of India. If it is in your mind that the Government of India will not be able to function at all, if it is in your mind that the Muslim League possibly will have separate partition, it is all right. I cannot as a matter of fact explain it otherwise. It seems to be that on the basis of such calculations you have got to say something to us so that we can say to the Government of India that this is what they want and this is the position. If you do not want to talk at all, then it comes to this, that there is no particular object you can tell to your guardian.

SECRETARY : The point is this. You have mentioned something about the guardian power. Surely, it is within your competence to express your views as to who that guardian should be also. Please do not forget that you cannot say that you entrust it to some unknown power or foreign power to say who your guardian should be. It is

for you also to express your views as to who your guardian should be: You can express first who your guardian shall be and then you can say which person or representative of yours shall negotiate with that guardian. Please do not leave it entirely for them to decide who your guardian should be.

A. When the legislative enactments of the guardian power are not going to bind the Interim Government of the Naga people, will it be of any use to have our representatives in that legislative council or assembly ?

Mr. CHAIRMAN : You have to tell how you shall be represented in the provincial legislature or whatever that might be for the purpose of exercising the wardship and negotiating with your guardian. Before coming to that question, would you express your views on who your guardian should be?

A. Our people should have to know whether you have the power to decide concerning our demand.

Mr. CHAIRMAN : We can only report. It is through us that the Constituent Assembly, which will determine the future, shall know about your conditions. We are the reporting authority. We have been sent by the Constituent Assembly. The Constituent Assembly is the power that will make the constitution for India including all the Excluded Areas. Therefore, we have the power to report regarding these areas.

WITNESSES : Whether this Constituent Assembly is for the present Government or the future Government ?

Mr. CHAIRMAN : We are dealing with the future Government. At present they are making changes ; but the final changes will come with the going of the British, which must be before June 1948, if they have got to be believed. We would be simply running in a vicious circle. If you say we shall talk only when the thing will come, we shall have to say unless we are in a position to report the whole thing, we shall have to report something and the Government of India may do what they think best in the circumstances.

A. Regarding guardianship, we have addressed a memorandum to His Majesty's Government and the Government of India. To press us to say who is to be our guardian, would be unreasonable.

SECRETARY : We want you to have a free choice. You are willing to send a memorandum to somebody and to have that somebody decide arbitrarily who your guardian power is going to be. In other words, do I take it that you will abide by the decision of His Majesty's Government and the Government of India regarding the guardianship ?

A. We have left it to them.

SECRETARY : You are content to abide by their decision whatever their decision be ?

A. Since we have addressed our memorandum to two powers, we are not yet definite which will come forward to be our guardian. It is hard for us to say it now.

THE HON'BLE REV. J. J. M. NICHOLS ROY : We consider that the declaration of His Majesty's Government has already been made not only regarding some parts of India, but regarding all India including the Excluded areas and also the Tribal Areas. All that falls within the power of the Constituent Assembly. The Constituent Assembly is therefore the guardian of the whole of India; is the guardian of the Naga Hills and other Hills areas and that guardian has deputed an Advisory Committee and a Sub Committee of that Advisory Committee to enquire into these affairs what they think should be. If you do not want to speak, then it becomes very difficult for us to say what you want.

A. For one thing, the demand which is now being made by the N. N. C. is something which is not within the declaration that we find in the State Paper. It is outside that.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you mean to say that your Excluded Area is not included in the State Paper ?

SECRETARY : Even assuming that your demand is outside the State Paper, are you going completely to surrender your liberty to express your views as to who should be your guardian power ?

A. We have addressed the memorandum to His Majesty's Government and the Government of India. So much we can say at present.

Mr. CHAIRMAN : That means that you are not willing to express your opinion who your guardian should be or even express an opinion, which tentatively you can express. You are not prepared to say anything regarding your relationship with the provincial legislature; what you think about somebody looking after you from the provincial ministry or some kind of an advisory body for the purpose of seeing that the things which would be beneficial to you are actually put into effect before the actual machinery which will govern you is set up. You are not prepared to say also anything about your participation in the provincial services. Is that the position ?

I would again repeat to you. We have been appointed by the Constituent Assembly who have to frame the constitution of all parts of India including the Excluded Areas as well as the Tribal Areas and to suggest the form of constitution that may be made. We wanted your opinion about how you would like actually to govern yourselves. Except giving us a very broad idea that the Naga land should belong to the Naga people and that the Naga people will be governed by them in their own land, you have not given us any idea of there relationship. You have spoken about the guardian. You are not prepared to name who that guardian should be according to your wish and you do not also want to discuss what your relationship with that guardian should be. In such circumstances, the only thing we can report is what you have told us and it is for the Government of India and the Constituent Assembly to do as they think best. It may be that I am not prepared to anticipate what they will do or what they may not do. It may be that things will continue just as they are till possibly you are in a better position to speak out your mind. If you have no objection, things

will continue just as they are going on. Instead of a British Officer there will be an Indian officer.

A. As regards our relationship with the legislature of the guardian, you ask us whether you like to have representation. We are definitely of opinion that we will have full powers in respect of legislation, executive and judiciary. We do not want any outside legislative power.

MR. CHAIRMAN : Then, let that be said so.

There are certain subjects in which you cannot stand isolated however much you may wish. For defence purposes, the road from here to Manipur Road shall have to remain in charge of not the Nagas alone, but in the hands of an authority who shall be able to take the whole thing. Take the case of education. Do you think that you will have at any time as much revenues for the purpose of spreading higher technical education. You shall have to be thinking in terms of co-operation with certain other bodies. My point is this that there are certain things in which you will require a friendly neighbour to be going along with.

What would have been a better view was that when the question of expenditure would come before the higher body or guardian, for example, you should have a voice to say that this amount is necessary for protection, for the education of the people and therefore this money should be found. You should be in a position at any rate to create some kind of pressure on the provincial Government in order to do it.

You should have also seen that a Minister from these areas which actually require protection should have been there in order to see that this is done actually. That is what we thought we came to enquire into, whether you have any idea in your mind at all.

The main question is that today, however much you may think to be completely isolated, you cannot afford to do that. This is what I feel myself.

Assam is composed of one crore of people excluding the Excluded Areas and the States. Tomorrow, if I become isolated from other parts of the world, I shall try to cultivate friendly feelings with my neighbours and do all that is possible to cultivate friendly feelings. But if the Bengal people, for example, think that they should invade and take possession of Assam, how can one crore of men stand against six crores. Therefore, I must stand in relation with the Centre or somebody with whom I shall co-operate and live together, for my own safety. In that, we shall have to be prepared to pay a certain revenue to the Centre. Take the question of the military. I do not as such believe in force. I believe in love and friendship more than force. The world believes in force. Now supposing, as I said just now, some people come from outside and want to attack, I may require the use of the military just as you are doing. I must be prepared to pay for it. This is a thing which is inevitable. Therefore, I said to you in the opening remarks that these matters you have got to consider. When I consider you are my part, I also consider for you. Therefore, there are certain things in which you will have to be related to India.

You have already agreed that defence should be with the Government of India, if Government of India is the guardian power. You have admitted that there are certain other things also in which you can act with the Provincial Government more to your benefit. This is my humble opinion in respect of practically all the tribal areas which I have found, that on account of the conditions in the tribal areas, they cannot develop to the extent they would like to do unless they are related with a higher people. Therefore, these questions we wanted to put to you. You think that you do not want to say anything. I have already noted that you would not like to speak in regard to the broad points I have already stated and I must leave it to the Government of India and the Constituent Assembly to do as they think best.

SECRETARY : The immediate point you will have to consider regarding legislation and other things is like this. You have spoken of your wanting to have all legislative power. We will discuss that. But we are talking at the moment of your financial interests and the question of representation. When you take this question up to, let us say, the Assam provincial legislature, it is going to be passed by the vote of the representatives of the different areas. In the budget we will have to insert a certain amount as earmarked for the Naga Hills, or may be Lushai Hills or some other area. The question naturally will be as to the actual amount which is earmarked for the area. The representatives of other areas will certainly want to know why such and such an amount has been earmarked and is it not too much or too little. You will want somebody there from your side to be able to stand up and say, look here, this is our demand, this is our need, we want so much for such and such purposes. If, on the other hand, you will have no representative in the Assam Legislature, the other persons may very well say why has so much amount been earmarked. They will want to know the reasons and discuss the actual amount. This is how the legislature will function. You have to consider whether to put forward your case for a particular sum of money you should have a representative or a number of representatives there or not. That is the point.

(Certain members of the Council at this stage said that they would like to discuss the questions among themselves).

THE HON'BLE REV. J. J. M. NICHOLS ROY : I want to add this. You know the constitution of India will be made very soon. We have been told that we must give our report very quickly and probably about the month of October, the constitution of India will be finished. Therefore it is very important that you should decide and consider whether you want to have any connection with Assam. If you do not want to have any connection, the Government of India may leave it to the Constituent Assembly and then leave it to our hands to decide. That is not what we want. We want something which will be according to your demand.

I want to say this. There will be your own executive; and your local council, the Naga National Council. There will be no doubt your own legislature also. There will be your own judiciary. But that will not be enough. You will have to be connected with some other

power either with the Central Government or the provincial Government. You are too far away from the Central Government to be connected only with that. The Central Government must work through the provincial Government at least indirectly to you. Here is a high way of India. The Central Government gives all the money, but the Central Government does not work by themselves. The Assam P. W. D. gets 10 per cent. of that money to administer this, to maintain these roads. Therefore, even if there be any connection with the Central Government that Central Government will work through the provincial Government. Therefore it is most advantageous for your own selves to have connection with the provincial Government.

In the future, most probably there will be an elected Governor for Assam and all the provinces of India and these Governors will have to work through the legislature. Whatever amount of money will be spent on any area will be controlled by the legislature. The legislature will say why spend so much money for the Naga Hills. It must be willing to spend, otherwise you will have no money. "Why give so much to the Naga Hills if they do not want to be connected with us?" will be the question which will be discussed in the legislature. If you are silent on this matter, you leave your fate into the hands of somebody else to decide about you.

The position will be very very clear to you. His Majesty's Government has already made statements again and again that they are going to give over the administration to India. This Constituent Assembly has been formed and the Constituent Assembly is the real ruling power that will frame the constitution for India and Excluded Areas are included. Some kind of constitution will have to be made for the Excluded Areas and for the Naga Hills. Whether you want to have it in that way or not, or whether you want to have any connection or not with the provincial Government, it is for you now to say and declare what you want. Otherwise you leave your fate in the hands of other people altogether.

Mr. CHAIRMAN: We shall now adjourn till 3 P.M. If you think again whether you should answer these questions, I suppose it will be better to take this tomorrow morning. If you do not want to discuss these things, tell us.

Mr. L. LUNGALONG: It will not be necessary for us to discuss any further.

Mr. CHAIRMAN: At any rate, if you want to discuss, we shall take up tomorrow morning so that you can get time to think about it. In the meantime, we propose to take up the Dimapur Tribal Council, the Gorkha League and other Tribal Councils.

The Committee adjourned for lunch till 3 P.M.

3 P.M. The Committee resumed sitting.

Mr. CHAIRMAN: We shall now proceed with the Dimapur Tribal Council. Who is going to represent them?

M/S M. MUNENAGEN MECH AND R. C. BORAH: The Deputy Commissioner, Naga Hills intimated to us to come here and give evidence before the Advisory Sub-Committee of Kohima regarding our future. We have considered about our future and we are presenting a memorandum- (At this stage presents a memorandum).

We convened a meeting and we are submitting this representation according to the decision of that meeting. After having received an intimation from the Deputy Commissioner on the 14th May we had a meeting of the people of Dimapur. In that meeting we decided to submit memorandum which we have submitted to you. The tribal people desire that they and their territories, etc., be included in Assam as their ethnological, geographical, historical and cultural affinity demand them to keep so united. (Then reads the memorandum).

We shall be prepared to remain with the Naga National Council if the advantages which the Naga National Council are demanding for the Nagas are also extended to us and secondly if the Naga National Council maintains relationship with the Province and the Centre in the manner we have demanded in our Memorandum.

WITNESSES: According to us, this is essential. The N. N. C. cannot represent people who live in the Naga Hills other than the Nagas. Therefore we should like that the name should be changed into "Naga Hills Peoples Council", instead of Naga National Council.

Our manners and customs and mode of life are different from those of the people of the plains. We are as strongly of opinion for the protection of the lands for the people of the Hills.

Our Union represents Garos, Mikirs, two classes of Cacharis, Dimasa and Mech as well as some other people also. The British administration has wrongly included Dimapur within the Naga Hills District. About 2,000 people live in Dimapur. The population will be more if the area of Danasiri is included. The people of Danasiri have expressed their desire to be with us some time before, because the majority of the population will be Cacharis.

To Mr. ALIBA IMTI: Our organisation started from 1946. We had twice attended the Kohima Central Council; but we could not understand the language as the language spoken was Angami. This is the first time that we have received invitation from the N. N. C. Before that we did not receive any invitation.

To Mr. KHELHOSHE: We were not questioned anything and therefore we did not say anything.

MR. KEZHEHOL: Do you know that the Kohima Central Council consists of different tribes speaking different languages and that meetings are usually conducted in broken Assamese?

A. There may be very many tribes of Nagas; but I do not know of any among Cacharis living in the plains.

It is only under the British rule that Dimapur has been included in the Naga Hills District. Formerly we used to have our own independent Government under our Rulers.

Our position is that as men of the plains, we wish to be with the people of Assam, wish to be in the Constituent Assembly and shall, with reservation of seats, carry on our relationship with the Province and India.

THE NORTH EAST FRONTIER TRIBAL AREAS & ASSAM EXCLUDED AND
PARTIALLY EXCLUDED AREAS SUB-COMMITTEE.

Camp Kohima, the 20th May 1947.

Notes of evidence given by the Gorkhas and other Domiciled People's Union.

Names of Witnesses.—

1. Mr. Hari Prashad Rai
2. Mr. Dhan Bahadur Sonar
3. Mr. Govinda Chandra Paira
4. Mr. Santabir Rana
5. Mr. Serbahadur Chattri
6. Mr. Tobe Sonar
7. Mr. Agam Singh Domai
8. Mr. Dhanpati Rai
9. Mr. Lal Bahadur Thapa
10. Mr. Ambar Singh Chittu.

(Mr. Hari Prashad Rai was the Chief Spokesman).

We speak on behalf of the Gorkhas as well as other people who are domiciled in the Naga Hills. There are about 3,000 Gorkhas and 3,000 other people. We are living in all parts of the Naga Hills.

The witnesses present a memorandum (Annexure B).

Mr. CHAIRMAN : You have stated in paragraph 9 that any law or act passed by the local or the provincial legislature may not be applied either in part or as a whole on the peoples without the consent of this Union. What do you mean by "Union" ?

A. The Gorkhas and other Domiciled People's Union.

Mr. CHAIRMAN : Your idea is that you want separate representation in the Naga Hills Union. Could you not come within the Naga National Council ?

A. We can come under that Council ; but we must have our distinct representation in the N. N. C. and in the Assam legislature.

Mr. CHAIRMAN : What do you mean by distinct representation ?

A. A seat should be reserved for the domiciled people in the N. N. C. as well as in the Assam Legislature.

Mr. CHAIRMAN : 5,000 is a small population.

WITNESSES : But it is a minority.

Mr. CHAIRMAN : What is your point of view when you say that you want representation in the provincial legislature ? Your idea is that you must be connected with the provincial legislature ?

A. Yes.

Mr. CHAIRMAN : And the Central Union also ?

A. That will automatically come.

Mr. CHAIRMAN : Supposing the N. N. C. decides not to go to the province, what would be your attitude ?

A. We are Indian citizens. We have been thinking that Nagas are also Indian citizens. I cannot understand the question.

Mr. CHAIRMAN : You do not think that without some kind of separate representation in the N. N. C. your interests are not likely to be safeguarded. Is that your-idea ?

A. Yes, so far as the local administration of the Naga area is concerned.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Will it be better for you to be there in the N. N. C. where you will be probably overruled by a majority or will you rather demand a special kind of protection for yourself inside the Naga Hills ?

(Further explaining the question)

The question is—is it your fear that if you come into the N. N. C. without reservation, your interests cannot be safeguarded ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing you are there, you will be only one in a council of 20. Do you think one person will be able to safeguard your interest ?

A. There is the Assam legislature over them.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Then you do not want any special kind of protection besides that and if the provincial Government are prepared to consider the special case of people like you, you are not afraid of coming into the N. N. C.

A. Yes.

Mr. ALIBA IMTI : You want reservation of seat in the N. N. C. ?

A. Yes.

Mr. ALIBA IMTI : You think that you are citizens of India. Suppose the Nagas say that they are not Indians and are separated, what will be your position ?

A. We are Indian citizens. There are Indian citizens in Japan. We believe in the Indian Union. It will be safeguarding our interests in an alien land.

Among domiciled people there are Cacharis also. In Kohima, even if he be a pakka Assamese, he becomes domiciled here.

THE NORTH EAST FRONTIER TRIBAL AREAS AND ASSAM EXCLUDED AND PARTIALLY EXCLUDED AREAS SUB-COMMITTEE.

Camp Kohima, the 20th May 1947.

Notes of evidence given by the Kukis.

Names of witnesses.

1. Mr. Pauchung
2. Mr. Lalsei

3. Mr. Chung Khusu
4. Mr. Hem Khiyang
5. Mr. Dinglong
6. Mr. Semlang.

The lands which formerly belonged to us have now been taken in possession of by the Nagas. We are the original inhabitants of this place from before the British came. We were born here. Our land has been taken away by the Kacha Nagas saying that we have no land of our own. We do not get land for jhuming even. There are over 3,000 kukis.

If we are kept in possession of the land, we have no objection to remain with the N. N. C.

We have petitioned to the D. C. and given a copy to the N. N. C. Up to date nothing has been done. We have given also a copy to the tribal council at Kohima.

Attempts have been made to combine the Kacha, Nagas and Kukis but till now we have not been able to come to any settlement. We want a separate Sub Tribal Council and we shall join with the N. N. C.

The Sub-Committee then adjourned till 9 A. M. on 21st May 1947.

The Advisory Sub-Committee of the North East Frontier and Tribal Areas met in the Dak Bungalow at Kohima at 10 A. M. on 21st May, 1947

Interview of Sardar Bahadur Balbahadur Gurung, O. B. E. King's and Indian Police Medalist.

Q. You are a Subedar Major ? What battalion do you belong?

A. Yes. Of the 3rd Assam Rifles.

The following statement was made by the Subedar Major in reply to various questions:—

I have been here for the last 32 years. I started here as a sepoy. I was subsequently promoted to my present rank. Since the beginning of career I have been here. The following tribes are living outside the administered area to the best of my knowledge:—

Tangkhum, Somra, Leshi, Eastern Angami, Sema, Sangtam, Chang Kulikenyu and Konyak.

I went into all these areas and went as far as Burma. Beyond the borders there are many tribes some with tufts on their sides and some with tufts on the back of their heads and some naked completely. As many different tribes as I have named there are different languages. These tribes are in constant warfare with one another. Within even a single tribe there may be quarrels between villages. They carry the feelings of enmity from father to son and

from son to grandson and so on. I am speaking of this from my experience of these tribes when we went out on an expedition. It is difficult for me to say that they have every similarity to the tribes like the Angamis, Aos, in view of the fact that they live so far away from one another and they have very little contact with them. From enquiries made from the old people some of these tribes have never been across even their village boundaries. Their areas are demarcated by distinct boundaries. It happens that the younger people of one village attacks another village for the purpose of taking 'heads'. To take enemy heads is a matter of great honour and they alone are entitled to put certain ornamental decorations who have taken the heads from their enemies. The Sema and Konyaks are yet principally headhunters.

The Changes are already beginning to give up this habit. The mode of life of these various tribes are different in different places. They all have cultivation. They have cultivation principally in rice and millet in jhums. Wheat and rice are their principal food but some of them have also cultivation particularly in yam. Within the village itself they live amicably. In the villages the stronger man always carries obedience of the people of the village, but they have also certain elders who possibly guide the affairs of the village. In all cases of external relations it is always the strong man who counts.

I was present at the Battle of Kohima. It is difficult to say definitely whether the tribes in the administered area and outside it have stores of ammunition collected from the battle-field. But it is certainly likely that they have some accumulations. When the British power is withdrawn next year, it is possible that there may be some small disturbances in isolated localities, but it is unlikely that there will be anything on a large scale. If the rail and road communications remain as they are the present strength of Assam Rifles may be sufficient as reinforcements can be received. If relations with Burma and South East China are normal, there is no possibility of arms being smuggled to these tribes. People from these tribes occasionally come to controlled area, but I know of no occasions when they have come to administered areas. They some times come to controlled areas, but I have known of no occasions when they did so.

It is unlikely that automatic weapons which require a lot of mechanical knowledge are of any use to the tribes even if they have picked up a few.

THE NORTH EAST FRONTIER TRIBAL AREAS AND ASSAM EXCLUDED
AND PARTIALLY EXCLUDED AREAS SUB COMMITTEE.

Camp Kohima the, 21st May, 1947.

Notes of evidence given by Mr. Kevichusa, Senior Extra Assistant Commissioner.

I have been serving in Kohima for the last five years now. I have a total service of 21 years. Before coming to Kohima, I was serving in the Plains. Once I was here temporarily for about 6 months as S. D. C. I began as S. D. C.

(Presents a statement of receipts and expenditure and promises to give a copy of the statement containing the totals under the main heads and grand totals.)

My functions are both executive and judicial. I am the senior assistant of the D. C. and so all functions performed by him are performed by me as well under his supervision. In his absence, I perform the D.C.'s duties.

Here also a system of Supply Department is functioning in the same way as they are doing in the plains, but not so elaborate. I am mainly in charge of this. I am assisted by one assistant. There is no special staff.

The total charges of temporary establishment and temporary allowances come to Rs. 184,970. We have some temporary interpreters employed as chaprassis. This amount represents mainly the charges on account of the temporary interpreters and war time allowances. The services of the temporary interpreters will be terminated when things return to normal.

If as a result of the Pay Commission's recommendations the other provinces raise the salaries of their employees, it shall have to be done here also.

The expenditure Rs. 109,875 refers only to repairs of civil buildings and communications and does not include expenditure on P. W. D.

Q. What are the P. W. D. roads that fall within the Naga Hills ?

A. I do not know. There is the road from Manipur Road to Mao. Recently they have taken a portion of the Bogajan road. They began from both ends, but they did not connect. A portion of the unfinished road has been taken up by the P. W. D. That was started during the war. The army started it. There are P. W. D. buildings. Most of them have not come up yet. All were destroyed during the war. There are temporary buildings now. There are Inspection Houses on the main road.

The statement contains all the expenditure incurred.

SECRETARY : Is it a fact that a certain village returned the annual present of blankets this year ?

A. I am not aware of that. I shall enquire and give you the information.

Questioned regarding the budget statement :

The expenditure in previous years was much the same. Besides the temporary establishment, this is the normal expenditure in the Naga Hills.

Pay of Gazetted Officers includes the D. C. but not the military men. This statement does not include the cost of the military, the 3rd Assam Rifles. One battalion is stationed here. Their normal strength is 800 men. Its cost is not shown in this budget. The expenditure will be equal to the expenditure on the whole District about 7 lakhs.

Some portion of the forest revenue is also credited in the Jorhat treasury. We have not got the figures.

We have a police force. The receipt on the police side was on account of the police guards supplied to I. T. A. Apparently this will discontinue. These were supplied in war time.

Regarding the royalty on coal, there is the Nazira Coal Co., Ltd. The managing agents are Shaw Wallace & Co. They are here for quite a long time, that is more than 20 years. The revenue was not more in previous years. They produce about 20,000 tons and at 4 annas per ton, they would pay Rs. 5,000. The royalty has been increased to 8 annas a ton. If the rate of 8 annas continues, then it will be more than this. This figure in the statement was calculated on the 4 annas rate.

Mr. ALIBA IMTI : While I was at Silchar, somebody asked me that some people are receiving daggers from Manipur. Do they pass through the Naga Hills ? Do the police check it ?

A. The police are authorised to check and they could seize unauthorised weapons. The police have seized some ammunition which was carried. The Cacharis are the next neighbours of Manipur and they could send them from that place. It is a mere conjecture that they pass through the main road.

The Advisory Sub Committee of the North East Frontier and Tribal Areas reassembled in the School Hall at Kohima at 10-40. A. M. on 21st May, 1947.

Mr. CHAIRMAN : Friends yesterday just as we left I received this letter which I am going to read to you. This letter, of course, was in response to what I had stated to you in the meeting as to whether you would be prepared to further consider the question of further discussions in reference to your future.

“I am directed by the Naga National Council to inform you that in regard to the statement of the Memorandum of the case, the Naga National Council have left the decision to the Guardian power and H. M. G. and the Government of India. In view of this decision, it is left to the Sub-Committee to decide if any further meeting with the Naga National Council is necessary.”

We received this letter while at tea yesterday and the letter has left the Sub-Committee to decide if any further meeting with the Naga National Council is necessary. We thought that we should yet meet you and tell you the view point of the Sub-Committee. I have requested our Secretary, Mr. Ramadhyani, to speak to you about them. If you consider that any further discussion is needed and if you are in a position to elucidate further your view points, we shall be glad to discuss them. On the other hand if you do not think it necessary to do anything, we will adjourn this discussion and will be expecting to receive further elucidation from you some time before the first part of June. The Secretary will now explain to you our view points.

SECRETARY : Gentlemen, the Chairman has just read out a letter received from the Naga National Council to you. This contains two points. One is that the choice of the guardian power referred to in your Memorandum has been left to H. M. G. and the Government of India. This point

was actually mentioned to us yesterday during our meeting. The other point is that it is left to the Sub-Committee in view of this decision to decide if any further meeting with the Naga National Council is necessary. The second point really makes it appear to us as if the Naga National Council does not want to discuss anything further, but it is a matter for the Sub-Committee if it wants to do so. I believe this is not the correct intention of the N. N. C. I believe there are certain matters at least which you would like to discuss further. In any case, it is my intention to explain certain points arising out of this matter to you and then leave it to your further decision whether you will carry on your discussions or not, as the Honourable Chairman has already indicated.

The first point I would make is that in all the communications received from you and the discussions we have had with you so far, it has been clear that some changes have been taking place in your mind from time to time. It also seems to me that in submitting a memorandum and leaving it to the choice of the guardian power you have not explained to the authority to whom you have addressed this memorandum why they should reconsider or reopen a matter which has already been settled. To explain this, I should like to state certain facts. When the Cabinet Mission visited India last year, a memorandum was sent to the Cabinet Mission containing certain resolutions of the N. N. C. These resolutions of the N. N. C. in broad outline approved of the Cabinet Mission's plan and protested only against the proposed grouping of Assam with Bengal. Later on, when the Honourable the Premier of Assam visited you last year, I think the position and attitude and view communicated then, were also practically the same as held at the time of the Wokha resolution. I believe that subsequently the Governor of Assam, Sir Andrew Clow, visited this area and gave certain advice also. The advice given by him was in accordance with the Wokha resolution and recommended to you that your future lay with the rest of India and Assam.

Towards the end of February, a memorandum was sent by you to His Majesty's Government which was called an appeal to His Majesty's Government and the Government of India. This memorandum contains certain ideas and proposals which were different altogether from the point contained in the Wokha resolution. But no reasons for the change in the proposals or in the aspirations were given in the memorandum. Thus His Majesty's Government and the Government of India will be quite unable to follow why this change of attitude has been adopted. The facts and information contained in the memorandum regarding the Naga Tribes and Naga country were known to you even when you passed this Wokha resolution and no new matter has been brought in. Yesterday, an explanation why the attitude was changed was attempted to be given. This explanation appears to be something which has been considered after the memorandum has been sent up, because it is not stated in it. It is not even now a fact that the Cabinet Mission's proposals are in any way altered. You cannot therefore assume until anything definite has emerged that any other alteration on the assumption that these proposals will be altered, can be made now. In any case, you will have to consider

the effect of all these changes and new ideas upon other people's minds. The facts I have given to you now may make people think that even now you might come and say something which you may not stick to later on. This, I am sure, is not what exactly you mean. But I am telling you what effect, what impression, it will convey to other people. Now I want you to consider that point carefully.

The next point I want you to consider is the fact that in the appeal you have sent up to His Majesty's Government you have not indicated the reason why any different kind of action should be taken or any kind of even a definite reply can be given. Since you have not given any clear reason for a change in the attitude, nor any sufficient material for a reply, it is difficult for His Majesty's Government or anybody to give a reply to you. At present, the original proposals made by the Cabinet Mission still hold the field. In these proposals it has been made clear that your future relations are bound up with those of India and Assam. Sir Andrew Clow has also made this point clear. Sir Andrew Clow has now gone to England. In a matter like this, if any advice is to be sought, by His Majesty's Government, they will possibly consult Sir Andrew Clow who has recently left this country. In this memorandum and in the subsequent reply you have given to us regarding the meaning of it you have stated that the choice of the guardian power is left to His Majesty's Government or the Government of India. I do not believe that you want any guardian power outside India to be your guardian. Therefore, the basis for discussion still is what your relations will be with Assam and the Government of India. If you wish to carry the discussion further, it must be on that basis. The other basis is that you have still to provide material for a decision regarding the memorandum you have submitted. That material should now be provided to the Committee which is working on the basis of the Cabinet Mission's statement. Yesterday, it was stated that your future relations with Assam will be the best. I believe that is so. But you must see that such action as you take, such proposals as you make, do not arise any kind of distrust in your proposals in other people's minds. Once any such distrust or fear is aroused, we cannot argue matters frankly; we cannot discuss these matters frankly with you.

The reply you have given again saying that you are awaiting something in reply to your memorandum still seems to indicate some kind of unwillingness to discuss matters fully and cordially. I believe that is not your view again. I would request you therefore to consider and clarify your own attitude now and if you wish to discuss further let it be on a frank and cordial basis.

Thank you.

Mr. CHAIRMAN (addressing Mr. Longri Langjetba) : I must congratulate you on the translation you have done. You have expressed the ideas very well.

You have heard all that we had to say. If you have anything to discuss, please speak out.

Mr. LONGRI LANGJETBA : So far as I can see the choice of the guardian, the decision of the Naga National Council will stand but apart from that the Naga people have no idea how the talk will proceed. Unless

you begin the discussion. We have no idea of how to start the discussion apart from the point, unless you bring some questions for discussion.

Mr. CHAIRMAN : We have stated that who should be the guardian power should be determined by the H. M. G. and the Government of India.

Mr. ALIBA IMTI : Is it possible under the power of the Sub-Committee to have a meeting in the afternoon some time. We shall dissolve the meeting immediately and if the Members agree the Naga National Council will again meet.

Mr. CHAIRMAN : If you want to do it, I have no objection. This comes in against many of our engagements. Anyway if you want to sit at 2 to 4, you can carry on.

Mr. LONGRI LANGJETBA : We are willing to carry on as we are now.

Mr. CHAIRMAN : I was just trying to explain to you certain things so that you could discuss them if you wanted to discuss it again. What I was trying to explain to you was in what way you have got to think and if you could give any reply on what I was speaking. If you could give no reply immediately, then you might take time and give your reply say after 2 o'clock. The first point that I was asking you was this. Of course you have made it clear in your letter itself that the choice of the guardian power has been left to H. M. G. and the Government of India.

A. We have already stated that in our points yesterday.

Mr. CHAIRMAN : You say that who will be your guardian power will be determined by the British Government and the Government of India. Now the next question is whether you are also agreed that the British Government and the Government of India should determine the relationship between you and the guardian power. Will you not give that power to the British Government or the Government of India as you have said ? You want merely the British Government or the Government of India to say that this will be the relationship between the guardian power and the Naga National Council.

Mr. LONGRI LANGJETBA : I would rather think that the terms of relationship that is proposed either by the Government of India or the British Government must be acceptable to the Nagas. That will be difficult and will centre round these four points.

Mr. CHAIRMAN : Whatever the relationship the guardian power can be settled without reference to you ?

Mr. MAYANGNOKCHA : I would suggest that a list of questions be put up and we shall have them discussed.

SECRETARY : The question is are you prepared to accept the decision of H. M. G. and the Government of India as to who is the guardian. You are.

Mr. LUNGALONG : The choice of the guardian power for the Naga people is left to the Government of India and H. M. G. That has already been stated in the notes submitted by our Secretary. The second point is regarding the relationship between the Naga people and the guardian an-

this will centre round on the memorandum and the four points given yesterday and if anything more is required that will be done by negotiation between the guardian power and the Naga people.

Mr. CHAIRMAN: I want to further clarify regarding the appointment of guardian power but the Government of India and the H. M. G. are the final authority and you have nothing to say in that matter.

A. Yes. As to who should be the guardian power it is to be appointed by the Government of India and the H. M. G. as they think best.

Mr. CHAIRMAN: Then you say that the relationship between the guardian power and the Naga National Council should be determined by the four points you have stated.

Mr. L. LUNGALONG: That is the demand. If any further clarification is necessary negotiation between the guardian power and the Naga National Council will have to be undertaken.

Mr. CHAIRMAN: What do you mean by negotiation. Are you in a position to negotiate today?

A. No.

Mr. CHAIRMAN: Who is the guardian. Can you on the assumption that someone will be the guardian be prepared to discuss the relationship?

A. No.

SECRETARY: Gentlemen, I have already made it clear to you that pending any kind of reply to your Memorandum what is left is only the basis of the Cabinet Mission Statement. On the assumption that the statement stands, if you are prepared to discuss, we can certainly carry on. If you are not prepared to discuss those proposals, I do not see how we can carry on the discussions.

Mr. CHAIRMAN: I therefore wanted to know whether on the assumption that there will be some guardian power, are you prepared to discuss the relationship which this guardian power may have with you. Are you in a position to discuss? Assuming that the guardian power has already been indicated to you in the Cabinet Mission proposals, unless that is changed, you will have to argue and discuss on the assumption that that will be the position.

A. At the moment nothing can be done until we receive a favourable reply from H. M. G. or the Indian Government.

Q. You are not prepared to discuss anything?

A. Not at the moment.

Mr. CHAIRMAN: Is that the last and final opinion of the Naga National Council. Can I take it so?

A. Yes. Since we have already proposed and made up our mind, we are not going to select the guardian power and we are not even prepared to discuss the thing on that assumption.

SECRETARY: There seems to be some difference of opinion among you, Gentlemen. We suggest that we adjourn this meeting now and if you want to have further discussion, you will send us word.

Mr. CHAIRMAN: Gentlemen, I also want to say something more. Although we are adjourning for the present and possibly there may not

be a chance for further discussion on these points we have not taken it for granted that you may not have the occasion to discuss the matter further again, that is at some time or other. I hope you will again think over this matter and consider it. You shall have to remain with some authority in some relationship or other. You have in your Memorandum actually stated that you wanted a guardian power. We have made it clear to you that we could discuss on the basis of the Cabinet Mission's Proposals. Even assuming that the guardian power would be A. B. C. you could have discussed the relationship with the guardian power and yourself whether by negotiation or otherwise. Our object is also nothing else than to carry things on the basis of negotiation. If we had any idea of recommending for the imposition of anything then we might have carried on these discussions for three days. Therefore I may yet think that you shall consider this matter. We shall have to submit our report in a month's time. You can come over to Shillong when the Committee will sit there and give the considered views of the Naga National Council over these subjects for the Committee to consider and report. I will give you the subjects which you should I think consider.

(1) Whether you would like to be related with the legislature of the guardian power or the province, whatever it might be, and if so, under what conditions and what terms of franchise.

(2) Whether for further protection of your interests and a sound administration of your Government you would like some representation in the ministry.

(3) Whether there should be a separate financial statement in reference to the administration of your areas on which your members of the legislature, if there be any, could exercise some degree of criticism and control for the improvement of your areas.

(4) Whether you would not like to have another body chosen from among your people and in order to advise the executive of the province for purposes of carrying out the administration in your areas and to your best advantage.

(5) We assume that you shall have autonomy in your areas. But to what extent that autonomy should extend. That is another point I think, which you should discuss.

(6) Whether you should have any representation in the services of the guardian power or the province with which you shall have some relationship for the common development of your areas, as well as the province of the guardian power as well.

(7) You have said that the land of the Nagas are theirs. Well, the best way the question will arise will be how that land could be effectively maintained for the Nagas themselves.

These are the principal points about which you will have to consider.

Mr. CHAIRMAN (spoke in Assamese): (The following substance).

In these discussions we have followed the same method as we possibly do in our councils. It is not by a method of imposition that we wanted to do anything. It is by common discussion with you that we

have tried to arrive at some form of common understanding between you and ourselves. It seems that while we are pursuing that method, you are not willing to discuss these things. For the purpose of discussion, I have gone even to the extent of assuming that the guardian power may be A, B or C and to discuss what should be your relations with that guardian power. But you seem to say that you do not propose to discuss this relationship at all. It has hurt me ; but it has not carried away from me the resolution that it is on the basis of free and friendly discussion that we should proceed. You have called it negotiations. I am as a matter of fact proceeding with these negotiations even now. I request you to consider whether you should not again discuss the points that I have mentioned to you. If you feel that you could talk with us in the afternoon, we will do so. If you can meet us in Shillong with some memorandum, you can send the memorandum before the second week of June

I wish you well.

The meeting terminated at 12-30 P. M.

Appendix "A"

To

The Members of the Sub-Committee of
The Advisory Committee, Constituent Assembly.

Dated, Dimapur, the 19th May 1947.

SIRS,

The members of the Tribal Union, beg to submit the following for your perusal and necessary action :—

4. (1) That the Tribal people desire that they and their territories be kept included in Assam as their ethnological, geographical, historical and cultural affinity demand them to keep so united.

(2) That if the geographical unit now called Assam so desire to form a unit or the union centre, the Tribal people, as a necessary corollary to the first postulate innumciated above, also desire to be part and parcel of Assam.

(3) That while postulating as above the Tribal people for protection of their minority rights, demand joint electorate with reservation of seats.

(4) That the excluded areas and the partially excluded areas up till now as such scheduled, be included in the civil administration of the province ; and that, there should be no such thing as excluded and partially excluded so that the Tribal people may take part in the general march in the progress of the people of the plains districts of Assam.

(5) As necessary corollary of all the above the Tribal people accept unflinchingly the declarations, made by the Constituent Assembly in connection with the Fundamental Rights.

(6) The views expressed by Sir Andrew G. Clow in connection with inclusion of the Tribal areas in Assam are fully endorsed.

B. The Tribal Union, for realisation of the above ends, also desire to place the following grievances for removal of the same.

(1) That educational institutions be widely established in the Tribal areas for increasing literacy. Scheme, if needed, will be submitted in consonance with the local condition and needs.

(2) That trade and commerce facilities should be given in all possible ways. Such as, in illustration, just as Nagas and Manipuris are allowed to trade in Dimapur and other Tribal areas, so also the Tribal people who are Assamese (as Nagas and Manipuris) should also be allowed to open trade Centres at Kohima and Manipur.

(3) That while settlement of Town lands at Dimapur have been given to Foreigners no settlement of the land in the town have been given to Tribals or other Assamese. Such invidious distinctions should be abolished.

(4) That participation in the Central Government's five-year plan for Tribal and Hill areas should be fully allowed to the bona fide Assamese Tribal and hills people. Participation in this five-year plan, so far as Assam is concerned, should not and must not be allowed to immigrants in whatever cover (without distinction of race, caste and creed) they might come and be allowed to come to Assam.

(5) That the rate of compensation for the Military requisition and acquisitioned land within Dimapur area is too unjustfully paid where as the other rate of compensation within Assam is adequate in comparison to ours. Such unjust compensation within our areas should promptly be revised.

1. Sd.

2. Sd.

Joint Secretaries,

The Dimapur Tribal Union Society.

Dimapur, Assam.

Sd. *President,*

The Dimapur Tribal Union Society,

Dimapur, Assam.

Memo. No. 20/ DTUS, dated Dimapur, the 19th May, 1947.

Copy forwarded to :—

Sjt. Gopinath Bardoloi, Prime Minister, Assam and Chairman of the Advisory Sub-Committee, Constituent Assembly.

Sd.

For Joint Secretaries,

The Dimapur Tribal Union Society.

Dimapur, Assam.

Appendix " B "

To

The Chairman,

The North Eastern Tribal and Excluded Areas
Sub-Committee of the Advisory Board,
Constituent Assembly of India.

Dated Kohima, the 20th May 1947.

SIR,

"The Gorkhas and Other Domiciled Peoples' Union", Naga Hills, beg to submit the following Memorandum to the Members of the Sub-Committee of the Advisory Committee of the Constituent Assembly of India on their historic visit to Naga Hills for favour of your kind perusal and necessary action.

1. The Gorkhas and other domiciled peoples, comprising the Gorkhas, the Urias, the Garos, the Kacharies, the Mikirs, the Dogras, etc., born and brought up in Naga Hills, hitherto known as the domiciled peoples, have made Naga Hills their home, since three generations, are the children of the soil. Hence they claim citizenship of Naga Hills of Assam, consequently of India.
2. Like the Nagas and the other tribals, peoples described in para. 1 above, are also tribals and backward, hence they be treated as such.
3. Peoples described in para. 1 above, have been so long deprived of their due right of owning and buying lands in Naga Hill except in Dimapur. Hence, they be given ownership of the lands which they are occupying at present and the right to buy lands in Naga Hills. Some reserved Government lands also be reserved for the occupation of the future generations of these peoples.
4. If a committee be set up to draft the constitution for the Government of Naga Hills, a seat be reserved in that committee for the peoples as mentioned in para. 1 above.
5. The peoples described in para. 1 above, demand joint electorate with reservation of seats for the protection of their minority rights in the local and provincial legislature.
6. "The Gorkhas and Other Domiciled Peoples Union" be recognised as the only representative body for the Gorkhas and other peoples domiciled in Naga Hills.
7. Panchayats framed by "The Gorkhas and other domiciled Peoples Union" be authorised to administrate the actual administration, i.e., the day to day administration of the peoples described in para. 1 above.
8. The peoples described in para. 1 above, as the citizens of Naga Hills, be exempted from the ordeal of holding foreigner's residential pass. If this system of holding pass is at all necessary, "the Gorkhas and other domiciled peoples Union" be empowered to issue pass in concurrence with the Naga National Council.

9. Any law or act passed by the local or the Provincial legislature may not be applied either in part or as a whole on the peoples described in para. 1 above, without the consent of this union.

10. As tribals and particularly as the backward peoples, the peoples described in para. 1 above, be given adequate facilities and no hindrance, whatever, be put on them, in the local, provincial or central Government as the case may be :—

- (a) The recruitment to all services.
 - (b) The distributions of contracts of all kinds and licences in any Government owned, managed, directed, etc., work and business.
 - (c) Protection of religion, language, culture, custom and customary laws of the peoples described in para. 1 above.
 - (d) Labour and industry.
 - (e) Grants of Scholarship and Stipend (foreign or local) for the education of their children.
 - (f) Education through the medium of their own mother tongue.
-) The peoples described in para. 1 above, be fully allowed to participate in the Central Government's five-year plan for the tribal and hill areas.

Your obedient servant,
 HARI PROSAD RAI, President,
 The Gorkhas and Other Domiciled People's
 Union, Naga Hills, Kohima

D. B. SONAR, General Secretary,
 The Gorkhas and Other Domiciled Peoples'
 Union, Naga Hills, Kohima.

To

His Majesty's Government.

Through the Prime Minister of England, London.

And the Government of India.

Through the Viceroy and Governor General of India, New Delhi.

SUBJECT.—*Memorandum on the case of the Naga people submitted to H. M. G. and the Government of India.* -

Since submission of the above memorandum (copy again enclosed) no reply has been received. A brief outline of the memorandum is appended. An early definite reply is solicited, since events in India are moving so fast we must make timely decision.

I. SAKHREE, Secretary,
Naga National Council.

10-year Interim Government of the Naga people.

1. The Interim Government of the Naga people will be a government by the Naga people over all people of the Naga land, having full powers in respect of Legislation, Executive and Judiciary.
2. Naga land belongs to the Naga people and will be inalienable.
3. The Interim Government of the Naga people will have full powers in the matter of raising and expenditure of revenue, an annual subvention to cover the deficit being given by the Guardian power.
4. For Defence and for aiding Civil power in case of emergency a force considered adequate by the N. N. C. will be maintained in the Naga land by the Guardian power. That force will be responsible to the N. N. C. who will in turn be responsible to the Guardian power.

OFFICE OF THE NAGA NATIONAL COUNCIL.

To

Chairman, Sub-Committee,
Advisory Committee;
Camp, Kohima.

SIR,

In compliance with your request to put in two names to serve on the committee, the Naga National Council nominates Mr. Kezehol and Mr. Khelhoshe.

Your Obedient Servant,

KOHIMA ;

I. SAKHREE,

Secretary,

The 20th May, 1947.

Naga National Council.

NOTE ON THE ASSAM SUB-COMMITTEE'S VISIT TO THE NAGA HILLS
DISTRICT

The Naga Hills District was visited between 19th May 1947 and 21st May 1947. The Sub-Committee's visit was confined to Kohima, the headquarters of the district. The proposed visit to Mokokchung, separate sub-division of the district and the headquarters of the S. D. O., and Wakching was abandoned on account of the difficulty of making the road passable by jeep. The programme for the examination of witnesses at Kohima was received under the endorsement of the Dy. Commissioner sometime before the Committee reached Kohima. It purported to have been framed by the Naga National Council (signed by I. Sakhree as Secretary) and a copy of this was endorsed to the Committee for approval. Simultaneously a separate copy of the programme was received from the office of the N. N. C. There was however a difference between the list received from the N. N. C. office and that of the D. C.'s office in that the AO Tribal Council and the Angami Tribal Council did not find mention in the programme from the latter office. Shortly after the arrival of the Sub-Committee at Kohima a letter was handed to the Chairman from the D. C. which said " I am very sorry I shall not be in Kohima to meet you and trust you will not have too uncomfortable a stay." Questioned regarding the omission of the Angami and AO Tribal Councils in the list received from the D. C.'s office, Mr. Kevichusa, the senior E. A. C. at headquarters said that there was no omission and further that on account of certain developments in the discussions among the N. N. C. themselves the Committee would find that examination of the tribal councils separately was not necessary. It was learnt that the D. C. had gone to a place called Pangre outside the Excluded Area on account of head hunting which had taken place there in April.

2. When the Committee met the N. N. C. at 3 p.m. on the 19th Mr. Kevichusa was again asked about the Angami and AO Tribal Councils. He said that there was no such thing as an Angami Tribal Council and that the Kohima Central Council represented the Angamis. The

AO Tribal Council, however, existed. It transpired that Mr. Kevichusa and a number of other leading members of the N. N. C. were all Government officials. In other words, the leaders of the Naga community, certainly all its vocal members, were themselves Government servants. Mr. Kevichusa moreover was the gentleman who had visited the North Cachar Hills Sub-Division to suggest to the Nagas there to ask for a revision of boundaries and take up the attitude that the Naga National Council at Kohima was the only representative body and that they had nothing to discuss at North Cachar. This obviously awkward position had to be accepted as it appeared that the district officials had accepted it before. When the question of following the programme originally sent in by the N. N. C. was raised, there was opposition to it and it had to be explained that the idea of examining the tribal councils separately was to obtain facts regarding the different tribes and the manner in which their administration should be linked up with a general organisation for the district and it was pointed out that the N. N. C. had itself proposed that the evidence should be taken in this manner. The N. N. C. further took up the attitude that they had sent an appeal to the Government of India and H. M. G. that an Interim Government should be set up for the Nagas, had sent a reminder subsequently as no reply had been received and now the only thing to do was to wait for a reply.

3. The question of co-option of two members from tribes other than AO in connection with which the N. N. C. had already been requested to submit two names was discussed. Before the Committee came to Kohima it was understood from Mr. Imti that the N. N. C. had selected two names though these names had not been communicated officially. On arrival at Kohima however Mr. Kevichusa expressed the opinion that co-option was not necessary. When the question was put to the N. N. C. the same view was again expressed by Mr. Kevichusa on behalf of the others and apparently concurred in by the rest, or at least not objected to. The need for co-option was then pressed upon the Council and it was pointed out that according to the information of the Committee they had originally decided on putting up two names but had apparently changed now for some reason. Ultimately the Council wished to have time to discuss this among themselves and the meeting was adjourned accordingly. Next morning (on the 20th) when the next meeting with them took place it was intimated that the N.N.C. had decided that two members should be co-opted and two members, one an Angami and another a Sema were accordingly co-opted. The question of proceeding with the programme was discussed by the Chairman but he expressed the view that if the Council really was opposed to examination separately the Committee would not object to it. The point was not pressed and was left over for further discussion later on after the N. N. C. had finished giving evidence.

4. Various points mentioned in the appeal for an 'Interim Government, and the choice of a 'guardian power' referred in the second memorandum addressed as a reminder by the N. N. C. was discussed. The Committee took the line that whether the N. N. C. called it guardian power or by any other name they would obviously need a link with some other stronger unit or Government and a discussion regarding the relations with such a power followed. The question of representation for

the Naga Hills in the Legislature of such a power was under discussion. The N. N. C. representation, but it was pointed out that funds had to be allocated and such allocation could be made only with the consent of the provincial or other Legislature and if therefore there were no representatives of the Nagas in that Legislature their case is likely to go by default. At this stage the N. N. C. asked for time to discuss the matter further among themselves. Subsequently a communication was received from them announcing that the choice of a guardian power was left to H. M. G. and the Government of India and that the Committee may decide whether it was necessary to have a further meeting with the N. N. C. Obviously the point at which the adjournment was made to enable the further discussion among themselves *viz.* the question of a representative in the Provincial Legislature was evaded and the reply given merely reiterated a reply which had already been given once. However the Committee decided to have a further meeting with the N. N. C. next morning.

5. The following morning it was pointed out that the reply given had merely reiterated oral replies already given to the Committee and seemed really to evade the point at issue. In order to put the whole position before the N. N. C. to enable them to see their present attitude in the former background, it was pointed out that in its first resolution at Wokha the N. N. C. in commenting upon the Cabinet Mission's proposals for the new Constitution of India had accepted the principle of a united India and that the Naga Hills should form a part of Assam, and had objected only to the proposal to group Assam with Bengal. This attitude was maintained by them subsequently and even at the time of the Premier's visit in November 1946 to the district, with the exception of the Konomo group comprising of villages with a population of only about 5,000 who were talking of independence, there was nothing contrary to the original resolution of the N. N. C. Sir Andrew Clow, the previous Governor of Assam, had reviewed the whole position during his visit and had advised the Nagas that their future lay with Assam. The Interim Government memorandum of the N. N. C. which was issued at the end of February 1947 came therefore as a complete reversal of the previous attitude without any apparent reason for it. No reason for the change in their attitude and the new proposals regarding setting up of an Interim Government had been given in the memorandum sent up by them and there was not even a reference to previous resolutions. In reply to two questions on this point it had been stated by one of the members of the N. N. C. that the previous resolution was based on the assumption that there would be a united India, but now the position was different; it was pointed out that this seemed to be only an after thought and in any case it would not be proper to assume that there will not be a Union of India until a definite decision had been reached by the principal Parties and H. M. G. on this point. The changes made without apparent reasons and the apparently evasive replies given by the N. N. C. were likely to create a feeling in the minds of other people that the Nagas were not being frank, and once such a feeling took root it was obvious that discussions could not be frank and cordial. The Council were accordingly requested to proceed with further discussion with the Committee on the basis of

existing proposals and on the ground that the memorandum which had been sent up by them to H. M. G. and the Government of India could not be replied to unless adequate material for a reply was furnished to the Committee which under the Cabinet Mission's proposals was entrusted with the task of reporting on a scheme of administration. The N. N. C. replied that so far as their statement regarding leaving the choice of the guardian power to H. M. G. and the Government of India was concerned they could make no alteration but they would be prepared to discuss any other points which the committee wished to raise with them. Certain members however expressed dissident views on further questions put by the Committee and in view of this and in order to allow the Council to reflect further on its attitude and to consider certain other questions proposed by the Chairman, the Committee was adjourned with the announcement that if the N. N. C. found themselves ready for a further discussion on these points in the afternoon, the Committee would be prepared to meet them again. A reply was received late in the evening that the N. N. C. required more time for serious consideration of the questions raised and did not therefore consider further discussion necessary.

6. At an earlier stage enquiry had been made about other witnesses mentioned in the list sent by the Dy. Commissioner and the N. N. C. It was again learnt that the so-called Women's Union either did not exist or did exist at Kohima and the Students Union also were not immediately available.

7. On the whole, the attitude of the N. N. C. and the general atmosphere seemed to have taken an unpleasant turn since the Premier's visit, to judge by his notes. It was clearly perceived by the Committee that the Council was now dominated by certain Angami Leaders like Kevichusa and Lungalong and that the more reasonable elements were prevented from asserting themselves (a) on account of the Naga system of not deciding matters by a majority but by general agreement only, and (b) by the threat of force which seemed to hold the N. N. C. together. In fact it was plainly expressed by one of the members of the Council that the unity of the Council would be maintained if necessary by force. The N. N. C. were questioned as to who the guardian power may be, whether for instance they contemplated even an outside power like the British Government to be the guardian power. There seems little doubt that Kevichusa and one or two other officials are trying to leave the field open even for the British Government to offer to remain as a guardian power, but in view of other opinion to the contrary in the council this cannot be openly expressed and the general formula agreed to by all is therefore that the choice of a guardian power is left to the Government of India and H. M. G. The N. N. C. have obviously for this reason declined even to express their own views as to who the guardian power might be or any preference for any particular guardian power. The N. N. C. at present seems to hold the field as a representative body of the Nagas since it is dominated by the Officials and members of the violent Angami tribe, who can make it unpleasant for any dissident tribal representative.

8. The Naga Hills district forms a triangular strip of territory with its base resting on the northern boundary of the Manipur State and its upper pointing north-east at Bhutan-Namsang in the tribal area. Dimapur

though not in the hills, forms part of the district. The main communication for the hills is now the road from Dimapur to Kohima which goes on to Imphal and Palet and Silong in Manipur State. The Bengal and Assam Railway runs parallel to the western boundary of the district and from points like Nakachari and Naganinmara places within the Naga Hills district can be reached. On the eastern boundary of the District is the strip of Naga tribal area which consists of an administered portion and an unadministered portion. The district is divided into two sub-divisions with headquarters at Kohima and Mokokchung respectively. Kohima is dominated by the Angami tribe and at Mokokchung the AO tribe is predominant. In between there are the Semas and the Lehotas. In the tribal areas there are Changs, Konyaks, Rangfang etc. The main common characteristics of the Naga tribes seem to be the way they crop their hair and their apparel and decoration which consists of beads worn round the neck, flowers in the ear lobes, the loin cloth and blanket which usually consists of a cloth with black, yellow or red bordered stripes. The bewildering variety and distinctness of the different tribes were described by the Subedar Major of the Assam Rifles who has been in this area for 32 years and has been in the unadministered territory both of India and of Burma. According to him there are any number of these tribes, some with a tuft of hair at the back of their head, others at the side in different positions, others on the top of the head, some with their lips stretched, some with their ears stretched, some completely naked, some wearing the usual raiment etc., all speaking different languages and living in distinctly demarcated tribal territories, the boundaries of which many of them never even cross apparently for fear of losing their heads. Tatooing is said to be common among the Konyaks which gives them a ferocious appearance. The Subedar Major had at his house photographs of human skulls which the village braves had taken. One of the photographs of human skulls which the village braves had taken was that of a " forty head-taker " i.e., he had taken forty heads. In the Naga Hills district and outside in other districts contact between the different tribes is either through colloquial Assamese or now what seems to be fairly common among them and particularly noticeable in the North Cachar Sub-division, colloquial Hindustani. For instance Thinu, an Angami Lad of Kiwema, which some members of the Committee visited, could speak Hindi fairly well and told me that he had learnt it from the tribes. One of his neck ornaments consisted of a coil of insulated copper wire also obtained from what was left behind by the army. The peculiar characteristic of Naga Villages, at least the Angami Villages, is, to exhibit horns over the houses of those who are entitled to, exhibit them by virtue of having given a number of feasts of merit. In front of each of these houses can be seen prominently displayed a gallery of skulls of cattle or Mithun which had been killed for the feast. For each feast one such skull was to be put up and one of the houses at Kiwema had as many as 40 skulls. At Kiwema there was a Gurkhali tailor who followed this profession with a sewing machine. A noticeable feature of Naga villages is that they are built on the top of the hills and not on the slopes. Quite a number of hills have fairly flat tops though Kohima itself is a pretty steep ridge. There were hardly any houses built on stilts as in the case of Lushai Hills or the Chittagong Hill Tracts. Corrugated iron roofs can be seen in plenty now and have been distributed freely by the army to enable all persons who had their

houses lost or damaged during the war. Very few traces of the war are now visible, three years after the battle of Kohima, though a number of trees at Kohima have a few bare branches and bullet marks on them and corrugated iron sheets riddled with bullets can also be seen all over the place.

Terraced cultivation is seen in plenty in the Angami villages. They are actually irrigated from mountain streams or springs which are led along canals cut in the ridges to the fields. Even some of the steep slopes had been terraced and the comparatively gentle slopes of course lend themselves admirably to this type of cultivation. It is said that terraced cultivation is comparatively easy here as contrasted with, for instance, the North Cachar Hills on account of the large number of villages of Angamis which provide adequate labour for the work involved.

9. The Naga Hills actually begin at about 8 miles from Dimapur and it was also here that the inner line boundary, beyond which a pass is required for a non-tribal, is fixed. Going up to Kohima from Dimapur the soil and rocks on the hills seem to be very highly stratified and friable. The road to Kohima is now a wide tarmac road on which two way traffic is possible, but the road is sometimes closed by landslides which seem to be fairly common after a heavy shower of rain. While at Dimapur the copious blossoms of *Cassia Fistula* and other cassias may be seen. They are conspicuous by their absence or rarity in the hills. On the other hand a notable feature is the number of different trees in the heavily forest clad slopes which bear white or cream coloured blossoms. I could count easily 5 or 6 different varieties common among which was the four-petalled flower resembling the *Champa* grown in temples and gardens in the plains with a cream or yellow coloured centre. Other flowers were more of the pendant type and some of the trees at this time of the year seem to be almost entirely covered with flowers. The fragrance of these flowers was also noticeable. Among the stratified rocks on the hill slopes could be seen a bright rust red layer here and there. It is said that the hills actually have been known to shift in this region. It is possible that earthquake shocks are responsible for the movements of the hills. From Dimapur the hills present a fine spectacle and at Kohima itself the highest point in Assam, the Japan Peak which rises to a height of nearly 10,000 feet stands towering close by on the Imphal road. The general elevation of the district falls considerably towards the North.

GOVERNMENT OF ASSAM

No. GS/MISC. 62/47/8.

Dated Shillong, the 7th May, 1947.

FROM

P. F., ADAMS, ESQ., M. B. E., I. C. S.,
Secretary to the Governor of Assam.

TO

THE HONOURABLE PRIME MINISTER, ASSAM.

SIR,

I am directed to forward herewith copies of extracts from the resolutions of the Kohima Tribal Council and the Naga National Council for your information.

Your obedient servant,

Secretary to the Governor of Assam.

Extracts from the resolutions of the Kohima Tribal Council.

Dated 9th April, 1947.

1. Resolved that the Nagas shall stand by their demand contained in the memorandum (19th February, 1947) submitted by the N. N. C. to H. M. G. and the Government of India. Any disruptive departing from the demand is regarded as a national enemy.

2. The Kohima Tribal Council vehemently protest against the Government's proposal for repealing the two Regulations, *viz.*;

1. The Bengal Eastern Frontier Regulation.

2. The Chin Hills Regulation to be replaced by the 'The Assam Maintenance of Public Ordinance 1946'.

In the event of Government decision, in defiance of the wish of the Nagas, to impose the 'Assam Maintenance of Public Ordinance' upon the Nagas, *de novo*; it is resolved that the Nagas shall reserve to themselves the right to allow or disallow outsiders into their land.

* * * *

5. The Nagas claim those forests, the transfer of which were affected during 1920—1930 to the Sibsagar District and request the Government to effect a legal transfer of these forests to the Naga Hills.

6. Resolved that the Government be approached to include the N. Cachar Hills within the Naga Hills District in compliance with the wish of the Zemis in the N. Cachar Hills and of the Nagas in the Naga Hills.

7. This Council protests against the Government proposal for the transfer of the Konyak Country to the Tirap Frontier Tract in complete defiance of the preamble of the N. N. C. which stands for the unification of all the Naga tribes of India and Burma.

8. Resolved that Government be moved to revive the pre-British Naga Hills boundary which is marked by the Ladai Garh Line, erected as a fortification against the Naga raiders by the early Ahom Kings, directly west of Naga Hills; and to ascertain the boundary to the South West.

Extracts from the N. N. C. Resolution

* * * *

6. Resolved that the Joint Secretaries of the N. N. C. be authorised to make necessary arrangements with the Government of Assam for immediate establishment of the Forest Department in the Naga Hills which is at present, under the control of the Sibsagar Forest Department to be transferred to the Naga Hills.

7. Resolved that N. N. C. strongly protest against the move initiated by the External Affairs Department, Government of India for lifting the Chin Hills and the Bengal Eastern Frontier Regulations.

8. Resolved that the N. N. C. vehemently protest against the measures taken by the Government of Assam to include the Konyak Nagas of the Wakching area in the Tirap Frontier Tract. The Government had been time and again informed through resolutions unanimously passed, that the N. N. C. stands for the unification and solidarity of all the Naga tribes, and as such any measure that goes against it should at once be abandoned by the Government.

* * * *

10. Resolved that the portion of the North Cachar Hills where the majority of the inhabitants are Nagas be included in the Naga Hills.

11. Resolved that the Secretaries of the N. N. C. be deputed to Shillong to contact the military authorities to talk over the problems of the Nagas in the Assam Regiment.

* * * *

15. Resolved that the following members shall form the Boundary Demarcation Commission :—(1) Kevichusa (2) Puzo (3) Sentsi (4) Nchimo (5) Longri (6) Nayangnokcha (7) & (8) Joint secretaries. The Committee is to contact the Government of Assam to get the work done within three months.

NAGA HILLS DISTRICT BUDGET

	Receipts
	Rs.
7 Land Revenue	97,999 including (Rs. 8,143 arrear.)
2 Excise	90,221
3 Forest	17,448
9 Police	8,832 (non-recurring). + 299
5 Fees and Fines	2,507 M. E. Schools. + 2,500
8 Motor Tax & Fees	18,558
	<hr/> 2,38,360 <hr/>

Expenditure.

	RS.	A.	P.
7 Land Revenue	2,329	7	0
8 Provincial Excise]	110	0	0
10 D. Forest	2,865	0	0
25 General Administration	1,41,575	0	0
27 Admn. of Justice	1,343	0	0
28 Jails and Convicts	1,549	0	0
29 Police	40,081	0	0
37 Education	1,70,980	0	0
38 Medical	1,46,989	0	0
40 Agriculture	32,551	0	0
41 Veterinary	3,782	0	0
50 Civil Works	1,39,561	0	0
57 Miscellaneous	19,353	0	0
	<hr/>		
	7,03,141	0	0
Less	1,84,970	0	0
	<hr/>		
	5,18,171	0	0
	<hr/>		

To

THE CHAIRMAN, ADVISORY SUB-COMMITTEE,
CONSTITUENT ASSEMBLY.

SIR,

In enclosing herewith copies of letter No. 1144/G, dated the 1st May 1947 from the Deputy Commissioner, Naga Hills to the Mauzadar, Dimapur; and Memo. No. 120/NNC, dated the 9th May 1947 from the Jt. Secretaries, Naga National Council, Kohima to the Secretary Dimapur Tribal Union directing us to give evidence of our union in the Advisory Sub-Committee at Kohima, we beg to request you to be kind enough to take our evidence to-day if possible.

1. (Sd.)

2. (Sd.)

Joint Secretaries

Dated Kohima, the 20th May, 1947.

Dimapur Tribal Union, Dimapur.

Copy of letter No. 1144/G, dated the 1st May 1947 from the Deputy Commissioner, Naga Hills to the Mauzadar, Dimapur.

Please inform the Dimapur Sub-Tribal Committee that they may give evidence in Kohima when the Advisory Sub-Committee will come to Kohima on 18th and 19th May 1947, if they want to do so.

Copy of Memo No. 120/NNC of 9th May 1947 from the Jt. Secretaries, Naga National Council, Kohima, to the Secretary, Tribal Union, Dimapur.

This is to inform you the Sub-Committee of the Advisory Committee is visiting Kohima on the 19th instant. Evidence will be taken on the 20th and 21st.

The Naga National Council sits on the 16th and 17th. You may come and attend the meeting.

Please find the provisional programme prepared for the Sub-Committee, attached.

The Sub-Committee arriving in Kohima on 19th and halt 20th and 21st. Provisional programme for meeting the members for evidence. The date and time will be arranged in consultation with the members.

1. Deputy Commissioner.
2. The Members of the N. N. C.
3. The Kohima Central Council.
4. The Angami Tribal Council.
5. The Mokokchung Central Council
6. The Mzemi Tribal Council.
7. Rengma Tribal Council.
8. Lhota Tribal Council.
9. Sema Tribal Council.
10. Ale Tribal Council.
11. Sangtam Tribal Council.
12. Chang Tribal Council.
13. Independent Nagas.
14. Church representatives.
15. Students' leaders.
16. Women's Association.
17. The Plain Tribal people in Manipur Road.
18. Available for other witnesses.

NOTE.—Trip to interior.

Foot-ball (Civil & Military).

Garden party.

Mr. Mayangnokcha has been nominated by the Constituent Assembly to sit on the Advisory Committee on Rights of Citizens, Minorities, and Excluded areas. The Naga National Council appointed Mr. A. Kevichusa, and Mr. Longri Ao to go to Delhi as official advisers. The Kohima Central Council appointed Mr. T. Sakhrie to accompany the other three as a consultant.

The Visit of Sir Andrew Clow.

Replying at Mokokchung in the Naga Hills to an address presented to him by the Sub-divisional Committee, His Excellency, Sir Andrew Clow dealt with the constitutional future of the Hills of Assam. He said that the British Government were withdrawing, and the future Government of India, including Assam and its Hills, was a matter for the peoples of the land to decide. The Constituent Assembly which was charged with the duty of working out plans for the future had already started work in Delhi, and it would have to consider in due course the position of the Hill peoples.

A few of the Nagas had spoken of setting themselves up as a separate nation. But, in his opinion, it was not practicable for any Naga peoples, or even for all of them, to form a separate state, or even a separate Province. If they did that, they would always remain poor and backward, their needs in respect to education, communication and health could not be met, and they would lose some of the inadequate services they now were enjoying. His advice, therefore, was that they should aim at reaching an accommodation with the people of the Plains of Assam which would be of mutual benefit to both. Their differences from the people of the plains were many, but the leaders of Assam recognised these differences, and it should not be difficult to ensure that all that was best in their way of life, in their culture, and in their customs, would be preserved within the sphere of local authority which they might expect to enjoy. They should remember also that there are other Hills peoples who are facing the same difficulties, and with whom also they should co-operate.

The people of the Naga Hills should think not only of what they could secure ; they should think also of what they could give. The Hill peoples of Assam have had long experience in pure democracy. They understand that democracy does not mean, as some suppose, the rule of the majority, but the rule of the people as a whole ; and the Naga people can contribute to the maintenance of democracy in India. They can have a share in the Government of their own Hills, and, as education develops, in the Government of the Province and he hoped that the Naga people ultimately would make a valuable contribution to the Government as a whole.

Memorandum on the case of the Naga People for self-determination and AN APPEAL TO H.M.G. and the Government of India.

Persuant to resolution passed by the *Naga National Council* at Kohima on the 19th day of February, 1947, this Memorandum has been prepared by the Naga National Council which is the National Organisation of the Naga People and is the embodiment of the expressed desire of the mass of the Naga Nation. The national organisation has its roots among the masses through :—

1. Village Councils
2. Sub-Tribal Councils
3. Tribal Councils
4. Central Councils and
5. THE NAGA NATIONAL COUNCIL.

The Memorandum seeks to present the case of the Naga People for self-determination, for the realisation of which an appeal is made to H.M.G. and the Government of India to set up for the Naga People an Interim Government for a period of ten years, at the end of which the Naga People will be left to choose any form of Government under which they will live.

The land and the People.—Any one who turns his eyes on the map of India will find Assam as the easternmost province of this sub-continent and one of her eastern districts is the present Naga Hills. The district was carved out arbitrarily for administrative purposes. But, the Naga People are spread over a wider area, and they are to be formed in the Naga Hills district proper, the administered area between Assam and Burma, in the small native state of Manipur in Assam, in the North Cachar Hills and even in the contiguous parts of Burma. The area covered by Naga People will thus extend to some thirty thousand square miles, though the Naga Hills district alone covers an area of over four thousand square miles.

The country is extremely hilly, without good roads, and the people simple, primitive, and divided into tribes and clans. Parts of this Naga land is so inaccessible that the authorities have left them undisturbed, and it is popularly known as the "Unadministered territory" even now.

Mr. Mills in his monograph on the Lhota Nagas defines the area inhabited by the Naga tribes as "bounded by the Hukawng valley in the North East, the Plains of the Brahmaputra valley to the north west, of Cachar to the South west and of the Chindwin to the east. In the South the Manipur valley roughly marks the point of contact between the "Naga" tribes and the very much more closely inter-related group of Kuki tribes" (vide page xvi of introduction).

The Naga tribes are not a single tribe, but a whole group of them, Angami, Rengma, Sema, Tangkhul, Konyak, Ao, Lhota, Sangtam, Chang Zemis, Kabuis, Mao, Bhums etc.,—each differing from the others

in custom and dialect but all clearly related and forming a distinct block. They have a distinct culture of their own and the customs and ways of living are widely different from those of the Plains People of ASSAM OR OF OTHERS OF India.

The Naga People in the administered area of the Naga Hills District number 189, 641 according to the census of 1941. Mr. T. C. Hudson in his volume on the "Naga tribes of Manipur" published in 1911 mentions: "The state contains about 8,000 square miles, of which 7,000 square miles are Hill territory as opposed to the valley territory and are inhabited by Kuki tribes, hill people who number slightly more than one lakh. While accepting with due reserve the familiar distinction between Nagas and Kukis it may be pointed out that the tribes commonly classed together as Naga and Kuki tribes occupy definite areas in these hills"; vide page 1. Now these tribes have grown to more than two lakhs. Competent observers place the population of the unadministered territory as double the number in the administered area, while the number within the Burma boundary is nearly three lakhs. The future of these one million souls is going to be seriously affected in the proposed constitutions for India and Burma.

History of and British connection with, the Nagas.—The Naga people were independent and their country was not subjugated by the Ahom Kings of the ASSAM Valley, who ruled for seven hundred years. The Naga Hills never formed part of India or of Assam at any time before the British advent. Little was known of Naga land when the British obtained suzerainty over the Assam valley by the treaty of Yandabu. The British first attacked the Naga People in 1839; but the fight went for fifty years till the Ao Naga country was taken over in 1889. Since then the Naga People have remained loyal, friendly, and peaceful.

In the first Great war, thousands of Naga people served in distant France to help the British and Allied cause. In the recent Global War when the Japanese army attempted to invade India through the Naga Hills it was the co-operation of the Nagas, both in intelligence and jungle warfare, which enabled the British forces to halt the invasion at Kohima, the headquarters station of the district, thus saving Assam and the rest of India from the devastation of war.

These freedom loving Nagas look up to His Majesty's Government and the Government of India to do the just and proper thing and grant them their just demand for setting up an Interim Government of the Naga People.

Psychological factor, and Relationship with the Plains People of Assam. The modern world recognises the importance of psychological implication in dealing with states and nations. To have peace within and without it is necessary to know the tradition and national aspiration of people and to respect them. The attitude of a people have a great bearing in their formation of national policies. In framing the future constitution of India certain thought provoking factors must not be ignored.

1. Ethnically the Nagas are from a distinct stock.
2. The Nagas have a distinct social life, manner of living, laws and customs ; and even their method of governance of the people is quite different.
3. In religion, the great majority of the Nagas are Animists; but Christianity which was introduced by the American Baptists long before the advent of the British is now speedily spreading.

Such factors as the above make it imperative that the Nagas have a separate form of Government.

The Naga System of Administration.—The Nagas have an efficient system of administration. Most of the tribes retain to a considerable degree their ancient laws and customs and village organisation which lasted through centuries and these form an integral part of their life and once destroyed or allowed to decay, can never be replaced by a system so suitable to them. Democracy in its purest form exists among Nagas.

The basis of the Naga system is the village organisation. Every village is an independent unit in the tribe. Villages are managed by a Council of elders and men of influence elected by the people.

Such a polity, such a state of society and democratic life cannot be found in any other part of India.

Our Case.—In the 1935 Constitution for India and Assam, the areas inhabited by the Nagas were kept outside the jurisdiction of the Provincial and Central popular governments and were formed into "Excluded Areas" where the legislatures had no sway and the Nagas were kept as the special responsibility of the Governor of the Province in his capacity as the Crown representative. In other words, the Nagas have had no connection with the policies and politics of the different groups of the Indian politicians.

Ought the British Government, or the Government of India throw this society into the heterogeneous mixture of other Indian races ?

A constitution drawn by people who have no knowledge of the Naga Hills and the Naga People will be quite unsuitable and unacceptable to the Naga People.

Thrown among forty crores of Indian people, the one million Nagas with their unique system of life will be wiped out of existence. Hence this earnest plea of the Nagas for a separate form of an Interim Government to enable them to grow to a fuller stature.

In the light of the facts stated in the foregoing paragraphs, and in view of the isolated geographical position of the Naga Land, and taking into consideration the unique characteristics of Naga polity and the compact block of the lands.

This Memorandum is placed with the authorities for :

Setting up an Interim Government of the NAGA PEOPLE, with financial provisions for a period of ten years, at the end of which the Naga People will be left to choose any form of Government under which they themselves choose to live.

AN EXTRACT FROM THE PROCEEDINGS OF THE KOHIMA TRIBAL COUNCIL GENERAL MEETING HELD AT KOHIMA ON THE 29TH AND 30TH AUGUST, 1946.

(1) Resolved that the Domiciled people, including Gurkhas be asked to join the respective Sub-states in which they were living. No separate Sub-states can be recognised for them.

No. 129 KTC Dated Kohima the 5th September, 1946.

Copy forwarded to the President, Domiciled Gurkha Committee Kohima for information.

Sd.
Secretary,
Kohima Tribal Council.

Sd.
President,
Kohima Tribal Council.

To
 The Chairman,

Sub-committee of the Advisory Committee of the Constituent
 Assembly, Camp Kohima.

Re: *Two co-opted members to assist the Sub-committee.*

Sir,

I am directed by the Naga National Council to intimate to you that they do not propose to put in two men to serve on the Committee. In as much as all the members of the Naga National Council will be present when you hear the case of the Nagas, detailing of two members to sit with the sub-committee is not considered necessary.

Your obedient servant,

Dated Kohima,
 the 19th May, 1947.

Secretary,
 Naga National Council,

To

The Chairman,
 Sub-committee of the Advisory Committee,
 Kohima.

SUBJECT :—*Guardian power during 10-years Interim Period.*

Sir,

I am directed by the Naga National Council to inform you that by the submission of the memorandum on the case of the Naga people to H.M.G. and the Government of India for consideration, the Naga National Council has left the choice of the Guardian Power to H.M.G. and the Government of India. In view of this decision it is left to the sub-committee to decide if any further meeting with the Naga National Council is necessary.

Your obedient servant,

Secretary,
 Naga National Council.

Dated Kohima,
 20th May, 1947.

25F

The Chairman
Sub-Committee
Advisory Committee
Camp: Kohima.

Re: The 7 points given by you.

SIR,

The N.N.C. will want sufficient time to give the points their serious consideration. Therefore further discussion at present with the Sub-Committee is considered unnecessary.

Your obedient Servant,

Secretary,
Naga National Council.

Kohima

Dated, 21st May, 1947.

To

The Chairman,

The North Eastern Tribal and Excluded Areas
Sub-Committee of the Advisory Board,
Constituent Assembly of India.

Dated Kohima, the 20th May 1947.

SIR,

“ The Gorkhas and other Domiciled Peoples' Union ”, Naga Hills beg to submit the following Memorandum to the Members of the Sub-Committee of the Advisory committee of the Constituent Assembly of India on their historic visit to Naga Hills for favour of your kind perusal and necessary action.

1. The Gorkhas and other domiciled peoples, comprising the Gorkhas the Urias, the Garos, the Kacharies, the Mikirs, the Dogras etc., born and brought up in Naga Hills, hitherto known as the domiciled peoples, have made Naga Hills their home, since three generations, are the children of the soil. Hence they claim citizenship of Naga Hills of Assam, consequently of India.

2. Like the Nagas and the other tribals, peoples described in para.1 above are also tribals and backward, hence they be treated as such.

3. Peoples described in para.1 above, have been so long deprived of their due right of owning and buying lands in Naga Hills except in Dimapur. Hence, they be given ownership of the lands which they are occupying at present and the right to buy lands in Naga Hills. Some reserved Government lands also be reserved for the occupation of the future generations of these peoples.

4. If a committee be set up to draft the constitution for the Government of Naga Hills, a seat be reserved in that committee for the peoples as mentioned in para 1 above.

5. The peoples described in para.1 above, demand joint electorate with reservation of seats for the protection of their minority rights in the local and provincial legislature.

6. “ The Gorkhas and Other Domiciled Peoples' Union ” be recognised as the only representative body for the Gorkhas and other peoples domiciled in Naga Hills.

7. Panchayats framed by “ The Gorkhas and Other Domiciled peoples' Union ” be authorised to administrate the actual administration, i.e. the day to day administration of the peoples described in para, above.

8. The peoples described in para.1 above, as the citizens of Naga Hills, be exempted from the ordeal of holding foreigner's residential pass. If this system of holding pass is at all necessary, " that Gorkhas and other domiciled peoples' Union " be empowered to issue pass in concurrence with the Naga National Council.

9. Any law or act passed by the local or the provincial legislature may not be applied either in part or as a whole on the peoples described, in para.1 above, without the consent of this union,

10. As tribals and particularly as the backward peoples, the peoples described in para.1 above, be given adequate facilities and no hindrance whatever, be put on them, in the local, provincial or central Government as the case may be :—

- (a) The recruitment to all services.
- (b) The distributions of contracts of all kinds and licences in any Government owned, managed, directed etc., work and business.
- (c) Protection of religion, language, culture, custom and customary laws of the peoples described in para.1 above.
- (d) Labour and industry.
- (e) Grants of Scholarship and Stipend (foreign or local) for the education of their children.
- (f) Education through the medium of their own mother tongue
- (g) The peoples described in para.1 above, be fully allowed to participate in the Central Government's five-years plan for the tribal and hill areas.

Your obedient servant,

HARI PROSAD RAI

President,

The Gorkhas and Other Domiciled Peoples' Union.

Naga Hills, Kohima.

D. B. SONAR

General Secretary

The Gorkhas and Other
Domiciled Peoples' Union,

Naga Hills, Kohima.

Major Events near the Pangsha

Date	Pass, Assam-Burma Border.
25-12-35	Pangsha and Yimpang took 53 heads from Kejok.
Jan. 36.	Pangsha took 9 heads from Panso and 7 from Ngobe.
April 36.	Himbu, Pangsha, Yimpang Waoshu and Tobu took 140 heads from Saochu.
23-12-38	Tamkhung and Yangkao took 12 heads from Agching.
9-6-39	Pangsha, Ukha and Yungkao took 96 heads from Agching.
26-11-43	Chingmei, Nokluk, Pangsha, Ponyu Tsaplaw and Tsawlaw took between 250 and 300 heads from Law Nawkun.
26-3-45	Tobu with 14 other villages—mainly Chang took 400 heads from Ukha.
In 1945	Yonghong and Mom sold about 34 slaves into Burma and Assam side.
Feb. 1946.	Merangchuri took 1 head from Sangpurr. Sangpurr then went to Merangchuri and took 2 heads.
6-4-46	Merangchuri took 7 heads in exchange from Sangpurr.
Marh 46	Ponyo took 4 heads from Law Nawkun
10-4-46	Pochu raided Law Nawkun and took 18 heads. In retaliation Law Nawkun with Tsawlaw, Tamkhung.
25-5-46	Shamnyu raided Pochu and took 110 heads. These four villages again raided Pochu on 7-6-46 and took 2 heads and 2 girl slaves from Pochu.
August 1946	Chingmei-Sanghan and Phintung took 50 heads from Tsong-ri or Chiliso. Four days after Nokhu and Sanglao jointly raided Tsongri or Chiliso and took 11 heads.
25-7-46	Sholo and Tsawlaw jointly raided Yonghong and took 200 heads from Yonghong.

S.D.O's
No. 2806
Dated 26-12-46

Ponyo went to Nankuyo Hkamsong in Burma territory and brought 13 heads to their village.

D.C.s Telegram
dated 20th April
1947

Pangre and other villages took 59 heads and one slave from Melangchuri, a clan of Mutengre. (action now being taken).

D.C.'s No. 1884 G
dated 17th/21st May
1947

Phessami, Houroure and six other villages took 42 heads from Panso.

Memo. No. 1891 /G., dated Kohima the 21st May 1947

Copy forwarded to Sir B.N. Rau Advisor to the Constituent Assembly through Secretary Advisory Sub-committee for Tribal areas, Camp Kohima, for information to illustrate present prevalence of head hunting in unadministered area.

Sd.C. R. PAWSEY,
Deputy Commissioner,
Naga Hills.
17-5-47.

Forwarded by
Sd.
A. D. C. Naga Hills.