

CONSTITUENT ASSEMBLY

OF

INDIA



NORTH-EAST FRONTIER (ASSAM) TRIBAL

AND

EXCLUDED AREAS SUB-COMMITTEE

Volume II (Evidence)

Part II

**(MARGHERITA, SADIYA FRONTIER TRACT, BALIPARA.
FRONTIER TRACT, KHASI AND JAINTIA HILLS
AND GENERAL)**

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

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MARGHERITA

NOTE ON VISIT TO MARGHERITA

Margherita, the headquarters of the Political Officer, Tirap Frontier Tract, is situated in the district of Dibrugarh, a regularly administered district. It is understood that the question of finding a suitable headquarters for the Political Officer, T.F.T., within the tribal area is under consideration. The Jurisdiction of the P.O. extends to the T.F.T. and a portion of the Naga Tribal Area; the rest of the Naga Tribal area is under the jurisdiction of the Dy. Commissioner, Naga Hills who is P.O. for this purpose and the Dy. Commissioner, Lakhimpur is also the P.O. for a portion of the Lakhimpur Frontier Tract now administered as a tribal area. The portion under the Dy. Commissioner, Lakhimpur will soon cease to be a tribal area but the dual arrangement in respect of the Naga Tribal area will probably continue.

The Tirap Frontier Tract contains Kachins and miscellaneous Naga tribes while the Naga tribal area is largely inhabited by Konyak tribes of at least 7 or 8 prominent varieties, representatives of whom were present at Margherita to meet the Sub-Committee, in considerable variety of costume (or lack of it) and headware. A prominent characteristic is the practice of having very large ear-holes in which anything from a piece of tin-foil to dyed goats hair etc. is inserted to serve as an ornament. The Konyaks are often tattooed on the face and it appears that tattooing is done usually only after a head has been taken. Nevertheless, the representatives of the Konyak tribes from Changsang and Bardurin visit the administered territories quite frequently, particularly Jaipur, and it appears that head-hunting is prevalent only towards the south-east of the tribal area. The Kachins are comparatively advanced people who profess the Buddhist faith and have Buddhist-customs as well as monasteries. Two of their villages were visited on 25th May 1947, by launch from the Burhi Dihing.

The general impression was that of a fairly peaceful tract with most of the tribes evincing keen desire for education and progress.

The Sub-Committee met at the Dak Bungalow, *Margherita* in the fore-noon of 24th May 1947.

Witness: G. E. D. WALKER, M.B.E., I.P. Political Officer, Tirap Frontier Tract.

Has been at this station for 5 years.

Jurisdiction covers the whole of the Tirap portion, including the Excluded Area.

Mr. Chairman: Since you have been here for about five years, we would like to get as much information as you can possibly give us. Can you give us an idea of the tribes that live immediately within the boundary of the Administered Area?

A:—The boundary of the Tirap Tract with Burma is not defined. The area is roughly divided into two, one area inhabited by the Konyak Nagas, and the other members of the small group of tribes who are called Yogli, Langs Lings etc. The Administered portion consists only of that area which was formerly in the Lakhimpur Frontier Tract where there are a few Kachins villages, some Deywanyas and Shans and some Nagas who have come down from the hills and settled there.

Q:—Is there any non-tribal population there?

A:—There are two villages of non-tribals, one of Nepalese and the other of ex-tea garden labourers. Total population of the two villages will be about 250.

Secretary:—The External Affairs Department have stated here, "so far as this administered area is concerned, it differs in no way from the surrounding plains, possesses none of the characteristics of the hill area and need not be considered in relation to the problems of the hill tribes". Is it all right?

A:—I would not agree with that view. It may be all right about the Lakhimpur Frontier Tract, as now constituted except for a small group of villages—Borfakial, Kateitong, Tabawang, Manmau and two other small villages. The population of these six villages is not more than 700 to 800.

Mr. Chairman: The area is administered by the Dy. Commissioner of North Lakhimpur as the Political Officer?

Witness:—Yes. Now in that portion of the Lakhimpur Frontier Tract which has been taken into the Tirap Frontier Tract, there are undoubtedly several villages which are purely tribal in character, particularly the Kachin villages which still pay house tax and who administer their own villages according to their tribal customs. They are as much tribal people as the Nagas.

Q:—This is in reference to the portion of Lakhimpur Frontier Tract transferred to the Tirap Frontier Tract.

A:—Yes, Sir. The population will be from 2,000 to 2,500 and they are all settled in the plains. They carry on the usual wet rice cultivation, that is the reason why some have been assessed to land revenue. On the other side of the river the Kachins pay house tax, others pay land revenue. This is a relic of the old Lakhimpur Frontier Tract days.

Secretary: Speaking about this area, is it the portion which was covered by the census? —

A:—The Lakhimpur Frontier Tract census covered the whole of the Lakhimpur Frontier Tract as then constituted, including the portion transferred to the Tirap Frontier Tract later.

Secretary:—According to the figures I have here, the area is shown as 394 sq. miles and the population in 1931—for some reason I do not have the figure for '41 — is 4,338. Is it all right?

A:—I think so, but it seems underestimated.

Q:—Why do Kachins live here?

A:—Part of the area of the Lakhimpur Frontier Tract was the original home of the Kachins prior to 1839, that is why you have Kachin villages still there.

Q:—The portion where the Dy. Commissioner's jurisdiction ends and where the hill areas begin, is that called the tribal area?

A:—No. There are two different aspects; one part is, where his jurisdiction and mine, are close together. There he has the Lakhimpur Frontier Tract and I have the area of the former Lakhimpur Frontier Tract, and in addition, there, is the tribal country between Lakhimpur Dist. proper and the tribal area within the Tirap Frontier Tract in the centre. Then also on the East, the tribal area does not begin, immediately adjacent to Lakhimpur proper. You pass through the excluded area of Tirap Frontier Tract before you reach the tribal area.

Mr. Chairman: Do you agree that the portion under the jurisdiction of the D.C. of Lakhimpur should now be dealt with by the Assam Provincial Government?

A:—I don't see why it should not be. There are only some four villages with any tribal characteristics, the area is populated mostly by Morangs and ex-tea garden coolies.

Secretary:—You know that the area now treated as tribal area and administered by the Central Government has been shown in Schedule I as Excluded and partially Excluded areas, in 1935. Are you of the view that should be rectified and it should be shown as de-jure a tribal area under the Government of India administration?

A:—I think so. This, I am afraid, requires a rather long answer. The matter depends really on what stage of advancement the people have reached.

Q:—Actually it is like this. According to the notification issued by the Govt. of India Act, the whole of the area is Excluded Area, which strictly speaking, should form part of the Province. Now the question is whether that legal or strict position should be altered to correspond with fact or whether it should be made the other way round, whether it should be left to the Provincial Govt. or put under charge of the Central Government in future?

A:—From the point of view of finance, I personally think that it should remain under the Central Govt. Because this area has been so neglected in the past and if we are going to raise the standard of living, we want very large sums of money indeed. We have asked for this and I believe it will be sanctioned, and this financial aspect is the criterion on which my answer must be based.

Secretary: Have you any thing to say about this area, in reference to the question of defence and the external relations with foreign powers?

A.—Certainly; I imagine the matter of defence comes in here, and is very important. I am not myself quite aware of any details; but this is very close to Burma on the north and it is not far to China.

Mr. Chairman: What would you like the policy of the Government of India or the Provincial Government acting as the agent of the Central Government in reference to the administration of this area? You know there are two ways, should it be by force or by the process of civilizing them.

A.—We have already abandoned the use of force entirely. In my opinion, we must progress by developing the people. At this part you may be interested to know that although the district is theoretically divided into two:—the de-jure tribal area under the Govt. of India schedule of '35 and excluded area of the province; and the statutory tribal area both are in exactly the same position in fact. As you know, Sir, this district was formerly part of Sadiya and the Western area was loosely controlled by the Dy. Commissioner, North Lakhimpur. The eastern area ~~was far away~~ from the headquarters, and the result was bad neglect for a period of 25 years. We are now left in a position of not having a single Matriculate, or even a single literate in this area. Thus while one area is excluded and the other tribal, both are really in the same position. But now we are determined that this position shall not continue and with that end in view we have submitted to the Government of India—at that time it was in their control—a big scheme and we hope that this will be sanctioned.

As far as the eastern area is concerned, I am of opinion, provided adequate finance is provided for these scheme, and we are able to go ahead. it is of really little importance whether the de-jure excluded area is administered by Assam Government or the Govt. of India; the main criterion must be our ability to improve the standard of living of the people by carrying out vigorously our schemes for education and agriculture.

As far as the Statutory tribal area is concerned, I am not enough of a legal expert to give an opinion on that, because it is de-facto not part of British India. at all. It is a sort of buffer area. I therefore think that the position in regard to the eastern area should depend upon the subsequent decisions made about the western portion—the Statutory tribal area, because both must run together. One area will, in fact, be too small to justify any expenditure. Together, they make up a sizeable district. As soon it is decided what should be the position of the statutory tribal area, then a similar decision must be made in respect of the eastern area which is nearest from the point of view of defence vis-a-vis Burma and China and through which the Ledo Road runs, which though now in a bad state of repair can be improved if anyone wanted to come in. We cannot really achieve anything if we divorce one part from the other. Both parts must form one district.

Q.—Are our relations with them the same now?

A.—They are slightly different. The eastern area pays taxes; the statutory tribal area does not pay taxes.

Mr. Chairman: All these areas must pay taxes? Will they like it?

A.—Yes, they must be all taxed, but we should first go ahead with measures of improvement and show them that something has been done for them, and then come in gradually with taxes. It will obviously be bad

policy to begin with taxes (at this point there was some discussion regarding the Trans Patkoi area or 'No mans land' between Assam and Burma).

Mr. Chairman: Will these people look upon the Government as enemies trying to encroach on their rights?

A.—No; because during the war they have received so many benefits from India and now they lean more and more towards this country. Before the war they got most of their things from Burma.

Q.—What kind of cultivation do they carry on?

A.—It is all jhuming, which is indeed a very big problem in itself. We are trying to introduce either wet rice cultivation or terracing. We have schemes for all this.

Q.—Are there plains areas in between?

A.—No, there are very few, and for this reason we propose to do the thing in two ways. Instead of concentrating on wet rice, owing to lack of water on the hills and the fact that we have very few flat areas, we are forced to utilise what few there are as much as possible and to try contour terracing in the rest of the area. That is a big problem in the statutory tribal Area which is very heavily populated. In the eastern area there is plenty of land and there is no serious erosion there as yet.

Q.—Do you think it possible to bring about wet cultivation there?

A.—Yes, in the valleys.

Q.—Do they live on friendly terms with the other tribes?

A.—Yes, they do.

Secretary:—Remembering the difference between statutory and non-statutory tribal areas, the question is, are the chiefs in the non-statutory tribal areas appointed by us, or recognised by us? Is it, the position that where we collect taxes, there the chiefs are appointed by us?

A.—My answer has to be in two parts. One as regards the group of eastern Naga tribes and the other in regard to the Kachins. The Kachins have their own chiefs belonging to the old ruling family before we took over the country in 1839, of whom there is only one branch now left. In fact, while there is nothing written since the original agreement in 1839, we recognise them as Kachin Chiefs. One of them, the one I referred to as the last surviving branch of the line, collects the taxes for us, and in all cases and in all matters affecting the Kachins no action is taken without previously consulting them through this Chief. It is really a local arrangement rather than a legal one.

There are two agreements, one of 1826 and 1839. (Hands in the two Agreements). One of the signatories is of BISA an ancestor of the surviving chief, I mentioned. These agreements, I can say, are no longer in practice. I show them only to point out that there is one family still left one of whose members originally signed the agreement.

Mr. Chairman: Are they chiefs who rule the people as their forefathers did?

A.—Yes, in a way; but because of the British authority—the District Officer—their influence tends to be on the decline. They are really advisers to the Political Officer on Kachin affairs.

Q.—Among Kachins themselves, do they act as more or less authorities?

A.—Yes, no matter is decided without their advice or help.

Q.—In their relationship with the chief, what is the actual position of the people?

A.—It does not bear any relation to the status of the man, really, in that he is an agent of the Government, being recognised by the District Officer, and he no longer rules over the people. He is however a member of the chiefly family and exercises considerable influence with the people. One of them collects the taxes for us, as I said, and he gets some commission. He is, we may say, a sort of Mouzadar. He has some judicial powers, but he has no supervisory authority. He does not have any sanad recognising him as chief. When a chief dies, his son succeeds.

Mr. Chairman: The village government that they have is now in the hands of the village organisation?

A.—Yes, each village has 3 or 4 members, the number depending on the size of the village, and they try to dispose of disputes, and submit to me those of a more serious nature. They also make suggestions for village welfare etc.

Q.—What about the more heinous offences? for example a murder?

A.—In practice, of course, they never commit murder. I have never known one among the Kachins. Such cases would be tried by the Political Officer.

The Hon'ble Rev. J. J. M. Nichols-Roy: What is the area of the Kachin administered area from which we get the taxes?

A:—About 1,500 sq. miles; and the population also 1,500, i.e. one man for a square mile.

They are animists, very few are Budhists. There is no other tribe there except the Kachins.

In the Naga areas from which we collect taxes, there are no chiefs. The tribes are of quite a different type from the Kachins, nor do they have any relation with the Nagas of the Naga Hills. The only connection is that their language is of the same ethnological group, belonging to the Tibet—Burman group.

Q.—There are no chiefs among these people. Have they any kind of government that they pursue?

A.—In the part where we take taxes, the village headman is appointed by government. He is, of course, always appointed on the recommendation of the villagers. When the man dies, the villagers give a report and bring in their own candidate, and if suitable, he is appointed. The elders generally come. They are not elected, in the strict sense of the term, but they are the elders of the village who understand the customs and rites of the tribes and have earned the respect of all. Both in the areas from which we get taxes and the area in the south—there is still no tribal cohesion. The unit is not the tribe, but the village, although a tribe may spread over an area and number several thousand, the unit is a village. One could have a Morang village here and one Morang village 20 miles away. They would understand each other, but each village would run its own affairs and have nothing to do with the other.

Q.—In point of education, communication, etc. I suppose they are in no way better than the Kachins?

A.—No, conditions are equally bad. They have absolutely no facilities for education. The Kachins, I should think have a slightly higher standard of living.

Q.—Do they also jhum (i.e. those Nagas)?

A.—Yes. They raise rice, millet, maize, yams etc. They, however, mostly live very near starvation point and rice and Kachu are the main items of their diet; of course, they eat goats and fowls.

Q.—Do they weave?

A.—The eastern people weave when they can get the yarn. They do not grow cotton, except in one or two villages. They mostly purchase thread from the bazar, coming down to Lakhimpur in the plains.

Q.—What do they bring down from the hills?

A.—Chiefly vegetable, cade, maize etc. They have no real literate person among them. The only system of education they have is that within the home itself. They are animists.

The Hon'ble Mr. Brahma: Does each village contain some 60 to 70 houses?

A.—No, some have only 7 or 8. Even these 7 or 8 houses constitute the village and they have their own system of government and manage their affairs.

Mr. T. Aliba Imti: Is there no tribal consciousness.

A.—No, neither in the eastern area nor in the statutory tribal area.

The total population of this whole eastern area is, excepting the Kachins, about 20,000. The population of the portion that merges into Burma is also 20,000 and in area amounts to about 4,000 sq. miles, inhabited by people who may be regarded as a group of tribes.

We wish to include the whole area into India, subject to what the Burma Government may say. They are all one people. Another reason is that the next district in Burma is the Myitkyina District. That is a Kachin district and they and the Nagas do not get on with one another at all.

The Kachins used to take the Nagas as slaves. You will remember that after the last Burmese war the Kachins came into India bringing with them a number of slaves.

The Hon'ble Mr. Brahma: The Kachins are better off than the Nagas, probably by virtue of their superior cultivation.

A.—Their economic relations are with this side of the frontier and not with Burma.

Mr. Chairman: Are they self-sufficient in the matter of rice?

A.—No. The Kachins are self-sufficient, but the Nagas are not.

Secretary: At present, have officials in Burma anything to do with this area?

Mr. Walker: They have appointed a Tawng Ok (Political Jamadar) but he does not do much?

Secretary: He does not come into our area of the Naga tribes?

Mr. Walker: No! He lives at Tagap. That is the last Naga village from here before you get into the Kachin area.

Mr. Chairman: Is there any natural boundary to the area?

Mr. Walker: There is a line of hills, PALAWNG-LAM BUM, SANGPAMBUM, etc.

Mr. Chairman: Let us now come to the statutory tribal area.

Mr. Walker: The whole of this area is designated as control area. (Shows Namsang-Borduria control-area on map) N.B. The whole area is not a control area, by any means much is unexplored and unknown.

Mr. Chairman: Is that the area which declared war against the Japanese?

Mr. Walker: Yes. The people are Konyaks. They have chiefs of their own. They really control all this area.

The chiefs are appointed from a single family. The chiefs' functions are two-fold. He collects tribute from the villages and he also is the person who is in touch with the spirits. His presence is essential for any religious festivals that may be carried on. The chiefs are the only persons who are able to get in touch with the spirits.

Many of the chiefs have only their own village, but it is essential for the village that there is such a chief in the village. The chiefs are not allowed to marry except within the chiefly family. This is the only tribe in Assam that has this system. We do not really know the full implication of their position yet.

Mr. Chairman: How many chiefs are there in the Konyak area?

Mr. Walker: I cannot tell you because we have never been all over the area, but there are two big ones in the control area, those of Namsang and Borduria.

*Q.—*Is polygamy allowed here?

Mr. Walker: It is very rare. It costs too much to keep two wives.

The Hon'ble Rev. J. J. M. Nichols-Roy: What about polyandry?

Mr. Walker: There is no polyandry.

Mr. Chairman: Are there any agreements with the Konyak chiefs?

Mr. Walker: I am not conversant with these agreements. Most of them were lost when the Dibrugarh Kutchery was burnt in 1874. The only one we have is an agreement for the tea garden of Namsang.

Mr. Chairman: Are any allowance paid to the others?

Mr. Walker: Yes. Money is paid to the Chief of Chopnyu and the LUWANG of Langhua.

Mr. Chairman: What is the total?

Mr. Walker: About 550 a year. Of this, the LUWANG of Namsang gets 450.

Mr. Chairman: Do we get land revenue from these tea gardens?

Mr. Walker: Presumably so. I do not know that the tea gardens pay because they are in Lakhimpur.

I hear also that there are other agreements. I will try and find out when I come to Shillong on the 1st June. I have tried before but I have been unable to get them. They might be found in Jorhat or Sibsagar.

Mr. Chairman: Any idea of the total population living in this area?

Mr. Walker: It is very considerable. May be as much as 150,000 to 200,000. I cannot give you any accurate information except to say that this area is extremely heavily populated with very big village. Non has I believe, 2,500 houses. Laju has 450 houses. There are lots of these villages with 100 to 200 houses. The population is very heavy indeed. The soil is subject to very bad erosion on account of 'Jhuming'. The

situation at the moment is fairly serious. What food is grown is by no means sufficient for the whole year.

Mr. Chairman: How do they manage during the rest of the year?

Mr. Walker: By living on Kachu, Sago-palm, and by going to the plains in the cold weather, to earn money, with which they purchase paddy later.

Mr. Chairman: In the statutory tribal area, is the same policy being pursued of introducing improvements and facilities and gradually extending the administration?

Mr. Walker: Yes. We started last year a fairly big agricultural scheme in a village to see how it would work, mainly consisting of dry terracing and contour line work. The hills are very steep and the programme will necessarily have to consist of dry terracing, as water is the problem. There being a shortage, due to lack of ground cover.

Mr. Chairman: What is the rainfall in that area?

Mr. Walker: About 150 inches.

Secretary: Is the Burmese Government following the same policy on the other side of the statutory tribal area?

Mr. Walker: I have no information.

I would recommend the Konyak area being one district.

The Hon'ble Rev. J. J. M. Nichols-Roy: What would be the area of this?

Mr. Walker: It is a very big area about 4,000 sq. miles. If we say the population is about 2 lakhs, we will not be far wrong.

Mr. Chairman: Do they understand one language?

Mr. Walker: They are very closely connected, and are probably dialects of a main language.

Mr. Chairman: Why do you call it the Konyak area?

Mr. Walker: For convenience only.

Mr. Chairman: Do you know how many dialects they speak?

Mr. Walker: I do not know this. The people of Laju village speak one but they can understand the Namsang with a certain amount of difficulty. It will probably be found that the language will not be such a difficult problem in this area, as it is in other places.

Mr. Chairman: Do you expect any obstruction?

Mr. Walker: If we show them what we can do for them first, I do not expect any obstruction.

Mr. Chairman: What about the chiefs' feelings?

Mr. Walker: When I go to the area, the chief sits alongside of me and anything that we discuss, we discuss together. I have not done anything to minimise their authority.

Mr. Chairman: Do you think that this process can be carried on without interference?

Mr. Walker: Up to a certain point. My own personal opinion is that, if we are going to have any real progress, we shall have to take them over and administer them. I would rather say at this stage that we should see what their reaction is after we have begun education, than say they should be taken at once.

The Hon'ble Rev. J. J. M. Nichols-Roy: In the villages of the LUWANG of Namsang, are there headmen?

Mr. Walker: Each village has its headman, whom they call Goan-burá. It is the Assamese word. He is subordinate to the chief.

Mr. Chairman: Do they understand Assamese?

Mr. Walker: Some do.

The witness stated further in reply to certain question:—

There is little intercourse between one part and another part because the roads are blocked. This is the reason why Namsang was able to control the trade route to Assam. Unless a man paid tribute to him, he was not allowed to have the right of way. This tribute is still taken in many places.

Mr. Chairman: What powers do these chiefs exercise?

Mr. Walker: They collect tribute from the villages. There is also a custom by which the chief gets the hind leg of every animal killed. The tribute is not given in money but in kind.

Mr. Chairman: Does he exercise any judicial authority?

Mr. Walker: Yes, he does. I have never taken a case from that area. It is all done by them.

Mr. Chairman: Is there any co-ordinated action necessary on the part of the chiefs in settling disputes between one village and another?

Mr. Walker: I know that in the Namsang villages, if there is a dispute between two villages, they refer it to the chief.

Mr. Chairman: What is the feeling between one village and another village?

Mr. Walker: Those who are subordinate to Namsang are friendly with one another, but each village is a separate entity. There is no love lost between Namsang and Borduria, but we are slowly breaking down that antagonism.

Mr. Chairman: If the chief decides a case, are the people satisfied with his decision?

Mr. Walker: Yes, they accept it. When he decides a case, he does so only with the help of elders and 'Kotakis', but if anybody wants to say anything, he can always get up and have his say.

The Chief's main function is religious one. I think that will be found to be the basis of his authority. That is my own personal opinion.

Secretary: Are the chiefs in any way dissatisfied with the relations they have with the Government of India at present?

Mr. Walker: I do not think so, but they are all very anxious to have schools and things like that.

Mr. Chairman: In the Konyak area?

Mr. Walker: In the whole area. The difficulty of course is the number of languages. It is necessary to find out whether it will be possible to work out a common language for them or whether, if it is impossible, we should start straightway teaching them in Assamese.

Mr. Chairman: You have not any talk with the people themselves on the medium of instruction?

Mr. Walker: Yes, I have had talks with them. All of them are anxious that their children should begin first in their own language. I do not think they understand why they say that. Possibly they have heard me

saying so. My own feeling is that they should be taught first in their own language before they go on to a foreign language. I believe that is generally accepted principle that young children should begin in their own language and then go on to a second language at the age of 8 or 9.

Mr. Chairman: Are they aware of the impending political changes? Does it convey anything to them?

Mr. Walker: Frankly I should say no. I have tried to explain it to them but I do not think I have been able to make them fully understand what is going to happen. Their only reaction to it, to say is that they want to continue living in their own way. So far as the wider implications are concerned, I do not think they have the remotest idea of what they mean.

Question: What is the total expenditure of your area?

Mr. Walker: I cannot give you off-hand, but I can get it and send it to you.

Mr. Chairman: What is the source of revenue?

Mr. Walker: House Tax, Land Revenue, Excise receipts and Royalty from coal. This latter is a new source which was formerly sent to Lakhimpur and is now collected here.

Mr. Chairman: Are these collieries in your area?

Mr. Walker: Some are in the excluded area.

*Q.—*How about the forests?

*A.—*All the forests fall in the de-jure tribal area and there is a big scheme, I believe, which the Forest Adviser is preparing. The Luang of Namsang has a very valuable forest which I think is capable of producing revenue in three or four years' time, chiefly from plywood manufacture and also from paper.

Mr. Chairman: Regarding the general administration, of course you have already stated that unless the Government of India come to help with their finances, it will not be possible to develop this area. What kind of service should be employed for this development?

Mr. Walker: (Any kind of service) Could you make the question clearer please.

Mr. Chairman: Should they be of the provincial service or should they be directly under the Government of India? At present, there is a sort of joint arrangement.

Mr. Walker: I consider there should be a separate Assam or Central Cadre or not, the important point is that funds for development must be provided.

Mr. Chairman: How long do you think an officer should remain in one area?

Mr. Walker: I should say a minimum of 4 to five years, as the first two years, he is not able to do much (for it takes this time to learn languages and to gather the confidence of the people). In the new plans which have gone forward, the whole development in all the areas is very much on similar lines so that if an officer goes to Tirap or Sadiya, he will not be going to a different area so far as the development policy is concerned.

The Hon'ble Rev. J. J. M. Nichols-Roy: Do you think that this cadre should be on a higher scale of pay on account of the inconvenience of the hill areas?

Mr. Walker: I consider that the pay should be the same as that fixed for the Indian administrative service, and I would not recommend a higher one, but I consider an extra allowance essential to compensate for the fact that officers lead a lonely life.

Mr. Chairman: Thank you very much. I have really learnt a lot from you.

Witnesses: Kachins—Bisa-la. a Bisa, Liza Nawng. a Kotha, Minlung Nawng. Bisa, Bisa Dow. Bisa, Kotha Gam. Kotha. These represent the Kachins of the excluded area and the tribal areas also. (Questions and answers in Assamese).

Mr. Chairman: You belong to Bisa village?

*A.—*Not all. Liza Nawng and Kotha Gam belong to the same Kotha village. The others are from Bisa.

We are called Singpos and from time immemorial we are known as Singphos only in Assam. In Burma we are known as Kachins. The Kachins in Burma and ourselves are the same. We do not want to amalgamate ourselves with Burma.

*Q.—*What do you want?

*A.—*Sir, our children are not educated and without education we can never improve. We have grown into ignorant men, we do not want our sons to do the same. Of late there has been a general desire for education. We are now thinking of having education among us. The Kachins of Burma are also going in for a sort of English education. We do not want to lag behind. We strongly desire schools to be opened in our midst for our children to learn things and get educated.

*Q.—*Do you have your own people on the other side of the frontier?

*A.—*In Nawding mowza there are a few of our people. In the portion of the present Tirap frontier, or the area formerly in Lakhimpur Frontier Tract, we have our people. We are under the jurisdiction of the Political Officer and not under the Dy. Commissioner.

The Hon'ble Mr. Brahma: What kind of worship do you have?

*A.—*We call ourselves Singphos and we have our own kind of worship, conducted by what is called 'DARI' in Assamese, and in our language "TUMSAWA" We offer sacrifices which may consist of fowl or dogs or pigs, according to the nature of the sickness in the village. The sacrifice is conducted when anyone falls ill and has to be done by a 'knowing man' and cannot be left to anybody.

Mr. Chairman: What do you people want?

*A.—*Sir, we want to live where we are, but must get proper education and we must all make advancement. We must have schools, we must have roads, we must have hospitals and all that. But we cannot contribute any money for all this work. We have nothing with us and we do not want to serve in the tea gardens. We must live on our own

cultivation. Therefore, if you Sirkar, give us the money, we shall be very happy. We want all of us to be educated; if one alone learns, he will cheat all of us; that we do not want. By 'all' I do not include our females. They should not be educated, else they will go astray. We do not want female doctors and such persons. We do not also want other people who are non-Kachins to live with us.

Witnesses: Ten persons, people of the old Lakhimpur Frontier Tract, now in Tirap Frontier.

Mr. Chairman: What do you call yourselves?

A.—We are Ulup Gohais and Ahoms. We are all Buddhists (Hands in a written memorandum). Translation: We live in the portion of Tirap Frontier which was formerly in the Lakhimpur Frontier Tract. It is a matter of deep regret that because we are now in the Eastern Frontier, the Government have not paid any attention for the good of the people at all. For want of education we have not advanced, and even those who somehow got educated, they have not been given government service. We are all very glad that you members have come here to device ways and means for our advancement.

Our considered opinion is that for people who are living in the Bahiri Bhokta Anchal or Excluded areas, education, peace and order, communication, medical assistance and all that should be given to us. The Government must provide us also with the means for our livelihood. We the Buddhists, the Khamtis, the Fakials should also receive their share in these beneficent activities and in the political advancement. It is also our prayer that the Buddhists who have common customs and manners should be allowed to live together.

We are feeling the pinch of land for wet cultivation, therefore lots of people from outside the Province should not come to us. We want to go with Assam.

We have inter-marriages with the people of Jaipur and Namrup and in the non-excluded areas of Assam.

We have had no opportunities for education and are now like birds in a cage.

The Hon'ble Rev. J. J. M. Nichols-Roy: Did you say that for this area with a population of nine villages, there are only two primary schools Assamese?

A.—Yes.

The Hon'ble Mr. Brahma: Are there other people living with you?

A.—[Besides ourselves, we include also a few Nagas who have adopted Buddhism and some *ex-tea* garden coolies and Nepalese. There are some Singphos, but they are animists. There are some of other religions also. There are about 2 or 3 Christian villages—mostly *ex-tea* garden labourers.

De Facto Tribal Area No. 1

The Sub-Committee then examined the following witnesses:

1. Hra-bo
2. Kang Du
3. Lom-tong
4. Mad-hang

Namsang (Wang-lok, Wang-Kop and Chang-Wang):

We three have come from Namsang. We call ourselves 'nag'. We are chiefs and have our subjects.

The people of Namsang come to Jaipur and Margherita. Our people also go to other localities inhabited by the Assamese people. We have had no occasion of enmity with the Assamese people and our relations with them are very good. Our people bring from our area kochu, brijjal, betal nuts, etc.

We have salt pits in a place called Lumsi. We have perforce to take rice and paddy from the plains. There is also scarcity of cloth in our place.

The Nagas live in clans and those nearest to Assam are Namsang and Borduria Nagas.

Before the British, we were 'saki' with Assam. We had trade relations with them. There was exchange of presents between the two.

We are ignorant. We have no education, but we must remain Nagas and we have got to maintain our customs and manners.

The Chiefs of Namsang and Borduria belong to the same family.

There are certain arrangements with the British Government as a result of which, if we want to take to arms, we have to do so with the permission of the British authorities. For this, the Government pay Rs. 450 to Namsang.

There is a plot of land within the British territory which is called the 'inner line' from which the Raja of Borduria comes here every year and takes rent in kind from the Assamese people.

The population in our areas is rather dense and people are suffering for want of food. We have only dry cultivation. Whenever there is a shortage, we come to the plains to buy paddy and rice. In the cold weather, we come to work in the tea gardens, felling trees and clearing jungles.

People who live within two or three days' journey from here come here, but those who live far away from here are not able to come. They eke out their existence with *yam* and *baru*.

Our boys do not read in the schools as there are no schools in our localities. We want schools and our parents are very anxious to educate their boys.

When we have to come to the plains, we have to come with great difficulty for want of roads.

There are several villages within our area in Namsang and Borduria but there has been no occasion of enmity between one village and another. In interior villages, they carry on much fighting, resulting sometimes in deaths, e.g. in villages like Minu and Yanu.

We are backward and we have no educated people amongst us. If you send doctors or any missionaries to educate us, we shall certainly not ill-treat them.

When we ask the Political Officers for tea, they make a present of it to us.

We have a headman in every village, who decides small disputes, but in cases of serious dispute the Chief calls a conference of village leaders and decides the disputes.

The Chief carries on his duties himself so long as he is able to do so. When he is unable to carry on his duties, other people of his family do those duties. But in cases where even such men are not available, 'Handikoys' are set up to discharge those duties, as there can be no end to kingship.

Our people do not want to combine with Aos. Although they are Nagas, they have a different religion and we do not want our people to mix with them. We are quite uneducated at present and therefore we are not in a position to say whether we should combine with them or not. After we get to know things, we can decide whether we should combine with others or not. All that we want now is that we should have more education.

Beyond our inner line, we should remain independent, but we would like to remain in friendship with the people of Assam and the Assamese Government.

Witness: N. K. Rustomji, Esq., I.C.S., Deputy Commissioner, Lakhimpur.

Mr. Chairman: Mr. Rustomji, how long have you been at Lakhimpur?

A.—I am here only for the past two months as Dy. Commissioner, in addition I am D. C. of the Lakhimpur Frontier Tracts. I have not had any personal knowledge about these areas because I am yet to visit them. What I do know is only from the files and from local enquiries and discussions.

Secretary: (Reads) "This small fragment of the excluded areas..... problems of the hill tribes."

Have you any comments to offer about this?

A.—I can only say this question was discussed in 1944, as I find from a report of my predecessor, Mr. Fletcher, made on 24th April 1944. In it he states, "Owing to the process of truncation, the Lakhimpur Tract has become a useless area, and I recommend its abolition and absorption into the plains non-excluded area, for the purpose of future administration in the Lakhimpur District. If before this step is taken, the Political Officer, Tirap, wishes any further picking away therefrom, there will be little objection, provided a new stable boundary can be formed between the Lakhimpur District Sadar and Tirap Frontier Tract." And then he goes on to give details. Further on he has a report dated the 12th March 1945 where he states, "My recommendation to abolish the tract as excluded area is based on the fact that since the cutting off of the southern portion of the Tirap tract, the area has become so much reduced as to be unimportant. In all general respects, it is administered as part of the Lakhimpur area, that is to say excise, forests, police. There are two tea gardens and only one road from Digboi to Pengari. There are two mining and two prospecting licenses of the Assam Oil Company. There are two fisheries. The main area forms the Buridihang Mouza. The small part near Dibong falls in Makum Mouza.

"As regards special rules for civil and criminal cases, there have been none since 1943. There is no separate staff. The officers of Lakhimpur do the small amount of work which comes up. The area is capable of

post-war development, e.g., tea, oil, forests and agriculture, and would benefit by being a portion of the plains jurisdiction. The exact number of tribal people is small. The census figures are no longer accurate and no estimates could be based on them now."

From old papers I find there has not been any instance of the Dy. Commissioner having exercised special powers over this area.

Mr. Chairman: I will confine myself to the particular question as to whether that portion of the North Lakhimpur Frontier Tract which has been recently cut away from the Tract in order to amalgamate it with the Tirap Frontier should actually form part of Tirap Frontier or should form a part of the North Lakhimpur Frontier Tract so that the civil jurisdiction may extend to this area also?

A.—I have no knowledge of it at all; I am not allowed to go to Tirap area.

Q.—What is the nature of the population in the area given over to Tirap?

A.—I do not know. The reason for cutting off this area and joining it to Tirap is reported to be that the Dy. Commissioner had not sufficient time to devote adequate attention to this area and it was felt that it would receive better attention if it is placed under the Political Officer who would be nearer to the people themselves.

The Hon'ble Rev. J. J. M. Nichols-Roy: Was there any application from the Tea Gardens to keep this as an excluded area? That they do not want to be bothered with questions in the Assembly?

A.—I do not think there is any tea gardens in this particular area. I would suggest that if the proposal is to make the Lakhimpur Frontier Tract part of the rest of the district and administered as the rest of the district, it would be necessary in the initial stages to have officers with powers to take cognisance of the cases, with headquarters nearer than Dibrugarh. Dibrugarh is too far off, they would be benefitted if the headquarters of such an officer is at Digboi.

Mr. Chairman: My idea was not only judicial administration. My point is, would it not lead to the advancement of the people in the matter of education, communications, etc., if they were brought from the Frontier area and brought under the ordinary administration?

A.—Yes, from what I have seen from the records and from local discussions, I think that will be so.

The Hon'ble Rev. J. J. M. Nichols-Roy: Are the people all tribals, who live in this area?

A.—A very large proportion is ex-tea garden labour. From what little I have seen of the people of Tirap, I think they are better than the other people. Of the part that is ceded, I cannot say anything, because I have no knowledge.

Q.—Had Mr. D. Majid, the last Dy. Commissioner, any report on this subject?

A.—I do not know. I think Mr. Majid wanted to call for the papers for the Hills Conference, but that Conference was held in his absence and so he did not attempt any report, as far as I can gather.

Witness: Mr. Lakhiswar Barua, M.L.A., Dibrugarh East Constituency.

Mr. Chairman: I believe you got permission from the Governor to study the situation in reference to the North Lakhimpur Frontier Tract, as also the Sadiya Frontier Tract?

A.—Yes, and I conducted certain enquiries.

Q.—Confining ourselves to the N. Lakhimpur Frontier Tract, what is your opinion about this tract remaining as an excluded area?

A.—There is no justification for it being included in the excluded area.

Q.—Do you know that just before the war, or during the war, a portion of the N. Lakhimpur Frontier Tract was cut away and amalgamated with the Tirap Frontier?

A.—I have heard of it; it was probably during the war. But I know the same people live in both the portions, *i.e.*, the people in the area cut away have the same characteristics as those remaining in the rest of the Frontier Tract. They are Dowanias and Fakials, ex-tea garden population, Nepalese, Morangs and some Kacharis. The Kacharis also form the bulk of the population in some other mouzas, such as Jaipur which is not in the excluded area.

North Lakhimpur Frontier Tract

The Sub-Committee then examined the following witnesses from the Lakhimpur Frontier Tract:

1. Aimya Khang Gohain, Secretary, All Assam Buddhists' Association
2. Ghonkan Gohain
3. Utara Gohain
4. Kamak Kowarh
5. Channa Muhra
6. Khamamgam
7. Ratmeswar Maran
8. Mr. Vijay Chandar Chetia, M.L.A., and others.

We know that a portion has been cut away from the North Lakhimpur Frontier Tract and amalgamated with the Tirap Frontier Tract.

The North Lakhimpur Frontier Tract, including the portion that has been ceded to the Tirap Frontier Tract, is inhabited by people generally living in the plains. The inhabitants are mainly Singphoes, Kamties, Fakials, Nepalese and others. The Singphoes and the Nagas are small in number.

We wish to be included in the non-excluded areas. The portion which has been included in the Tirap Frontier Tract is mostly inhabited by Duanias who are Bhuddists, ex-tea garden labourers, Nepalese, and some Christians. The population of this area will be a little over 1,000. These people formerly belonged to the plains, but when the tea gardens were opened up, they left their old homes and mixed themselves up with other people coming from the hills and thus found themselves into this sector. Their original stock was Kachari, Moran and Ahom. Although we are people of the plains, we have been divided into two

portions, some living in the frontier area and others in the non-excluded areas. In the matter of communications, education and other matters, our interests are being completely overlooked.

The area which has now been ceded to the Tirap Frontier Tract is in no way different from the other areas, and therefore we wish this area also to be included in the non-excluded areas.

(Mr. Chetia at this stage stated that he was himself a Kachari but had relations with Morans.)

The Sub-Committee then rose for the day.

Translation of an Agreement in the Assamese Language executed to the British Government by the Singphoe Chiefs—1926.

Whereas we, the Singphoe Chiefs, named Bum, Koomjoy, Meejong Jow, Chowkhen, Jowrah, Jowdoo, Chow, Chumun, Neengun, Tangrung, Chowbah, Chamuta, Chowrah, Chowdoo, Choukam, Koomring' & etc., are under the subjection of the British Government, we execute this Agreement to Mr. David Scott, the Agent to the Governor-General, and hereby engage to adhere to the following terms, viz. :—

1st.—Assam being now under the sway of the British Government, we and our dependent Singphoes, who were subjects of the Assam State, acknowledge subjection to that Government. We agree not to side with the Burmese or any other King to commit any aggression whatever, but we will obey the orders of the British Government.

2nd.—Whenever a British Force may march to Assam to protect it from foreign aggression, we will supply that Force with grain, & etc., make and repair roads for them, and execute every order that may be issued to us. We should on our doing so be protected by that Force.

3rd.—If we abide by the terms of this Agreement, no tribute shall be paid by us; but if any Assam Paeeks of their own accord reside in our village the tax on such Paeeks will be paid to the British Government.

4th.—We will set at large or cause to be liberated any Assam people whom we may seize, and they shall have the option to reside wherever they please.

5th.—If any of the Singphoes rob any of the Assam people residing in our country, we will apprehend the former and surrender him to the British Government; but if we fail to do so, we will make good the loss thus sustained by the latter.

6th.—We will govern and protect the Singphoes under us as heretofore and adjust their differences; and if any boundary dispute occur among us, we will not take up arms without the knowledge of the British Government.

7th.—We will adhere to the terms of this Agreement and never depart from them. This Agreement shall be binding upon our brothers, sons, nephews, and relatives, in such way as the Agent to the Governor-General may deem proper. We have executed this Agreement in the presence of many.

Written at Suddeea on Friday, the 5th May 1826, or Sukabda 1748, or 24th Bysakh 1233 B.S.

Names of Singphoe Chiefs who have signed the Agreement.

Chowtow
 Topomka
 Towallah
 Hokap
 Chowcha
 Insala
 Donphoomla
 Ahringla
 Katanchawpha
 Tangsung Zung
 Donthemjowphea
 Latham Thoyrung
 Chekangla
 Singnien
 Moonlankoo
 Beesa Bum
 Koomjoy
 Meejong
 Cowkhen
 Chowrah
 Sowdoo
 Chow
 Chanlong
 Ningon
 Tunrong
 Chowun
 Samtang
 Chowra
 Chowdoo
 Chowkam
 Sowrno
 Seerola San
 Panjow
 Latxejabong
 Pooingrong
 Oraon.

Translation of an Agreement entered into by the Singphoe Chiefs

We, Bour of Beesa, Koomjoy of Sookhang, Meejang of Wakhet, Jaow of Nungnoo, Chowkeu of Kotah, Jowra of Choo Khang, Joodoo of Leechoo, Chaow of Nenem, Changnong of Nenem, Mengong of Kuzaow, Tamrang of Kasan, Jawan of Pecheela, Jamtong of Set, Judo of Kamkoo, and Chowr Ningko fourteen Gaums, enter into this written Engagement with the British Government in the year 1748 Sukka. We acknowledge subjection to the British Government and bind ourselves to observe the following conditions, approved of by David Scott, Esquire, Political Agent in Assam.

1st.—We and our dependant Singphoes were formerly subject to the Assamese Government, and now the Honourable Company having become the rulers of that country, we acknowledge allegiance to them, and abjure all connection with the Burmese or any other foreign Prince.—Regarding political matters we will not hold any sort of intercourse with foreigners but will act agreeably to the orders of the British Government.

2nd.—If an enemy come from any foreign country to invade Assam, we will supply the British troops with rice and other necessaries; we will prepare roads and ghats, and ourselves make such resistance as we may be required to do. If we act in this manner we will be entitled to protection from the British Government.

3rd.—If we abide strictly by the terms of this Agreement, no revenue is to be demanded from us, but if hereafter any Assamese Pykes should, of their own pleasure, desert to our villages, we will in that case pay for them the Capitation Tax.

4th.—We agree to release, and to cause to be released, all Assamese captives detained by us or our dependents, such of them as choose to remain in our villages being at liberty to do so.

5th.—If hereafter any Singphoes should commit depredations on the Assamese territories, we bind ourselves to arrest and deliver them up for punishment, and in case of our being unable to do so, we declare ourselves jointly responsible for the damage sustained by the people of Assam.

6th.—We will administer justice in our respective villages according to former custom, and settle all disputes amongst our dependents, and if any quarrel shall take place between two Gaums, we will not have recourse to arms, but refer the matter for the decision of the British authorities.

7th.—We solemnly promise to abide by the above written conditions, and as hostages for the performance thereof, we agree each to deliver into the custody of the Political Agent, a son, or a nephew, or brother, as that officer may direct. To all these articles we have in common agreed.

Dated 24th Bysakh 1748.

(Signed)

Bour.	his mark.
Koonjoy	ditto.
Meejang	ditto.
Jaow	ditto.
Chowkeu	ditto.
Jowra	ditto.
Jowdoo	ditto.
Chaow	ditto.
Changnang	ditto.
Neengan	ditto.
Tamrang	ditto.
Jamtang	ditto.
Judoo	ditto.
Jowra	ditto.
Jafen	ditto.

Similar Agreements were signed by Koomreeng of Lutow, and by the Tao Gobryn, with some modification, in the case of the latter, to the 4th Article he being entitled, in consequence of his having submitted to the terms required at first by Lieutenant Neufville, to retain such slaves as he possessed before the capture of the Fort of Rungpore.

(True translation)

(Sd.) D. SCOTT,

Agent to the Governor General.

**SADIYA FRONTIER
TRACT**

Note by Secretary, on visit to the Sadiya Frontier Tract

This frontier tract includes a strip of territory on the south bank of the Brahmaputra and consists of plains territory up to Pasighat, Nizamghat and Denning and perhaps a little beyond. The headquarters town of Sadiya is situated on the north bank of the Lohit river and broadly the tract may be regarded as consisting of two main valleys, *viz.*, the Lohit Valley and the Siang Valley with Nizamghat and the Dibang river in between. The Siang or Dihang is the main-stream of the Brahmaputra and emerges from Tibet where it is known as the Tsang Po. In the Abor country it is called the Siang and plains people of Assam call it the Dihang. The confluence of the Lohit and Siang is about 50 miles below Saikhoa and Sadiya. The Political Officer has his headquarters at Sadiya and an Assistant P. O. lives at Pasighat. A second Assistant P. O. for the Lohit Valley has at present his headquarters at Sadiya but a proposal to shift his headquarters to Denning is under consideration. The Lohit Valley and the Nizamghat portion which is inhabited by the Chulikata Mishmis have no easy communication between them though it is possible to go from one to the other. (Locally the frontier tract is regarded as consisting of two areas one referred to as the excluded area and consisting of the plains portion roughly up to the inner line and the other the tribal area. Legally the whole of this tract up to the McMahon Line is excluded area but in practice the Government of India treats the whole of this tract as a tribal area.) The anomaly of this position is further added to by the local practice of regarding a portion of it as excluded area referred to above. The Lohit Valley is inhabited by the Mishmi tribe and the Siang Valley by the Abor tribes. The P.O. considers that it is necessary to have separate Political Officers for these two tracts. Since the Sadiya plains portion, locally regarded as excluded area, seems to be a fairly advanced tract with good proportion of non-tribal population and the partly assimilated Miri population. The question of absorbing this portion into the province needs to be considered along with the proposal for dividing the tract into two tribal areas. It appears that at present no kind of boundary marks exist on the Tibetan Frontier, *i.e.*, the McMahon Line and it will probably prove to be a most difficult job to have the whole boundary demarcated by pillars. For practical purposes the erection of boundary marks on the McMahon Line and the trade routes would appear to be sufficient.

The general impression of all the tribes inhabiting this tract, *viz.*, the Khamtis (who are practically the same as Kachins) and Mishmis and the Abors is that they are pretty intelligent people and have very keen demand for education, medical facilities and communications. In general intelligence and interest in political affairs they seem to compare well with the Lushais. A striking feature was that there was a demand for representation in the legislature at Shillong in contrast to the changed attitude of the Nagas.

The Sub-Committee met at the Sadiya Inspection Bungalow at 9.40 A.M. on the 26th May, 1947, all the members except Sri A. V. Thakkar being present. The Hon'ble Mr. Gopinath Bardoloi was in the chair. It was decided not to have a co-opted member.

Witnesses.

- J. H. F. Williams, Esq., I.P.,
Political Officer, Sadiya Frontier Tract.
- P. L. S. James, Esq., I.P.,
Assistant Political Officer, Pasighat.
- G. T. Allen, Esq., M.C., I.P.,
Assistant Political Officer, Lohit Valley.

Mr. Williams has been Political Officer, Sadiya Frontier Tract from August 1943. Previously he was A.P.O. in charge of the Pasighat Sub-division, in 1937. After one and a half years as A.P.O. he was out on military duty for 3½ years. On return from the army in 1943, he joined Sadiya as its P.O. He was on leave and returned to duty about 3 months back.

Mr. Chairman: You must have done a lot of touring in these areas. We should be glad to learn from you as much as possible about these areas and their people.

A.—Yes, I have done some touring, mostly among the Abors and in the Tibetan frontier.

I cannot say off-hand if any survey of the area now being governed from Sadiya has been done or not. I can for a certainty say that the N. Western area of the Abor Hills has not been surveyed at all, and all figures about that area are guess-work.

I can roughly give the population of the tribes living in this area, but the actual area, I am afraid it can only be worked out roughly from the maps.

Q.—Don't you think that the area is too big to be administered efficiently from one centre, and don't you consider it better to split it into two parts?

A.—I have strong views about that. The Northern tribes—the Abors in Siang Valley should, I think, have a separate headquarters situated at Pasighat. For the Mishmi area, Sadiya can be the headquarters, to administer all the Mishmi tribes, i.e., the Idus, Chulikatta Mishmis in the N. Dibong Valley, the Digarus, the Nidu Mishmis in the Lohit Valley and the Khamtis on the Tengapani. This would also serve the Miri tribes on the main river.

The Abor district would comprise nothing but the Abors.

This would approximately divide the area into two equal parts.

Linguistically you have one Abor language for all the Abor Hills, except for very slight differences in their dialects.

In the Mishmi District, the tribes I have mentioned have each a different language, but the neighbouring tribes understand each other's language. They differ in their customs and manners also. The Digarus and the Nidus are practically similar; but the Idus are animists and have different characteristics. The Khamti Shans are quite different and are Buddhists.

Economically all these tribes have the same jhuming cultivation, and most of them are semi-nomads.

Q.—Do they have any system of electing their headmen?

4.—They have the system of having village headmen and chiefs, but they have no elective system. It is mostly a matter of heredity. A man, by his parentage, wealth and character comes up and maintains his position. When he dies, the son carries on; if there is no son, usually the uncle takes it up.

These chiefs or headmen are a law unto themselves. They have no specific judicial powers. Until recently they settled all their disputes by force of arms, I mean the Mishmis. It is generally between individuals and individuals not between villages. There are clan rivalries too, but no village rivalries as you have among some Naga tribes.

In 1912 a survey party went into the villages of the Chulikatta Mishmis. I am not aware of any later visits. They come down in the winter to Sadiya and trade in musk, skins, etc.

The Idus have a lot of feuds among themselves.

Q.—How do they take to outside people like us going up to them. Are they suspicious?

A.—It all depends on how they think your visit is likely to affect them, and their little parochial problems. I am afraid we have scarcely visited the Idu area and I cannot say if they will offer any obstruction to outsiders going into their midst.

Talking about all the tribes, I can say that to outside influences, they are neither receptive nor repulsive, they are completely disinterested—indifferent. They have little enterprise and initiative and they are very bad opium addicts; they are degenerate tribes. They cultivate their own poppy and practically every man, woman and child is an opium addict, especially the Tarangs of the Lohit Valley. The Idus only smoke opium.

Q.—The Khamtis are entirely a different people?

A.—Yes; they have a civilization of their own. They have very efficient cultivation and they raise wet rice. They are ruled by their own clan chiefs. Each clan has a headman. They are similar to the Shans of Burma. Actually, it is reported, they are related. The Ahoms who came originally became Hindus, but these people who came later retained their Buddhism, and their script too.

The Hon'ble Mr. Brahma: The Abors and Mishmis are not found in the Excluded Area?

A.—No; none of them live in the Excluded Area.

The Abors keep cattle, sheep and goats. The Mishmis keep large herds of domesticated mithum.

Q.—Is the excluded area in the plains?

A.—Yes; but there is no line between the tribal area and the excluded area; the tribal area or portion has not been properly defined.

Secretary: The position seems to be that there is an inner line which approximately passes through Pasighat, Tippu (?) and so on. Is that correct?

Mr. Williams: Yes.

Secretary: The census table shows this area as 3309 sq. miles with a total population of 60,000 of which about 40,000 are tribals. That presumably refers to the area between the boundary of Sadiya area and the inner line.

Mr. Williams: Yes, that is the area from which poll tax is collected. That is the area which has been surveyed. (There has never been any boundary placed between the tribal area and the excluded area but at present there are proposals in hand for a tribal area boundary.) In this census report of 1941, the figures are certainly misleading in that the Tirap Frontier Tract or parts thereof were still part of the Sadiya Frontier Tract. Now that portion has gone out.

Secretary: If the area which is administered with taxes and so on is fairly advanced, would it not be advisable to consider the division of the tract into three different areas, one which will be included in the province and will extend approximately up to the inner line, the second area which is a tribal area which will be administered from Pasighat, and the third one administered from Denning? The proposal is that Sadiya should form part of the province with a representative in the legislature.

Mr. Williams: If Sadiya is absorbed into the province it will be rather difficult. Sadiya was a very small place. The surrounding population was a matter of 4,000 people. Sadiya town and the settlements outside the inner line around Sadiya have grown up with the constitution of this district since 1912. Sadiya is the only natural place from which the frontier district extending across the Mishmi hills can be properly administered.

Secretary: If Sadiya is absorbed into the province, is there any alternative place to Sadiya?

Mr. Williams: I see no alternative to Sadiya.

Secretary: Is there any objection to Sadiya continuing as headquarters, even though absorbed in the province? If will really mean only the headquarters of the Political Officer of the Mishmi tract.

Mr. Williams: Well, Sadiya is the only natural place for all the Mishmi hills. If Sadiya is brought within the plains administration, his headquarters will be outside his jurisdiction which will be a disadvantage.

Mr. Chairman: How far is Denning from Sadiya?

Mr. Williams: 48 miles.

Mr. Chairman: What is the height of Denning?

Mr. Williams: 1,800 to 2,000 feet.

Mr. Chairman: Can you suggest any other place except Sadiya?

Mr. Williams: Yes. The only alternative would be two separate districts for the Mishmi hills, one with headquarters somewhere in the Mishmi Hills and another one for the Chulikata Mishmis up in the hills.

Mr. Chairman: It looks as though Nizamghat will be nearer to these places than Sadiya.

Mr. Williams: But there is no lateral communication in the hills. It is all along the rivers. Sadiya is the focal point for this valley.

Mr. Chairman: What will be the distance between Nizamghat and Denning?

Mr. Williams: 60 to 70 miles.

Mr. Chairman: How do they come to Sadiya?

Mr. Williams: Sadiya is the point at which the routes fan out to the hills. The people will have to walk across the hills for 60 miles or more if the headquarters is over there.

Mr. Chairman: Is there any school in this area?

Mr. Williams: No. There has not been any administration in these areas. The administration has merely been of the watch and ward type of the frontier to protect the plains people from sporadic raids from up the hills.

Mr. Chairman: You do not collect any taxes?

Mr. Williams: Not in the hills. In the foot of the hills there are a few villages, probably about a thousand Mishmies, who pay poll tax.

Mr. Chairman: How much is the poll tax?

Mr. Williams: Rs. 3 per head.

Mr. Chairman: What is the position of the women in their society?

Mr. Williams: Just chattels.

Mr. Chairman: Inheritance. is it matriarchal or patriarchal?

Mr. Williams: Patriarchal.

Mr. Chairman: East of the Mishmis, I suppose, are the Shan States.

Mr. Williams: In the east the Mishmi area is bounded by Chinese territory. It is bounded by the south-east province of Tibet, but China of course claims suzerainty over the whole of Tibet.

Mr. Chairman: Is the present boundary covered by the McMahon Line? ✓

Mr. Williams: (Yes, but in the last few years the Tibetans have made encroachments across the McMahon Line at the top of the Lohit valley. The position there is still not clear as the area is unvisited and unmapped. It has never been surveyed.) >

Mr. Chairman: Then so far as that area is concerned, the McMahon Line exists only in theory. ✓

Secretary: Is there any agreement with the Mishmi chiefs?

Mr. Williams: There is nothing on paper. But in 1857, 58 and 59 and subsequent to that, some treaties were made with the Abor chiefs. The 1862, 1863 and 1866 are here. They are treaty Nos. XCIII, XCIV and XCV in "The Collection of Treaties, Engagements and Sanads" by C. V. Aitchison, B.C.S.

Mr. Chairman: Do these people settle their disputes among themselves in the tribal areas?

Mr. Williams: At times their disputes drag on for years and years and ends in killing one another. They are gradually referring their cases to me.

Mr. Chairman: Any mineral concessions or licences in this area?

Mr. Williams: No minerals have been found of any commercial value in these hills. The survey of 1912-13 had geological experts with them but no mineral wealth came to light.

Mr. Chairman: I want to know whether among the Mishmis there are village chiefs.

Mr. Williams: Not specifically. You get a clan headman who will exert influence over other villages, but there is no regular chief. You will get an influential headman—influential partly through character and partly through wealth—exerting influence over an area, but there is no specific chief.

Mr. Chairman: Do you produce enough of food?

Mr. Williams: The Mishmis up the Lohit valley are extremely incompetent cultivators. Therefore part of the year, they are on a semi-starvation diet. Many of them come down the hills in the cold weather to eke out their existence. Their hills are extremely steep and it is a difficult country to grow good crops, but all the same they are a very incompetent people.

Mr. Chairman: Do you notice any marked desire to come down to the plains to settle?

Mr. Williams: Not amongst the Mishmis very much. A few people may come to settle in the plains. But the policy as a rule has been to push them back to the hills, as they become subject to many ailments in the plains and die off. They cannot exist for long in the plains.

Mr. Chairman: Do they live on the crest of the hills or on the slopes?

Mr. Williams: The Mishmi hills are so steep and the crests are so knife-like that it is not possible to live on the crest.

Mr. Chairman: The Idus are slightly better, you say?

Mr. Williams: They are slightly more virile.

Mr. Chairman: Are they in the habit of bringing opium to the plains?

Mr. Williams: There may be a certain amount of it smuggled for sale in the Khamti-Shan areas from the Mishmi hills. I should say that not much opium is sold in the plains in the district of Lakhimpur. Perhaps the smuggling of opium into Assam proper is done from other parts of India.

Speaking about the Abors, they are certainly much more virile. You cannot specifically describe it as such but they have an elective system in that a man reaches his position of authority in the tribe or in his own village as the case may be by the general will of the people. It is not done by vote; it is done purely because of the man's character and wealth. He will gain his position as a leader in the village council by force of character. There is nothing defined exactly as to how many headmen there should be, how many clan headmen and how many village headmen. There is a council in each village which will meet in the meeting house of the village whenever there is any village subject for discussion. If it is any clan matter, the clan council will meet.

Mr. Chairman: What will be the size of a village?

Mr. Williams: From 50 to 500 houses.

Within the village itself, all disputes that arise in the village are decided by the village council.

Mr. Chairman: How do you distinguish whether a particular matter relates to the village or the clan?

Mr. Williams: Clan matters will be mostly social matters. These will be decided by the clan. If it is a question of where the village should do 'jhooming' in a particular year, it will be decided by the village council.

Mr. Chairman: What are clan matters?

Mr. Williams: Fishing rights in streams, a family's property and so on.

Mr. Chairman: You referred to 'jhooming'. Does each man get an allotted portion or does it belong to the whole village?

Mr. Williams: There are some areas where each family has a fixed share. There are other areas which have not been allotted to individuals but which belong to the village council.

Mr. Chairman: Do they move from place to place?

Mr. Williams: No, they are not a nomadic people.

Mr. Chairman: How many clans are there among the Abors?

Mr. Williams: Certainly enormous.

Mr. Chairman: Do they speak the same dialect?

Mr. Williams: They vary. The tribes up the Siang valley speak the same language. The difference is more in pronunciation. They can understand each other.

Mr. Chairman: What is the area of the Abors?

Mr. Williams: About 10,000 sq. miles. ✓

The population is estimated at 2,50,000. ✓

Pressure has always been from the north. The weaker tribes are in the south. They are being driven into the plains. Many people in Assam are erroneously thinking that all the Miris are slaves of the Abors.

The Galongs are the biggest tribes. Their language is different from the others.

Mr. Chairman: What actually do you do amongst these people? What authority do you exercise?

Mr. Williams: Our policy is to guard the McMahon Line and in doing so, we have to pass through many of the Abor tribal areas to be able to keep communication with our outposts; we have to exercise a certain amount of control over the tribes themselves. It has been necessary to stop 'mithun' raids and other feuds.

Mr. Chairman: What is a mithun raid?

Mr. Williams: Picking each other's cattle.

To keep communication with our outposts, we have had to follow the policy of Pacification of the local tribes, removal of trade blocks and to keep free movement up and down the valleys.

Mr. Chairman: How do they take it?

Mr. Williams: The more intelligent people in the villages when they have had contact with us over a period soon see the value of it and wish it to continue. There are always reactionary spirits in the villages who would like to revert to their own strong-arm methods.

Mr. Chairman: You have to discriminate between good people who give assistance and those who do not, also utilise force if necessary.

Mr. Williams: Yes. That is the reason why it is most important to have continuity of this policy, because the man who has assisted in pacification is left in a false position if that support is removed and he eventually finds himself in conflict with the reactionary elements.

Mr. Chairman: You have not till now employed any civilising methods, for instance, education, medical aid and that kind of thing?

Mr. Williams: We have been giving medical aid in our outposts. We take a doctor to those places.

Mr. Chairman: Do the Abors take advantage of that?

Mr. Williams: Medicine is extremely popular with them. Their confidence in Western medicine is one of our biggest assets, I should say.

Mr. Chairman: It is very surprising that people who believe in spirits and things like that should believe in Western medicine.

Mr. Williams: They have realised the value of Western medicine. There is a terrific demand for it.

As regards education, we have had no funds for it. This pacification of the country will have to come first.

As regards education, so many of these people had previously never come into contact with us with all these trade blocks. They were never able to come down to Pasighat, and there are still some areas in the north-west area still in that position, but as they come into contact with us, they see the value of education and are anxious that their children should be educated. To teach the children, they must first be taught their own language, that is Abor. When they come to higher classes, they can start other languages.

Mr. Chairman: Are there any books in the Abor language?

Mr. Williams: An American Baptist Mission have produced a few books.

Mr. Chairman: What religion do the Abors follow?

Mr. Williams: They are animists.

Q.—What are the things that these hill-tribes buy from the plains people?

A.—Generally they buy salt, iron, cooking utensils, etc. In exchange they bring down hand-spun cotton cloths, the Abor rugs—they are not made by the Miris as is commonly supposed—skins and a certain variety of rice.

Generally speaking, they do not experience scarcity; but in parts of the Galong country now and then there is shortage of food grains. The Galongs, like the Mishmis come down in search of work in the cold weather. They are rather short of land too, but in the areas up the main Siang Valley the tribes have fairly adequate land.

There is no wet rice cultivation in the valleys, they do it only in the villages along the foot-hills in Pasighat. We are trying to introduce it up the hills also.

Q.—Do they have any roads going into their area?

A.—No; there is only one road from Pangin to Pasighat—a distance of 40 miles, it is passable for a zEEP. But plans for its improvement and for the construction of other lines of communication have been prepared and have gone to the Government of India and I understand they have been, more or less, accepted in principle and are only awaiting their formal sanction. In principle, they have accepted the division of the district into two parts.

Mr. Alibi Imti: How do you go up these places?

A.—We maintain small porter corps, but generally speaking, we are largely dependent on the local tribals.

The Hon'ble Rev. J. J. M. Nichols-Roy: Is it a sort of 'begar'?

A.—Not at all; the labour is paid for at Re. 1 a day.

Mr. Williams made the following statement after this:

With your permission, Sir, I would like to add a few points. The first is about the international frontier. As you may well imagine, as a result of the trade blocks on our side, these people have always had more contact

with Tibet than with India. Of late, especially after our giving them facilities for their advancement, they are very keen to remain with the southern Abors. But if they are not treated well, there is no doubt about it, that they will give all their allegiance to Tibet, and as I said, their trade has mostly been with Tibet and it is only of late that they have begin trading with India, after opening up of the trade route to India.

These tribes are the natural guardians of India's frontier, and if they are treated well, they will be of immense value, but if, on the other hand, they are not given all facilities for general advancement, they will continue to be more interested in Tibet.

Mr. Chairman: You mean that our contact with them should be of a more permanent nature; but what are your suggestions in that direction?

A.:—I would suggest, for domestic purposes, give them autonomy, and for higher things like communications, education, medical aid, etc., give the whole area all facilities for development and give them more attention and financial assistance. This will be a sort of payment for their being our guardians in the frontier. We have all these development schemes in our Five Year Plan.

Q.:—Will the maintenance of this contact, include also the maintenance of some kind of military out-posts?

A.:—For some years to come, I am sure there will be the necessity to keep out-posts up on the frontier, until the unruly areas within the tribes themselves are pacified.

The Hon'ble Rev. J. J. M. Nichols-Roy: Can the tribal paths be used for pack ponies?

A.:—Yes; but we have no pack ponies in these parts.

Another point I would like to mention is this. All the forest areas in the foot of the hills, it seems to me, should be left intact, as reserved forests. They the tribals consider them as their own tribal forests, to do what they like with the result that we have an awful amount of erosion. If all these *sub-montane* forests are made over and thus allowed to be destroyed, it is definitely going to increase the danger of flooding in the Brahmaputra.

The Hon'ble Rev. J. J. M. Nichols-Roy: Do the Abors claim the area from Sadiya up to the Brahmaputra?

A.:—Yes, according to their tribal laws. If you ask an Abor, he will say the territory extends right up to the Brahmaputra.

Secretary: Have you any figures of expenditure? Could you tell us the revenue from this area where we collect Poll Tax? What is the total amount of the poll tax?

A.:—For 1947 the poll-tax figure was Rs. 15,000. From forest revenue we got Rs. 4,30,000. Most of the forests are in the tribal area, especially on the eastern side, in the Khamti tribal area there are very good forests.

The Hon'ble Rev. J. J. M. Nichols-Roy: Why do you have poll-tax and not house-tax?

A.:—I can't say, may be because among the Mishmis, very often about 50 souls may occupy only one large house; sometimes the whole village will be contained in one house?

Coming to the question of denudation of the forests and the danger of floods in the river, that is another argument for the introduction of terraced cultivation and for carrying out the agricultural operations according to modern methods.

Mr. Chairman: Do you want some system of granting domicile to people who want to come and settle in these areas?

A.—I think some such thing is laid down in the Executive Manual—10 years permanent residence, homestead, and no intention of returning to the original native place, and so on. But some of the settlers have mentioned to me their apprehensions *re.* their future. They state that they actually came up to Sadiya and opened up the country developed the trade of the place, and they do not want that their future to be left uncertain; they want some sort of safeguards, as domiciled settlers. But I do not think there is any necessity for any sort of special domicile certificates apart from what the Government of Assam generally gives. At present men who come here to carry on business beneficial to the people of the place are allowed to stay here.

Next, I would like to refer to the 'Inner Line'. There has been a certain amount of agitation against this inner line, amongst quarters outside the district, and it is represented as a rather repressive measure. But as I was explaining to Mr. Lakhiswar Barua the other day, it is very necessary to have some such restriction like the inner line, beyond which no one should go without a pass. This is so because we have no police force in the hills and if anyone goes up the hills and gets into trouble with the tribals and has his head chopped off—which often happens from a mere misunderstanding due to his ignorance of the local language—he will come to grief without any of us knowing anything about it. This may even land us into trouble and strained relations with the tribes, necessitating such unpleasant things as an expedition to pacify things. Therefore, I think no one who has *bona fide*, legitimate business should go beyond the inner line without a pass, and in such cases we have never refused a pass. I want to make it clear that this grant of certificate or pass has not been used as a repressive measure. It is necessary both for the people in the hills and also for those who come up from the plains.

Apart from the question of the safety of people, the inner line has another significance. (There is the international frontier and there must be some check on those who go towards the frontier and are likely to cross it. The Tibetan Government do not allow any one from this side to go over to their area without a permit from Lhasa.) If any one from India, except the tribals, goes, there is usually a lot of trouble with them. In the same manner, the Chin Hills Regulation Section 22 gives the District officer power to refuse entry to any one whom he thinks is a danger to public safety, order and justice.

Of course, in actual practice, these powers are rarely used, but it is clear that there is need for such powers, because if there is going to be large influx of population from outside, such a law will act as a deterrent. The Political Officer will have the power to remove them and they will not squat. If there is no such power, they may come in and make a settlement, and once they do that, it will be very difficult to remove them later, as the Assam Government now finds it to its cost.

The Hon'ble Rev. J. J. M. Nichols-Roy: If the plains portion of Sadiya is brought under the general administration of Assam, will there be any resistance from the Abors?

A.—They cannot legitimately object to the plains portion being brought under the general administration. There may be a certain amount of feeling against it; the Mishmis and other tribes administered from Sadiya would feel that it is no longer their district administration headquarters.

The position is this. The Khamtis say they were the original rulers in Sadiya when the British drove out the Burmese in 1826 and the British representative here made an agreement with the Khamti chief of Sadiya which can be seen in this book: "Treaties, Engagements and sanads" C. V. Aitchison Vol. II, No. XCVI, page, 282. By this agreement the Chief at Sadiya gave his allegiance to the British. Subsequently when that particular chief died in 1839, the Khamtis rose up in revolt in Sadiya and massacred the Political Officer and others of the administrative staff. Therefore they had to be driven out of Sadiya into the Mishimi hills. Some of them were subsequently deported to North Lakhimpur areas where they now are. Others made peace in 1843, vide Treaty No. XCVII of the book just now referred to, (page 253). By this agreement they agreed to return peacefully, provided they were given the area of land specified in the treaty. They were, as a result, given the area between the Brahmaputra and Dirak river, which includes Tengapani and the lower waters of the Noadhing. This area has since been regarded as their tribal area. The Morang people were allowed to settle in the Khamti area by the then Political Officer in consultation with the Khamti Chiefs.

Witnesses: AHOMS.

1. Jadav Chandra Gohai—Mouzadar,
2. Hem Chandra Gohai,
3. Kusha Chandra Gogoi, B.A.,
4. Bapuram Gohai,
5. Chandreswar Bura Gohai.

All the five present combined memorandum which is read out by the Secretary.

Mr. Chairman: The memorandum states, "We confine our representation to the plains portion of the Sadiya Frontier Tract. the excluded area now included in the Sadiya Frontier Tract. All the various communities that live in this area have been signatories. Before we drew up this memorandum, we held a general meeting of all the people and all the points made out here were discussed and unanimously passed, after the conclusions arrived at were explained to the people present.

I would like to put a few questions. You want compulsory primary education. I hope you will have no objection if taxes are imposed on this area too as in other parts of the country where there is compulsory primary education? After all there will be a lot of expenditure involved.

A.—We generally agree to the principle of having education cesses, but in the initial stages we would rather not have such taxes resorted to.

About 50 per cent. of our people are landless and some lands could be given to them from the lands outside the reserved forests. This, however, is not done, and unless we have land, about half of the population will have to remain unemployed, with all the attendant evils on their economic life.

We have been here for many years, and we have somehow managed to exist, that is all.

We qualify our demand for government services by the insistence of a minimum degree of efficiency.

We have demanded that all non-Assamese must be transferred from, but even here, we shall be prepared to be guided by the general rules of Government service.

We shall be glad to have a District Council with powers similar to those of the local boards; but we expect some powers of administration to be given to us gradually, as we prove ourselves able to discharge higher responsibilities.

Our considered view is that we will be prepared to work in full co-operation with the people of the Hills, provided they do not want a separate state or province, and would remain within the province of Assam.

We have no objection to whatever arrangement is made for the development of the tribal areas, and to necessary grants being allotted for this purpose.

The Hon'ble Mr. Brahma: Is the yield from the land sufficient to meet the needs of the people?

A.—We have stated that the yield is not sufficient and therefore, we do not want anyone from outside to come and occupy the land here. In this respect we want protection.

Mr. Aliba Imti: I think you said you are all Ahoms; have you any connection with the Ahoms Association?

A.—No, but if there be any reasonable demands made by that Association, we shall support them.

Similarly we are prepared to support the reasonable demands of other tribes also. But unless and until all the local people get sufficient land, we will not allow others like the Cacharies, or the Ahoms, or the Garkhas to acquire land in this area.

We are strongly of the opinion that all the offices are now occupied by the people of Sylhet, we do not like it and would request the Government to see that the people of the soil get due preference.

CACHARIES

The following Cachari witnesses were examined:—

1. Akil Chandra Dar.
2. Radan Chandra Rech.
3. Saji Ram Kachari (pension holder).

(They submitted a memorandum to the Sub-Committee).

We do not want to remain in the Frontier Tract, cut away from the rest of the province. We want to remain connected with other Cacharies of the province. The safeguard that we have wanted for the Cachari community in other parts of the province as plains tribals should also be extended to the Cachari people in this area, with this reservation that we want the Sadiya plains area to be included in the plains portion of Assam under the general provincial administration.

The Cacharies have rendered valuable service to the Government by serving in the Assam Rifles. Saji Ram Cachari is a pension-holder of the Assam Rifles.

So far we have not received adequate consideration from the Political Officers' administration. We want not only due recognition for us in the administration here but we want due recognition in the provincial administration. We want preferential treatment in the matter of service in the Sadiya administration.

Mr. Chairman: Do you agree that the administration of the Mishmi area should be carried on from a more central spot?

A.—According to us, the central place for the administration of the area is in Wallong valley. If it is not possible to do this very soon, then Denning might be utilised as the centre.

KOIBARTAS

The Sub-Committee then examined the following Koibarta witnesses:—

1. Bulan Chandra Hazanaika.
2. Mahendranath Das.
3. Jayansur Das.
4. Makhanlal Das.

(The Koibartas first presented a written memorandum to the Sub-Committee.)

We want to come under the sphere of ministerial responsibility and not remain under the Political Officer. We wish that the excluded area of the Sadiya Frontier Tract should be abolished and should be included in the non-excluded areas. We have been deprived of the advantages which our people are getting in the non-excluded areas. We want that those privileges and advantages should be given to us. The central point of our memorandum is that Sadiya should not remain part of the frontier tract administration. We want that the Mishmies to the north and east of Sadiya should be looked after for their betterment. According to our point of view, Denning should be centre of administration for the Mishmi area, but Denning may be very difficult to reach for the eastern Mishmi tribes.

We want self-governing institutions like local boards. We have also stated in our memorandum that the local people should be employed in government services and also get proper facilities for trade.

We are about 2,000 in number. We have not got sufficient land for cultivation. We want therefore that no outsider should get any land here.

Our profession is fishing. We are not allowed to fish in certain places, which is a great handicap to us. There is also one other factor which contributes to our suffering: the price of fish is controlled by the Political Officer.

NEPALIES

The Sub-Committee examined the following Nepali witnesses:—

1. Retd. Sub. Major Kalu Knowar.
2. Balbahadur Rai.
3. Narsingh Thopa.
4. Chandra Bahadur Rai.

(The Nepali witnesses first submitted a written memorandum.)

We are permanent residents of this place. We cannot give you the exact number of our people, but we think it may be about 5,000 in the north and south banks put together.

Our view is that we should join the Indian Union. We do not propose to be either in the frontier area or in the excluded area. According to us,

the Sadiya area should be brought under the ordinary provincial administration. Our view is that the safeguards which are proposed for the minorities should be extended also to the Gurkhas.

The Assam Rifles is 75 per cent. Gurkha.

Mr. Chairman: Consistent with the policy of guarding the frontiers and also doing good to the Mishmi people, can you suggest any centre other than Sadiya from which these two purposes can be effectively looked after?

A.—Denning might very easily be that centre.

Mr. Chairman: If Denning is made the headquarters, would it be difficult to supervise Nizamghat also from there?

A.—The Mishmies that live adjacent to Nizamghat are very different from those who live in the eastern country. Therefore Denning cannot be a suitable place for the administration of the Idu Mishmies.

We want to talk about compulsory primary education.

Mr. Chairman: That question will arise after the question is decided whether you should be included in the provincially administered area.

The Nepali witnesses: We have also submitted a combined memorandum to which we have added our signatures.

MUSLIMS

The Sub-Committee examined the following Muslim witnesses:—

1. Mubarak.
2. Abdul Gaffar.

(These two witnesses presented a memorandum to the Sub-Committee.)

Excluding the new-comers, we will be about 1,500 to 1,600. The new-comers will be about 200 to 300 in the Sadiya Frontier Tract. We came originally from different parts of Assam. We two have been chosen by the Muslims as their representatives to place their views before you.

We are definitely of the opinion that we should be amalgamated with the province of Assam and brought within the sphere of ministerial responsibility. Along with the other communities like the Ahoms and the Cacharies, we should be able to send representatives to the provincial legislature.

We are opposed to giving any land to outsiders as the land in this area is already not sufficient to meet the demands of the local people.

We recognise that a centre is necessary for the purpose of protecting our frontiers and also for maintaining friendly contacts with the Mishmies. We have given very close thought to this and are of the opinion that Denning might be one of the places for consideration as headquarters for this area.

We hope that other points like the treatment of minorities and safeguards will be decided according to whether Sadiya does or does not form part of the ministerial responsibility.

Witnesses: Of the Settlers' Association.

1. Babu Bhuvan Mohan Chatterjee.
2. Babu Surendra Chandra Das.
3. Babu Ambica Charan Paul Chaudhury.

No. 1 is from Dacca, settled in Sadiya for 32 years.

No. 2 came from Sylhet some 18 years back.

No. 3 also came from Sylhet, 19 years back.

All the three are government servants, permanently settled in this area.

Mr. Chairman: You say, you are permanently settled here. Does it mean that you have periodic pattas?

A.—Some of us have annual pattas and some periodic ones, but annual pattas are very rarely issued.

Q.—Now, what is it that you want to say?

A.—Here, we have put down whatever we have to say in this memorandum (hands in the memorandum).

The Hon'ble Mr. Brahma: Am I to understand that you represent the settlers here who have connection with the land and who have come in connection with government service?

A.—Yes; also those who have settled here and are engaged in trade. In all we are about 6,000 to 7,000. We include the Nepalese, the Marwaris and Muslims also; but because they have been granted separate interviews to the Sub-Committee, we have come here with our separate representation.

Mr. Chairman: You say you don't represent the Nepalese, you don't represent the Muslims, you don't represent the Marwaris, at this interview, because they are meeting us separately. Then whom do you represent?

A.—All the rest, the Hindustanis, the Kohiris, the Sikhs, the Bengalees and the ex-tea garden labourers.

Q.—Well, do you want this Sadiya Excluded Area to be included in the provincial administration?

A.—Yes, Sir. We want it to be included in the general administration of the province, just like any other part of the province it should come under the ministerial responsibility. That will mean that Sadiya which has now been utilised as more or less the centre for the administration of the hill areas and the tribal areas will have to be given up. We however, suggest that Sadiya can be the centre for the administration of the Mishmi area, but for carrying on the work in the more distant areas, you may have some special officers. At present the Political Officer controls the tribal area and the excluded area.

Q.—Do you mean to say that this area can be brought under the ministerial responsibility and at the same time continue Sadiya as the centre for the administration of the tribal areas?

A.—Yes; formerly it was under Dibrugarh and one officer was deputed for the tribal areas.

Q.—My point is whether you want a centre for the administration of the tribals or not, and whether Sadiya could still continue to be that centre; if not could you suggest any other centre for the administration for the Mishmi area or the Abor area?

A.—Sadiya may remain the headquarters for the present; and when communications are improved, it may move upwards to a more convenient place, e.g. Senning.

The Political Officer's headquarters may be at Sadiya; it can be conveniently removed to a higher place like Denning when communications are established.

Q.—Do you think that Denning can be the headquarters both for the Mishmi area in the east and the Mishmi area in the north?

A.—If there is a line of communication from Denning an officer can administer up to Nizam Ghat.

Q.—What is the population of this excluded area?

A.—About 30,000.

Q.—And is it for this population of 30,000 that you have asked for a district in your memorandum?

A.—Yes, Sir, with scope to include others also gradually, starting with this 30,000. Actually it started with much less and at present the population of the district is only a little less than a lakhi.

Q.—If you come into the regularly administered area you shall have to be governed just as any other people. So this question of creating a district does not arise now. The only question is whether this area should come within the ministerial responsibility or not.

A.—We want Sadiya to be included in the sphere of ministerial responsibility.

Witnesses: Indian Christians of Sadiya, Mr. Meling Simon, Indian Christian, only representative.

Mr. Meling Simon was born in Sadiya and by profession he is a teacher. He is also working as Clerk in the Sadiya tribal office.

Mr. Chairman: What is the population of Indian Christians in the Sadiya Frontier Tract?

A.—There are 400 of them in the Excluded area proper; they are all Protestants.

Q.—What is your opinion regarding maintaining the Sadiya Excluded Area as part of the Frontier Area?

A.—We would like to be joined with the plains people and come under the same kind of administration. That is the opinion of the Christian community in this area. I have also a written memorandum here which I would like to submit to the Sub-Committee.

(Memorandum handed in)

The Hon'ble Mr. Brahma: Who are the people who have become the Christians here?

A.—Both Assamese and non-Assamese who came into Sadiya more than 200 years ago. Among the 400 Christians I have referred to,—there are no Cacharies or Abors. There are a lot of ex-tea garden labourers among them.

Mr. Chairman: (reading the memorandum) You want some protection in respect of your land, that no outsider should come and take possession of the land here. Am I right?

A.—Sir.

Mr. Chairman: You also require certain similar safeguards, and subject to these, you think that your best interests would be to be with the Province under the ministerial responsibility?

A.—Sir.

Witnesses: The Marwari Association.—

1. Sri Chaganlal Agarwala,
2. Shri Kistachand Patni,
3. Sri Hanuman Prasad Bahety,
4. Sri Gami Datt Saran.

A written memorandum is submitted, (in Hindi).

Translation: Our aspirations are not in any way different from those of the local people and we will be satisfied with the same kind of administration as may be devised for them.

Mr. Chairman: The people whom we have met so far in the excluded area have been saying that they want to be in the sphere of ministerial responsibility. Is that also your view?

A.—Yes, Sir.

Witnesses: MIRIS

1. Sri Padmeswar Dole,
2. Sri Nameswar Pegu,
3. Sri Laheswar Pau,
4. Sri Tham Ram Patil,
5. Sri Haliram Regon,
6. Sri Joogesh Chandra Dole (and others).

Mr. Chairman: Where do you people live?

A.—We live in the north and south banks of the Lohit river. Our population is 7,000. We are also called Messings. About 400 of us are in the inner line of the excluded area.

Q.—Do you want to come under the sphere of ministerial responsibility or remain in the excluded area?

A.—Yes, and we have a memorandum here for submission to the Sub-Committee.

(Hands in the memorandum).

We would certainly want to be in the Indian Union and under no circumstances would like to be in Pakistan.

Q.—What are the boundaries of the area you refer to in this memorandum?

A.—Towards the west we have the Subansiri river; in the south the area extends up to the Brahmaputra and in the north up to the frontier of Tibet.

We the Miris want to be with the Abors, and together we want to have a local council for the administration of this area.

We have a religion different from the Mishmis.

We want to be in intimate relation with Assam or the Central Union according to the advice of our Council in respect of, general schemes for our advancement, communication and higher education.

Q.—Do you speak the Abor language?

A.—Yes.

Q.—I thought someone was saying that the Miris were the slaves of the Abors?

A.—Oh no, it is all wrong.

Q.—Well; coming to this question, would you like this excluded area to be brought under the sphere of ministerial responsibility?

A.—Our intention is to form our council and have a representative organisation. This organisation has yet to be built up. Till then, we would like to remain as we are, in the excluded area.

Q.—Don't you have your tribal councils?

A.—Yes; we have our Kebangs or village councils, but it is not an elected body, but only a gathering of the elders to decide petty disputes arising among the villagers. We have as yet no tribal council or organisation by which we could combine all the tribals.

Q.—Are there Miris living outside the excluded area?

A.—Yes, in Sibsagar, North Lakhimpur, Jorhat etc. They are generally treated as plains people.

The Hon'ble Rev. J. J. M. Nichols-Roy: You want to be included with the Abors in one territory but if the Abors don't want it?

A.—But we feel they too would like to be with us, if they are persuaded in the proper way.

Q.—Are you then prepared to wait till they are persuaded? Suppose this process takes some 4 to 5 years?

A.—We feel the Abors will not take so long to realise the benefit of uniting with the Miris.

Sri Tham Ram Pait: I would like to state that even within this period of 4 or 5 years, land should be brought under cultivation and we should be given such privileges and facilities as are given to the rest of Assam. We want land on permanent settlement. We want facilities for extension of irrigation. We are prepared to come under the ministerial responsibility with special safeguards in respect of our land. It should be protected from encroachment by outsiders. We should have facilities for medical aid, education etc. as a backward community, but we should be allowed autonomy in respect of the settlement of our own domestic disputes.

Sri Nameswar Pegu: I am of opinion that this area should come under the sphere of ministerial responsibility even now, without waiting for 4 or 5 years for the formation of the council.

A.—(All the witnesses):—We all want special facilities to be given to our boys for education, such as stipends etc.

The Sub-Committee re-assembled after lunch and examined Mr. Innan Singh, Asst. Political Officer, Sadiya.

Mr. Innan Singh: I was a Sub-Deputy Collector and I am now working as Asst. Political Officer with second class magistrate's powers.

Mr. Chairman: What work have you been doing in Sadiya?

Mr. Innan Singh: I have been trying cases, civil and criminal.

Mr. Chairman: You are mainly concerned with the plains area. You don't have anything to do with the hills?

Mr. Innan Singh: No.*

Mr. Chairman: Does your jurisdiction extend to the Abor area?

Mr. Innan Singh: No. I am in charge of the treasury. So I cannot move. Tribal cases are dealt with by the Political Officer.

Mr. Chairman: All the lands that are held here are under annual lease?

Mr. Innan Singh: Yes, but some are also periodic.

There are 258 settled villages, Ahom, Nepali and Cachari.

Mr. Chairman: What about the Miris?

Mr. Innan Singh: There are some Miri villages.

Mr. Chairman: What is the total number of villages, unsettled, I mean?

Mr. Innan Singh: 18.

Mr. Chairman: Do you tour as far as the inner line?

Mr. Innan Singh: I do not do any touring.

Mr. Chairman: Does your jurisdiction extend up to the inner line?

Mr. Innan Singh: Yes.

If you want my personal views, I will say that so far as the inner line is concerned, it can be safely amalgamated with ministerial Assam.

Mr. Chairman: What is the percentage of literacy within this area?

Mr. Innan Singh: It is very low.

Mr. Chairman: Are there any appreciable numbers of tribals going to schools?

Mr. Innan Singh: So far as I am aware, there is only one Matriculate among the Abors. Among the Ahoms, there are a few students reading in schools and colleges and there is a graduate.

Mr. Chairman: Among the Miris?

Mr. Innan Singh: I do not think there is any education.

Mr. Chairman: If this area is included in ministerial Assam, should it be a separate sub-division or taluk?

Mr. Innan Singh: If it is joined straightaway with ministerial Assam, there may be some difficulty because people are not conversant with the regulations of Assam. For a temporary interim period, there should be some makeshift arrangement. I mean, as it is, the people here are most unsophisticated. They do not understand what land revenue is, what permanent tenure is, and so on. So they may have some difficulty but I think very soon they will fit into the pattern.

Mr. Chairman: Do the people understand the implications of representation in the legislature?

Mr. Innan Singh: The Miris especially are a shy people. They might have some difficulty in following it

I am talking of the plains portion.

Mr. Chairman: So far as the non-tribals or even the plains tribals are concerned, no special arrangement is perhaps required, but so far as the other tribal population is concerned, what special scheme or arrangement would you suggest to see that their administration is carried on suitably?

Mr. Innan Singh: So far as local administration is concerned, I would like to suggest some local advisory council or tribal council.

Mr. Chairman: Should there be any restriction on migration?

Mr. Innan Singh: The present population is very thin but any rush of population from outside will deprive the indigenous population of their legitimate share of land. I would like to suggest in the interests of the Assamese and other tribals that there should be some reservation of land for them.

Mr. Chairman: Do you mean to say that no migration should be allowed to this area at all?

Mr. Innan Singh: I do not suggest that, but there should be some protection for these indigenous people.

Mr. Chairman: The land is insufficient for the people so far as the plains portion of Sadiya is concerned?

Mr. Innan Singh: If we keep their future interests in view, I do not think the present availability of land is sufficient for them. The people now are self-sufficient and do not grow more than what they require.

Mr. Chairman: The representations here say that they have not got sufficient land. Therefore they are very much opposed to any kind of immigration. Are you prepared to subscribe to what they have stated?

Mr. Innan Singh: I would only say that they should be granted special privileges so far as land settlement is concerned.

Mr. Chairman: Do you know the boundary of the excluded area of Sadiya proper?

Mr. Innan Singh: Yes.

Mr. Chairman: What is the western boundary?

Mr. Innan Singh: The western boundary is Rangdole. I do not know exactly.

HKAMTIS

The Sub-Committee examined the following Hkamti witnesses:—

1. Chowmong Among Gohain,
2. Chow Kanan Gohain,
3. Chow Sali Gohain,
4. Chow Mongkin Gohain.
5. Chow Nin Gohain,
6. Chow Khai Gohain,
7. Ningro Nong.

The Hkamti witnesses presented a written memorandum. The following is an English translation thereof:

“Having learnt that this Sub-Committee have come to enquire into the kind of administration that will be suitable for the excluded areas and tribal areas, we are submitting our considered opinion as follows:

Firstly, we welcome all of you and wish your mission all success.

We support the demand of India for full independence. In this independent India we want to maintain our small interest also. When the British took over the government in their hands, we were treated as a friendly state. We want the same relationship to continue with the Indian Union. We of course expect that the Indian Union will consider us a minority and backward tribe and will safeguard our economy, and take the necessary measures for our intellectual improvement. We want to see that the administration remains in the hands of the representatives of the people. We want to create a small state for the Hkamtis within the present boundaries assigned to us by the British Government. Within the limits of our State, all appointments should be exclusively held by the Hkamti people. The Assamese may have the second preference in the matter of employment in our services. Similarly, in the case of trade, commerce and other businesses, the first preference should go to our people. The second preference should go to the people of Assam. In the provincial legislature we should be given representation on the basis of the same franchise as is given to others. We believe that we will be able to make full use of the opportunities that may be given to us in the matters submitted. We should be assigned one seat in the provincial legislature."

Mr. Chairman: If you claim to be an independent state or even a friendly state, the like of which exist in other parts of India, we are not the party to have any dealings with you. That will be dealt with by the Negotiating Committee of the Constituent Assembly.

Chow Mongkin Gohain: There is a treaty dated 1843 between the East India Company and my ancestors.

Mr. Chairman: What is your population?

Chow Mongkin Gohain: About 5,000 within this area. After annexation, we were driven to the northern part of Kholagat in 1843. There are also some in North Lakhimpur.

Mr. Chairman: What will be the number of your people scattered over other places?

Chow Mongkin Gohain: About 15,000.

Mr. Chairman: What are you actually? What profession do you follow?

Chow Mongkin Gohain: I am a Government officer. I am a Transport Superintendent.

Mr. Chairman: Do you think that 5,000 people can run an independent State?

Chow Mongkin Gohain: When this area was first annexed, the people of this area were driven away by the East India Company. Now, our people are willing to come back to our homeland.

Mr. Chairman: Would you like to come under the ministerial responsibility or would you like to remain in the tribal areas as before?

Chow Mongkin Gohain: We want to come under ministerial administration. If the safeguards which are being given to the other minorities of the province are given to us, we will be satisfied.

We have monastic schools but there are no secular schools for present-day education.

There is a small proportion of Singpos amongst us. Our language is different from that of the Singpos, but our religion is the same, Buddhism.

Our population has now dwindled to $\frac{1}{4}$ of its original size.

The Sub-Committee rose for the day at 5 P.M. Assam Time.

The Sub-Committee met at the Sadiya Inspection bungalow at 9-30 A.M. on the 27th May 1947.

Witness: Lt. Col. C. C. Graham, Commandant, The Second Assam Rifles, Sadiya.

(Took over charge of the Second Assam Rifles at Sadiya from 1st March 1946).

Mr. Chairman: I suppose you do lot of touring and yiu have several outposts?

A.—Yes, Sir. We have two valleys, the Lohit Valley and Siang Valley. The Lohit Valley is Mishmi country and the farthest outpost we have there is 12 days' march, from Denning. It touches the border of Tibet.

The Siang Valley begins from Pasi Ghat and we have three outposts there. They are at about 9 to 10 days' march, and it takes another 7 days' march to reach the frontier.

Last year the Abors were very glad when we went up the Siang Valley to the frontier their morale went up enormously. My fear is that unless we establish permanent connection with them and extend our protection to them, they might be let down very badly and be open to raids, as in the past, probably much worse raids.

Q.—What is their attitude towards our forces?

A.—Quite friendly. Apart from this particular work of keeping off the Tibetans, tax farmers, our job includes the establishment of very close liaison with the people, help them in the matter of extension of irrigation and other help in their cultivation, and generally alleviate their distresses.

The tribals also act as escorts for our touring officers. What I mean to say is, it is not a merely military job, it is a sort of mixture.

Q.—Have you seen any desire for education among them?

A.—No. They feel so self-sufficient that they have no incentive. They have strong community feeling. If one man's house is destroyed the whole village turns up to repair it. The only articles they lack are salt and clothing; all else they have, because their wants are so simple and limited. They weave their own cloths, getting the yarn from the plains.

Q.—What is the strength of your force?

A.—I have got 15 platoons, though the paper strength is more. Out of the 15, 10 are out in different places like Margherita, and I have only 3 here. Actually the force is very much spread out.

Secretary: Considering the importance of the frontier area in the matter of defence, and external relations, should the administration of this area be central or provincial, or partly central and partly provincial? You will, I dare say, agree that it is desirable to deal with this matter from the point of view of defence as well as from other points of view?

A.—Yes; my personal view is that it is a matter for the Central Government, because it is the frontier of India, it should be the main concern of the Central Government, defence of India as a whole being a central subject. The officers too, I feel, must be Central Government Officers, local men, but selected by the Central Government.

Secretary: Could matters connected with the actual contact with the tribes be left to the Provincial Service Officers and defence alone entrusted to the Central Government Officers?

A.—I think, the two go hand in hand.

Mr. Chairman: So far as the welfare work is concerned, education, medical aid and things of that kind, don't you think it is better left to the provincial government?

A.—I agree the Provincial Government Officers, would be much more familiar with the local problems, but since it is so closely connected with defence, I would rather keep both under the Centre.

I would like to add that regarding the treatment of the Abors and Mishmis who are now definitely friendly to the Indian Government, we should try to keep them in this relation. In the remote event of any one coming across the borders, these people would stop them. If we do not have this friendly relation, the tendency might be to go over to the other side—in the remote event of anyone coming over, of course.

Q.—And the best way to maintain this friendly relation is to extend the welfare activities among them?

A.—Yes.

As a first experiment we recruited 60 Abors into the Assam Rifles, with a lot of difficulty. They are a very conservative lot and it was only due to the personal influence of the Asst. Political Officer that we could get them. But then came their mothers, their fathers and their uncles asking us to release their boys. (But we have till now succeeded in keeping them. They are, however, a very slow in the up-take, much slower than the Gurkhas. I had to begin from the alphabets, A, B, C, D. like that, and with counting. We teach Roman Urdu.

Secretary: It is presumably necessary to have a Political Officer to deal with Tibetan affairs. Will it be better to entrust the welfare work also to him?

A.—I think so. He should be a man in whom the people have confidence. He would have to tour a lot. He should go to the villagers and meet them, and learn their language. If he does all this he will establish a terrific amount of confidence. Then he can introduce new ideas among these people. That is why Mr. James, the A.P.O. has been so good in the Siang Valley. He can get them to start schools. I feel it is more personal touch that is required than anything else.

The Hon'ble Rev. J. J. M. Nichols-Roy: Which are the most important out-posts?

A.—There is the Denning out-post, Hayluing outpost, Changwinti, Wallong, the last being the farthest one. In the Abor area, we have our out-posts at Pasi Ghat, Pangin, Rega, Karko. We have our out-posts in the Tirap area—at Margherita, Kemiyang, Kansa and Tirap Gate.

Mr. Chairman: Can I take it that so far as the utility of the forces is concerned, it is more for the protection of the tribes than for the welfare work among them?

A.—I should say they are merely as a token force. In the event of any real emergency the force will be quite inadequate to protect the frontier. At present there is no question of anyone coming over the frontier and their chief function is to maintain the peace inside the village. They provide the Political Officer with a weapon near at hand, in case there is any trouble brewing any where. Last year we had some trouble when one village had a row with another village. The local men had to take our assistance to quell it. One of our men was injured, as also one of the Abors. The Political Officer proceeded to the place and settled the quarrel by means of a local 'Jirga'.

Secretary: To what extent would the Assam Rifles come in, in the event of the invasion of the frontier?

A.—They will be useful only as a sort of vanguard to hold on till reinforcement comes up. By themselves they cannot hold the frontier.

Witnesses: Galongs (G. Idam, Political Jamadar and 8 others) 18 in number.

The witnesses stated that the Galongs the Minyonga and the Padams are separate tribes, but that they were all Abors. The Minyongs cut off the hair of their females also, but the Galongs keep them, just like the Assamese. So also there are differences in the martial customs of the Galongs and the Minyongs and the Padams. Each tribe wants separate representation, but it is for the Chairman to decide how it should be given to them, in the Hill Council and also in the Assembly at Shillong.

They want separate Tribal Councils each, but there should be a joint Kabal of all these Councils.

In the Galong area there is not a single school and all the tribes men want their children to get educated.

The Political Officer appoints some men one for every village and these men settle their domestic disputes and those that cannot be settled by them go up to the Political Jamadar and if they are beyond him, they go to the Political Officer.

Some of the Galongs pay poll-tax; the old men being exempted. All above the age of 12 have to pay this tax.

The Galongs, Minyongs and Padams do not want to be amalgamated with the Mishing Miris who live in the plains, but are willing to have trade relations with them.

Mr. Aliba Imti: Yesterday it was represented to us by the Miris that the Mishing Miris, the Galong Abors, the Padam Abors and the Minyong Abors should all form one single district. What is your opinion about this suggestion?

A.—We shall be willing to co-operate in such an effort, provided it is organized by the Government.

Secretary: Are you in any way dissatisfied with the present state of things?

A.—We are dissatisfied in this way that we have little or no facilities for advancement. There is not a single school in our area. There are no roads worth mentioning. We would like to be provided with all these facilities.

ABORS—MINYONG AND PADAM

The Sub-Committee examined the following Minyong and Padam Abors:—

1. Apak (Minyong).
2. Kerimang (Padam Chief).
3. Kuttick Moyon (Minyong).

A large number of both the tribes were present.

Mr. Kerimang: I am the *gam* of Gambog village. We call our village headman *gam*. The *gam* are first chosen by the people and then his appointment is confirmed by the Political Officer. The *gam* can decide disputes regarding land. A *gam* can decide on cases of murder also. If death is caused accidentally, no compensation is allowed, but if death is caused as a result of ill-feeling between two parties, then the family of the party who commits the offence are made to pay compensation. The *Kebang* or council is presided over by the *gam*.

Mr. Chairman: Are any cases referred to the Political Officer?

Answer: Decisions must be confirmed by the Political Officer, who generally send these cases for disposal by the *kebang* and *gam*. In the Padam region, there are no political Jamadars. Among the Minyongs there are some Jamadars.

Mr. Chairman: Was there any dispute between the Padam and the Minyong people before the British came?

Answer: There was none. Even now, there is none. The Padams and the Minyongs intermarry as their marriage customs are the same. We are only different in name but we are the same people. The reason for the difference is on account of the river which divides these two areas. The language is the same. But the Galongs are different from us in customs and manners. They have a different language although we can understand some of what they say.

Among the Padams and Minyongs, the eldest son gets the property. The daughters do not inherit at all. If a man is sonless, those who go and bury him get his property but only relatives are entitled to bury.

We have *jhoom* cultivation and every man is allocated a share in the *jhooming*. Except in years of scarcity, we are generally well off, as we have sufficient paddy. We also cultivate millets and yam, also sweet potatoes (*chakkargandhi*). We cultivate oranges and bring them down in boats to Sadiya, Dibrugarh and other places for sale. We also have cotton cultivation and we prepare *join* (cotton rug). We also make skirts for our women.

We keep cattle, poultry and pigs. We eat them.

We worship on occasions of illness of the members of the family. We bring some knowing people who determine what kind of sacrifice is to be given. We sacrifice pigs, dogs and cattle. We do not offer human sacrifice.

We want education. There are only four schools in the Minyong area and two in the Padam area. We want to get medicine. There is no hospital in our area. There is a hospital in Pasighat, but not in the interior. The villages are far from each other, 40 miles, 100 miles and 200 miles from one another.

We have also got men who have come from the Tibetan border. (The men were shown. They were Tabiyo from Sims and Tasoon from Bori).

Tabiyo and Tasoon: Tibetans come to our place. We call them Memba. Even the Tibetan King comes over the border.

Mr. Chairman: When they come, what do they demand?

Tabiyo and Tasoon: They bring salt, cloth and a kind of hair to put in our hats. (Their head-dress ornamented with goat's hair was shown round). They exchange things with us. They do not make any demands nor collect tributes.

Mr. Chairman: Do our soldiers come to your border?

Tabiyo: Yes, they do.

Mr. Chairman: Do you find the Tibetan men good?

Tabiyo: Some are good, some are bad. We like the good men.

Mr. Chairman: Have our soldiers done any wrong to you?

Tabiyo: No. If there is any little difference of opinion, then the Political Officer settles it. So far as the Tibetans go, they have not created any disturbances there. If they do any mischief, we can always teach them a lesson.

We are now under the Political Officer and have to carry out the administration according to his wishes.

Mr. Chairman: Do you contemplate any self-government of your own? Have you any treaties?

Answer: We will give you our history. When Badan Chandra Kookan had gone to bring the British to Assam in about 1808 and the Burmese including the Khamtis committed savagery on the Assam people, we went to the assistance of the Assamese with a big Abor force and rescued some of them from the savage treatment of the Khamtis. Then we entered into terms of friendship with the Assamese Bara Gohain and entered into some kind of agreement by which we used to get salt from Assam. Then there was again a dispute between us. Then one Mr. Scot came from Lakhimpur, then one Mr. Weaver. He entered into some agreement with us by which we are to desist from committing depredations upon the Assamese. That treaty still exists. In pursuance of that agreement, the British Government are still giving us iron, tobacco, 80 bottles of rum, two seers of opium and Rs. 1,000, also some salt. We have no one as Raja, and our council (*Kebang*) is the head of the Abor territory. The *Kebang* enters into agreement with the British Government. In 1911 we had a war with the British Government and the Political Officer was killed. His head was chopped off by us. There was a fight between the British forces and ourselves and we were defeated. Since that time, they are keeping an outpost at Pasighat and are imposing taxes at the rate of Rs. 3 per head. 15 or 16 houses pay poll tax. The others are free. When the East India Company was functioning, they used to extract timber from our areas and they used to pay tax to us. We also used to get some royalty from elephant '*mahals*' (places where they catch elephant). We used to take 50 per cent. of the capture. This right ceased when the Political Officer took over.

We want that the boundary which was fixed at the time of the agreement should be the boundary of the Abor people. We have no objection to those Assamese remaining there already but we will not allow any new Assamese, Bengalis, Marwaries or any other people, not even the British. The officers that we want must be from the hill tribes such as the Garos, Kasia, Lushais and Nagas. We shall remain under the provincial government but the officers who come here must act according to the wishes of our council.

The taxes and royalties collected inside our territory should belong to our *Kebangs*. Fisheries are now being sold by the Government, but in future our *Kebang* should handle this. The revenue that is collected from this source should be spent upon hospitals, schools, roads, etc. All this should be done by the provincial government for us. If all the expenditure we are talking about cannot be met from our own revenue, then the difference shall have to be made up by the provincial government or by the Central Government. This is the opinion of all of us. The Mishmis will want exactly what we have asked for. This is the desire of our *Kebangs*. It is for the money that we can get from you that we want to keep friendship with you.

Mr. Chairman: You say that if your revenue is insufficient for the improvements you seek, you would require money from outside. Do you want representation in the Assam legislature to see that the money that you want from outside is obtained for your benefit?

Answer: Yes.

First, we want an M. E. school at Pasighat.

(The witnesses then retired.)

MISHMIS

The Sub-Committee then examined the Mishmi witnesses.

Mr. Chairman: How long have you been in the places where you come from?

A.—We have always been there.

We live in terms of friendship with other areas, the Padam and Minyong areas. We belong to a different tribe but we want to live together. Our customs and ways of life are different. We want a separate council of our own and we do not want to join the council of the Minyongs and others. Some of the Minyongs understand the language of the Chulikata Mishmis and others do not. We understand the language of the Padams. We do not understand the language of the Khamtis and we do not want to live together with them. There are three Mishmi areas, Miji, Idu and Digaru. The Mishmis understand one another's dialect.

We have *ihooming* cultivation but we do not produce enough to keep us alive for the whole year. We live on jungle roots, for which we go from place to place. Our villages also move from place to place, as the original sites become unfertile. We keep *mithun*, poultry and pigs.

Beyond Sadiya, up to the hills, all the land belongs to the tribes who inhabit it. We should continue to get the privileges which we used to get, *viz.*, royalty in elephants, etc.

We have now been prevented from going over to the Tibetan side by regulations and we must therefore have relationship with the people of the plains for the purpose of taking the necessary goods that we want for our existence such as salt, cloth, etc.

We want schools, roads and hospitals.

Denning will be nearer to us than Sadiya and if the headquarters of this area is in Denning, it will be much more convenient to us. Nizamghat is also a convenient place to us for administration purposes. It is better than Denning. For Chulikata and Idu Mishmis, Nizamghat will be better. They can come to Denning, but it will be difficult. Two days' march will be required to reach Denning. There is another place called Khyunan in a higher altitude than Denning. It will be useful for the Mishmies in the remote areas.

The Mishmis are like the younger brothers of the Great Hindustan. We have come here to seek your assistance and help in all matters. We have no education. We are backward in every respect.

There should be an outpost at Dibang as feudal warfare is going among the Ajanti Mishmis. Both the Tibetan people and the Chinese are trying to exercise their authority over us, and if they come, they will create trouble for us. We want you to protect us.

We would like to be admitted to the Assam Rifles. The people who come and work here must be good officers sympathetic to us.

The Sub-Committee then rose for the day.

The following is a translation of the representation submitted to the Sub-Committee on behalf of the Assamese Residents of Sadiya

“The excluded area portion of the Sadiya Frontier Tract with Sadiya as headquarters should come within ministerial responsibility, to enable this area to enjoy in respect of land settlement, agricultural improvements, irrigation, etc., the same privileges as are enjoyed by the other parts of Assam.”

Mr. Chairman: The details of the administration would be subject matter for discussion only after the main question is decided as to whether this area should be brought within ministerial responsibility.

Witnesses: We agree.

We are of the opinion that, if the hills are separated from the plains altogether, chances of clashes between the two cannot be ruled out. Government should therefore maintain adequate armed strength not only for the protection of the people of the plains but also for the protection of the frontier.

It has been decided that replies to the questions will be as follows:—

1. The interest of the settlers domiciled in the plains portion of the Sadiya Frontier Tract is to be maintained and safe guarded by drawing up legislation in the same manner as will be made applicable to other people of Assam except the Hill Tribes.

The above facilities should cover all subjects, e.g. settlement and allotment of land, advantage in respect of Agriculture, irrigation, introduction of Local Self Government system, establishment of schools etc.

2. It should be elected by people of Association from the people of the Association.

(a) As in para 2.

(b) As in para 2.

3. The Association proposes that 4 representatives be sanctioned for the Association, two of which will represent the Hindus, one the Muslims and the other the Christians.

4. The Ministry should be formed by election from the representatives of the various districts in the Provincial Legislative Assembly.

5. There can be no objection to the appointment of administrative officers from the Hill Tribes people, if such officers are available and considered fully educated and capable.

6. We want unified administration in this district with scope of upliftments for the backward people to bring them to a better standard of civilization; so that they may fall in a line with the rest of the civilized people of Assam.

The tribal area may be converted into an excluded area and the excluded area may forthwith be abolished.

R. K. CHOWDHERY, President.

We the Marwari residents of the Sadiya Frontier Tract beg to tender our hearty thanks to the honourable Chairman and members of the Advisory Sub-Committee of the Executive Council and submit:

That our community being a commercial people like to go every convenient place for business purposes. We have been living in this district for the last 100 years and we have merged our interests, weal and woe with those of the local people of this district. We feel one with them all like brothers and sisters. As a community we intend to have equality of rights of a citizen (political, social, economic, commercial and industrial) with the local people of this district. We would like to have the same type of Government as the locals of this district, and extend the full right of citizenship to our community also.

MARWARI COMMUNITY,
Sadiya Frontier Tract, Sadiya.

To

The Chairman, Sub-Advisory Board for the Tribal and Excluded Areas.
Sir,

We the undersigned on behalf of the local people of this Excluded Area representing various communities beg to express the voice of the people of this Excluded Area in a memorandum as a scheme for the future administration of the Area.

We further beg to state that our people do not like to remain aloof from the Civil Government of Assam headed by your honour and earnestly desire to join it with the safeguards stated in the memorandum.

That we do not like to accept divided India, condemn Hindustan or Pakistan. In case of divided India we ask Assam to be separated from India and to form a state of our own.

Lastly our people request you to reserve all the interests expressed in the memorandum as our people are too backward in all spheres of life.

(a) Education. (b) Agriculture. (c) Opium Prohibition. (d) Business and Commerce and Industries. (e) Employment in Government Services. (f) Preservation of social and religious rites.

(a) *Education*.—Compulsory and free Primary education, State and to poor students in Primary Education. State aid to poor students in different branches of higher education e.g. Medical, Engineering, and etc. These aid and stipends should be considered and distributed by a council of local people e.g. Ahoms, Kacharis, Gurkhas and other local people of this Frontier Tract. Free distribution of one Daily Assamese newspaper to every Lower Primary School.

(b) *Agriculture*.—All lands within the Forest Reserves and unclassed State Forests suitable for the wet-rice-cultivation should be thrown open to the Ahoms and the other Local Agriculturists so that one or a family can cultivate as much as one or a family can. For our future generation the rest of the lands should be reserved as our home land. Except the Ahoms and the Local people of this Frontier Tract no foreigner should be allowed to acquire land any more in future either in urban areas or in rural areas. (Local means Ahoms, Cacharis, Gurkhas and rest of the Assamese communities of this district, non-Assamese who came to this place before 1938 and one who is prepared to accept Assamese as his mother tongue). Ahoms and Assamese outside this Frontier Tract will receive second preference. The Government of Assam's eviction policy should strictly be followed in this Frontier Tract also. To impart agricultural knowledge to the agriculturists a fully qualified officer in agriculture with a council should be appointed. The agricultural officer should not only be responsible to the Department but should also be responsible to the Council and to the Public. Various centres throughout the whole Frontier Tract should be opened by the officer in the council to teach the agriculturists the modern methods of cultivation. For winter crops scientific methods should be introduced. Good seeds at minimum rate should be distributed. Cattle farms and poultry farms should be encouraged with state-grants on merits of different cases. For the regeneration of the cattle stud bulls or high class breeding bulls in large number should be imported and should be distributed in different villages under the charge of the village council.

(c) *Opium prohibition*.—All opium shops in the Frontier Tract should be abolished immediately. Various opium acts in force in the prohibition area of the province should be extended to the Sadiya Frontier Tract. Free medical treatment should be provided in case of necessity to those addicts suffering physically or what-so-ever due to the prohibition of opium. In every village there should be an organisation of volunteers with executive powers to detect smuggling, and a sufficient number of Excise officers paid and honorary should be appointed. Heavy penalty, jail and fine should be imposed. The fine should go to the council so that the organisation can run properly.

(d) *Business, Commerce and Industries*.—Every village should be allowed to start Business Committee. The Committee will supervise the collection of harvests for sale, arrangement of scale for weighing, inquiry of market rates and will arrange trader or traders, fix village rates by keeping a proper account, will conduct and perform all business between trader or traders and agriculturists and between Sadiya and other parts of Assam. For the proper running of the Committee a certain portion of the profit should go to the Business Committee. A special officer should be appointed to keep a proper check on the works of the Committee. In the matter of the Government contracts 90 per cent should be distributed

amongst the Ahoms, Cachars, Gurkhas and other genuine Assamese of this district leaving the remaining 10 per cent for the non-Assamese residents of this district at a rate of 10 per cent below the rate of other people other than the Hill Tribes. The Government should arrange and distribute 3/4 modern type of Hand Looms in each village in ratio of population.

(e) *Employment in Government Services.*—All Government Servants in all offices in this district who are not local people and who are not confirmed should immediately be removed in favour of the local people—Matriculate or Non-Matriculate. Head Clerk in all offices who are not Assamese should be given forced pensions and a local people or a Hill Tribes, at present serving should be raised to that status. All Departmental Heads e.g. . . . Officer, Civil Surgeon and etc. who are non-Assamese should be transferred and qualified local man (if available) or Assamese should be placed in those services. For safeguarding all these interests as far as practicable the District Officer should be a local man of this district.

(e) *Social and Religious rites.*—Neither the Government nor any individual community should interfere with the social rites of the people.

(2) There should be village council in every village or amidst the group of villages with members on general election. There should be one District Council with members from the village councils and town councils. The district council will elect members for the provincial Legislature.

(3) 4 (four) Seats elected by the District Council.

(4) As in General,—But regarding the administration of the Sadiya Frontier Tract and any regulation to be enacted to that effect (Administration of Sadiya) the cabinet and the members elected should work together and the cabinet with the members will be responsible to the District Council.

(5) Qualified Hill Tribes of this Frontier Tract may be appointed provided they don't form a separate state or province. Other Hill Tribes outside this Frontier Tract and within the province of Assam must be well versed in Assamese.

(6) (a) The Ahoms and other local men of this Frontier Tract do not see any necessity of the Honorary Magistrates, request the Government for the abolition of the present two posts of that nature.

(b) The present Local Fund Department of the Political Officer should be under the District Council with an Executive body. Instead of the control of the Political Officer over it, there should be control of the Public over it. The present distribution of the lands by the Local Fund for the establishment of New Bazar and for the extension of the town is based on favouritism and partiality. This distribution should be stay out for the time being and should be redistributed to all communities fairly.

(c) All the village councils, Business Committee and Opium Prohibition Committee will be under the Executive body of the District Council with the District Officer.

(d) That a sufficient grant should be given for the Development of this Frontier Tract as given now to the Tribal Areas for the construction of roads, hospitals, wells, tube-wells, bridges, schools and night-schools in the rural areas.

(e) The district officer and all other Government servants will be responsible to the District council, which again to the village council all Government servants will be appointed by the Government in consultation with the District council.

(f) The system of introducing pleaders should be discouraged in the judicial Courts. The District Officers or his Assistants should dispose of all judicial cases, guided by a body of jurors elected by the District Council.

(g) These safeguards should be reserved for a period of ten years after which modification will be made after examining the advancement of the condition and status of the Local people of the Sadiya Frontier Tract.

(h) An elected member should be taken in the Advisory Board from the Local people of the Plain area of this Frontier Tract.

MEMORANDUM TO THE ADVISORY SUB-COMMITTEE FROM THE CACHARI COMMUNITY OF THE S. F. TRACT

We the Cacharis residing in the Sadiya Frontier Tract are the integral part of the Cacharis living outside this Frontier scattered throughout the whole of the Province of Assam. As such our social, political, economic, cultural and educational interests and welfare are inalienably and vitally connected with those of them. That being so we the Cacharis of this backward Frontier Tract cannot conceive of and entertain and favour the idea of remaining disintegrated in this backward tract—cut off from them from all connections and interests political, economic etc. affecting the whole community of the Province in general. In fact living as we are in this Frontier amidst various impediments and limitations and being hitherto totally ignored and deprived of from all considerations from Government we cordially entertain and favour the idea of running abreast with the rest of the Cacharis of the Province in the present political race of the country, so that we can play our part fitted to our genius in the evolution of a constitution in free India. While, therefore, our political views being such as stated above we put forward before the Government through the Advisory Sub-Committee the following claims to safeguard our interests in view of the backwardness of the Cacharis in this frontier and elsewhere.

1. Representation in the Provincial Legislature from the community through the machinery of separate electorate on population basis of 1941 census on the lines of the Anglo-Indians, Indian Christians, Muslims, etc.

2. Fair representation of the community in all grades of Government Public services, having special regard to backwardness of the community.

3. Fair share in all kinds of P.W.D. and other contract works.

4. Grant of land to landless Cacharis for cultivation and grazing even by throwing open the reserves if found necessary.

5. To open Lower Primary schools, preferably on compulsory basis, in all villages where Cacharis constitute the bulk of the resident.

6. Grant of scholarships:

(a) Poor L. P. scholarship to Cachari boys and girls.

(b) Free studentship in H. E. schools to boys and girls of poor parents and invariably to all boys and girls of military personnel both of service and pensioners from non-commissioned officers downwards.

(c) To earmark at least 2 stipends from the Sadiya Local Fund of the value ranging from Rs. 5 to Rs. 20 for boys or girls for higher education—technical, general etc.

In general we the Cacharis of this backward frontier tract place before the Government through the Advisory Sub-Committee their pointed grievances to the fact that hitherto the Cacharis are being meted out a step-motherly treatment in all public services—both military and civil—and their cases are invariably in all cases and occasions ignored and ruthlessly shelved by the Government when cases for either appointment and promotion to higher grades are considered by them. Such instances are not rare, few and far between. In fact such instances are far too patent to go further to seek concrete cases in point even in this part of the frontier.

We the Cacharis, therefore, with all the emphasis at our command protest and resent such stepmotherly treatment to our community. We urge the Government through the Advisory Sub-Committee to redeem the wrongs done to our community in the past and claim security against such maltreatment in future.

On behalf of the Cacharis of Sadiya Frontier Tract:—

- (1) Sd. SAFI RANE KACHARI.
- (2) Sd. ATUL CHANDRA DAS.
- (3) Sd.
- (4) Sd.
- (5) Sd.
- (6) Sd.

The Sub-Committee met at the Inspection Bungalow, Saikuaghat at 8.30 A.M. on the 29th May, 1947. Only Mr. Aliba Imti was present, besides the Secretary. Rev. Nichols-Roy joined later.

Witnesses: The Settlers' Association—

1. Mr. R. N. Ganguli, Asst. Secy., Settlers' Association, Sadiya.
2. Mr. B. N. Chatterjee, Secy., Settlers' Association, Sadiya.
3. Mr. P. M. Ganguli, Member, Working Committee of the Settlers' Association, Sadiya.

Secretary: I find your Association has already had an interview with the Sub-committee at Sadiya, and if you people represent the same association, probably there is no necessity for a second interview?

A.—Yes, we were interviewed at Sadiya; but we came for a second

time thinking other bodies also will be granted more than one interview.

We also represent the Ryot Sammelan. Our total membership is more than 100 and there are Marwaris, Panjabis, Sikhs and Bengalees in our association, in short all who are non-Assamese. The Association was started on 18th May, 1947.

The object of our Association is to establish equal rights for all the settlers as the people of the area, in respect of education, land, service etc. according to their population.

There are many cultivators among us, holding annual pattas, but as the rules now stand, if the Government want the land for any purpose the lease can be cancelled after one year and the owner of the land will have to quit. We want some protection from such hardships. Broadly speaking, the intention of the Association is to see that we are not asked to quit Assam, I mean those of us who have been here for more than 10 years.

Mr. Aliba Imti: Are there caste-Hindus in your Association?

A.:—Yes, and also Muslims.

Mr. Aliba Imti: Are you aware that the indigenous people, I mean the tribals are getting uneasy at the coming in of the foreigners to their area?

A.:—Actually this area does not belong to the tribals at all, particularly the plains portion was never inhabited by them. By tribals I mean the Miris, the Abhors and the Mishmis. They are the real tribals. Even the Khamtis and the Kacharis are later immigrants to this area. Actually they came from Coochbihar.

Now, if any one wants to settle down in this area, he has to get the permission of the authorities.

Witnesses: Ryot Sammelan—

Sjt. Laxmi Dutt Saharia

Sjt. Mohan Chandra Sonowal,

Sjt. Tankeswar Dewri,

Sjt. Sombar Sonowal.

A written memorandum is submitted.

Translation.—This memorandum is in reply to the questionnaire of the Constituent Assembly, and is from the public of Saikuaghat. We submit that before any changes are effected in 1948 we urge that there should be an end to the Political Officer's regime in this place and we should be brought into the Union of India, with some special provisions in view of the backwardness of this area. The Sadiya Frontier Tract should be converted into a provincial district with a separate council for it. There should be representatives from this council to the Provincial legislature, the number being 6, made up of 2 from the tribal area, 2 from Pasighat and one from Sadiya Plain and 1 from Saikua plain. From among these 6 we want one Minister. And also a member in the Constituent Assembly from this area. There should not be any differential treatment between the tribals and those in the plains, but land should be settled according to the requirements of the present population, keeping the surplus as reserve for future generations. There should be

facilities given for education, medical aid and communication.

The Hon'ble Rev. J. J. M. Nichols-Roy: What is the population for which you want this council and representation in the legislature and a Minister in the cabinet?

A.—60,000.

Q.—And you ask that you should have the same right to land as the tribals. Suppose they desire otherwise? Actually they have been asking for protection of their lands from people of the plains.

A.—We hope to persuade them to live with us. We do not want to go up the hills and exploit these people; on the other hand we would welcome their coming and living with us in the plains.

BALIPARA FRONTIER TRACT

BALIPARA FRONTIER TRACT

The Assam Excluded Areas and North-East Frontier Tribal Sub-Committee met at Charduar on the 31st 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.

Mr. Aliba Imti.

Mr. R. K. Ramadhyani, I.C.S. (*Secretary*).

The Sub-Committee examined the following Political Officers:—

Mr. Imdad Ali, I.P., Political Officer, Balipara Frontier Tract.

Mr. F. N. Betts, Political Officer, Subansiri.

Mr. Chairman: How long have you been here?

Mr. Imdad Ali: I have been here since November 1942 as Political Officer of Balipara Frontier Tract.

Mr. Chairman: Not of Subansiri?

Mr. Imdad Ali: When I first took over, I was Political Officer of the whole of Balipara Frontier Tract. It was only in 1945 that a special officer was appointed to investigate into the people of the area inhabiting the Subansiri valley. In 1945 the Subansiri area was constituted as an independent area with a Political Officer.

Mr. Chairman: Can you give any reasons why this was done?

Mr. Imdad Ali: The area was far too big for one officer to cope with and therefore it was found necessary to constitute a new area.

Mr. Chairman: (addressing Mr. Betts.) You have been there since 1945?

Mr. Betts: Yes.

Mr. Chairman: Is there any difference in the nature of the tribes who live in these two areas?

Mr. Imdad Ali: The people who inhabit the western areas are far more civilised than the people who live in the eastern sector, because the people in the western sector have been under Tibetan influence for a long time.

Mr. Chairman: Are the tribes different one from the other?

Mr. Imdad Ali: The Monbas are entirely different from the Akas and Dafas. They have nothing in common. No Monbas have come here today. They do not come down during the summer. During the winter months, a large number of them come down to the plains for the purposes of trade.

Mr. Chairman: What will be their population?

Mr. Imdad Ali: About 10,000.

The Hon'ble Rev. J. J. M. Nichols-Roy: Are there any boys among them who have been to any schools?

A.—No, all the tribes are illiterate, but among the Monbas, there is about 1 per cent. literacy.

Mr. Chairman: What is the general reaction to the methods of civilisation like education, opening up of communications, medical aid etc.?

A.—The reaction is very slow indeed and one of mixed suspicion and fear. But nevertheless, they have begun to appreciate the worth of our medicines. To begin with they would not like to be treated by our doctors, but gradually they have realised the benefit resulting therefrom and now they come forward voluntarily to take advantage of the visit of our doctors.

Mr. Chairman: What kind of land tenure have they? Is it on communal lines, or does it vary from tribe to tribe?

A.—So far as the Monbas are concerned, land is owned individually. But among the Dafas or Akas, the land is owned by the community, i.e. by the village.

Q.—Are there any hereditary chiefs among the Monbas?

A.—Among the southern Monbas, who are also called the Seth-Rajas they have chiefs, the son succeeding his father. Among the Sengji Tongji tribe also they have chiefs.

The Hon'ble Rev. J.J.M. Nichols Roy: What system of marriage do they follow?

A.—They are all bi- or poly-gamists. Monogamy is practically unknown; there is no polyandry.

Mr. Chairman: So far as the Akas are concerned what is their general reaction to methods of civilisation?

A.—They are economically very backward. They are short of crops, because they are dependent entirely on 'jhuming'.

Q.—What is the population of the Monbas?

A.—About 10,000.

Q.—Is there any local organization in these areas among the Monbas?

A.—They have got their village council, each village has a headman, and a group of villages has a council and they sit in council and decide cases, and if the cases are of a serious nature, they come up to me. Previously they used to go to the officials of the Tibetans.

The council is composed of elected representatives of the villages, each village has one or more headmen, according to its size and they have a number of assistants to help him. One day the villagers sit round in the village temple, and the council is elected, for a period of 3 years. But we are now trying to make these posts permanent, giving them each a red-cloth, as they do in the Naga hills.

Heinous crimes are practically unknown in that area, so far as the Monbas are concerned. During my experience I have not met a single case of murder. The disputes all arise from the land. Things are different among the Dafas and Akas, from them every case comes to me—thieving, elopement, adultery, murders and other such cases.

Mr. Chairman: So you think that the economic conditions of the Akas and Dafas are very bad?

A.—Certainly, and backward too.

The Hon'ble Rev. J.J.M. Nichols Roy: Are there many forests in this area?

A.—This area contains very large forests, in the western area there are very good oak and pine trees, much better than pines in Shillong.

I do not know if there are any mineral deposits, if there be any, they have not been exploited; indeed, no expedition was ever sent out there, and as far as I know, there is no mineral deposit of commercial value.

Mr. Chairman: What is the reaction of the Dafias and Akas to methods of civilization?

A.—They would welcome medical facilities, if they could be given to them, and they would also welcome a few schools to begin with; but how they will react to or respond to our system of education. I do not know, because I have not been able to persuade even the plains Dafias who have been here for more than 40 years, to go to school. I won't say they are hostile to schools; I should say their attitude is one of apathy. (But as compared with these people, the Monbas are definitely more responsive, they are influenced by Buddhism. The people of the south and east, however, have had no outside influence, they are all animists.

Mr. Chairman: I am told that some of them are suffering from T.B.?

A.—Yes, in the Aka hills. We sent out our doctors and made a survey and we found a few cases of T.B. but it is not so bad as it was made out to be.

The Hon'ble Rev. J. J. M. Nichols Roy: What will be the respective populations of these tribes?

A.—The Akas have a population of 5,000. The Lamas about 10,000. As for the Dafias, it is very difficult to say what their number is, because, so far, we have visited only a small number of villages out of the many Dafla villages; even these villages are about 7 days' march from road head. The general feeling is that some of the other villages are very thickly populated, one village, it is reported, has a population of 2,500 souls. So far as the Yanos or western Dafias are concerned, they have a population of a lakh.

Mr. Chairman: Have you visited the villages of Norang and Riang?

A.—I visited Lada, which is 7 days' march, and another village which is at 6 days' march.

When Riang was visited in 1914, they were hostile, they attacked the Political Officer, and their village had to be burnt down.

I visited Tosom Lora near about Riang in February, 1947. At my visit to begin with, they were very much scared and most of them left the village at our approach. But then, I sent my interpreter ahead to explain to them that my visit was friendly. On this assurance they returned to the village and welcomed us and were friendly with us. They are about 1,500 souls.

The Dafias also practise 'jhuming'.

They also grow rice; but very often there is failure of crop and so they have to live entirely on jungle produce, such as wild roots and tubers. Their main food, of course, is rice, maize and, to some extent

supplemented by millets. They do not keep cattle, but they have large herds of mithan, pigs, goats and poultry. They do not use any oil. They grow some mustard along with 'Lai sag' in their gardens.

The western Daflas do not grow cotton; for cloth they depend entirely on the plains people. But the eastern Daflas grow cotton. We are trying to introduce it among the western Daflas also.

The northern Daflas make a sort of coarse cloth out of nettle fibre which is very strong like old sacking.

The Hon'ble Mr. Brahma: What is the population of the people in the plains portion?

A.—They are scattered over a wide area, but most of them are to be found in N. Lakhimpur, Gohpur and in a place called Bokals. I think their population will be about 1,500.

Mr. Chairman: Judging from their intelligence, and the way they live, do you anticipate that these people can create trouble for the Assam government or the Government of India, for the matter of that, by some kind of alliance with Tibet?

A.—I do not think they can make any alliance with Tibet.

Q.—In the present circumstances, there are two methods of dealing with the people. There is the way of infusing fear, keep them under some kind of threat. On the other hand, there is the method of civilization, as you extend the benefits of education, medical aid, and possibly help them in other ways like industries and things of that kind. Of these two ways, which one would you adopt?

A.—I would rather adopt a combination of the two. As we try to extend our influence among them, we must have more police force, an extension of the Assam Rifles. We will have to make commitments with extension of control and in order to fulfil them, we will require some kind of force ready at hand. Naturally, therefore, we will have to increase the number of out-posts.

Q.—But, do you actually require this force for dealing with these people? Or is it to guard against the Tibetans controlling this area and creating trouble for us?

A.—The Assam Rifles are required primarily for checking external aggression, but they are maintained also for the purpose of keeping the people under fear, lest the internal peace be disturbed. Otherwise the stronger tribe will raid the weaker ones.

Apart from the Assam rifles, we have no police force for the maintenance of internal peace. I would point out that so far as the tribes I have dealt with, they had the system of paying tribute by one tribe to another tribe. In the dim past, this was a friendly exchange of presents. Later on the stronger tribes started descending on the weaker ones and exacted as much tribute as possible, far in excess of their capacity to pay. But after we had taken our control, we stopped this sort of extortion. I am afraid, immediately we withdraw the Assam Rifles, the stronger tribe will again descend on the weaker ones and continue their exactions.

Secretary: On the same argument, you can stop the *posa*.

A.—I would not do that, because the amount involved is negligible and stoppage of *posa* will amount to breach of trust.

So far as the Rs. 5,000 paid as *posa* to the Tibetan it is divided among

the Towang monastery and the southern Monbas. The *posa* is received annually from the Political Officer at Durangzong; previously they used to receive it at Udalguri, where the representatives of the Towang monastery came down every year, in company with the Sath-rajās. After receiving it they divide it, one-fifth to the Sath-rajās, and four-fifths to the Towang monastery, and part of the share going to the monastery has to be sent to the Lhasa. The Sath-rajās divide or share it with their tribesmen.

The Akās get Rs. 600 and that is divided among the individual chiefs. We do not pay them collectively.

The Daflas used to get *posa* in the past, but there was no treaty with the Daflas. They had permits, but gradually these permits were sold to people of no influence or to slaves. The matter was referred to Government and they ruled that in the case of a Dafla *posa* permits falling into the hands of slaves, they should be cancelled immediately. As regards other petty holders of the permits, on the death of the holder, the permit or patta is cancelled and the *posa* is stopped. Originally, it was found difficult to recognise any political body to negotiate with, among the Daflas, and so a few prominent Dafla chiefs or headmen were chosen, giving them a certain amount of money, for foregoing the amount they received from the plains before the advent of the British. In 1940, it was discovered that most of these permits or licenses were not being held by the children of the original permit holders or their inheritors, but had fallen into the hands of slaves or people of very minor influence. In paying *posa* we insist on the man in whose name the permit stands producing the permit to stop impersonation and fraud.

Mr. Chairman: Do you officially recognise that the *posas* are actually shared with the Tibetan government?

*A.—*I have information, but we do not recognise this. We are not concerned with the distribution of the money at all.

Mr. Chairman: To what area does the plain portion of the Balipara frontier extended? From what distance from here, do the foot-hills start?

*A.—*20 miles. It varies from place to place. It is a long strip of land, the longest being from Bhalukpong to Charduar—from north to south will be 21 miles. The shortest distance, from foot-hill to Daflaghat will be about 2 miles only.

*Q.—*Don't you think that the headquarters of the Political Officers should be in the heart of the areas they control, instead of at one southern corner of their areas?

*A.—*Yes, I think the headquarters should be in the heart of the area; but before establishing the headquarter at a new place permanently, communications must be improved.

*Q.—*What is the nature of the population of these plains area?

*A.—*From the census report, there are only about 700 Daflas, and the rest are ex-tea garden coolies, a few Miris and a few Garos.

Secretary: The northern boundary of the excluded area is the inner line published under notification dated the 2nd November 1934. Now, actually under the 1935 Act, it is simply stated that the Balipara Frontier Tract is an excluded area. The position is that under section 60 of the Government of India Act, the southern boundary was not defined, and therefore theoretically the excluded area extends right up to the McMahon

Line. In fact, the whole of this area from your southern boundary right up to the McMahon Line is treated as a tribal area from the point of view of the Government of India Act, but as I said, the notification extends the whole area right up to the McMahon Line. What I want to know is whether in view of the peculiar position of this territory, it would be undesirable in any way to attempt to change the legal status of this area into a tribal area which under the Government of India Act is not part of India. Do you agree?

Mr. Imdad Ali: My personal opinion is that the *de facto* tribal area which lies north of the present inner line should be declared a tribal area.

Secretary: In other words, you would declare it as not part of India, because tribal areas statutorily are not part of India?

Mr. Imdad Ali: It would be best to declare that they are independent tribes.

Secretary: How will that affect our position *vis-a-vis* the Tibetans and the Chinese claim? If you declare them independent, would not the Tibetans and the Chinese try to annex them?

Mr. Imdad Ali: My answer to that is: Keep them as a tribal area north of the inner line but make that part of India by amending the present Act.

Secretary: In other words, you would attach a different meaning to what you call a tribal area.

Mr. Imdad Ali: At least not as it is laid down under the Constitution Act.

Secretary: You agree then that up to the McMahon Line it should be treated as part of Assam but in this area beyond your inner line you would have a certain special type of administration. That is what it actually boils down to.

At present you are following the policy of extending control. Is there any portion over which no taxes are levied at present?

Mr. Imdad Ali: We are receiving tributary taxes from the Monbas and the Senjithongjis. The tax that we are collecting from these people is known as house tax, but it must really be considered as a tributary tax because these areas have not been brought under taxation by government notification.

Secretary: In any case, the policy is to extend control and administration over the whole of this area gradually right up to the McMahon Line so that ultimately this area is going to be an administered area?

Mr. Imdad Ali: Ultimately, yes.

Secretary: What do you suggest should be the future of the *posa* payment?

Mr. Imdad Ali: That should remain as it is.

Secretary: Even though the territory becomes administered fully?

Mr. Imdad Ali: Yes.

Secretary: Why?

Mr. Imdad Ali: On sentimental and political grounds. So far as the Daffas are concerned, the present system should continue. So far as the other tribes with whom we have definite treaties are concerned, we should continue to pay *posa*, otherwise it will amount to breach of trust.

Secretary: When control is established, do you consider that the

provincial administration should extend over that portion?

Mr. Imdad Ali: No.

Secretary: You are treating this as an area in which a special type of control or influence is necessary under the Government of India Act because it involves possibly External Affairs and even Defence, but when the state of affairs is such that the question of External Affairs ceases to exist, would you not include that within the provincial administration, might be a special type of administration suitable to the tribes, but still under the province?

Mr. Imdad Ali: In that case I agree that it should be under the provincial government but it should be run on an agency basis.

Q.—(addressing Mr. Betts). What about your area? Do you agree that the position is the same?

Mr. Betts: I agree with him. (Mr. Ali).

(*To Chairman.*) My boundaries are the Subansiri in the east. In the west, a range of hills in the mountains running north to south from Gohpur, in the south.

What are the tribes generally living in this area?

Mr. Betts: North of the Daffas, it is practically an untouched area. It has hardly been visited at all. The Eastern Daffas are very much like the Western Daffas. They are extremely primitive and uneducated. There is one more tribe called the Apa Tani. They live in a dried-up lake bed. There are about 20,000 of them living in an area 6 miles by 3 miles. They have wet cultivation, but they too are extremely primitive. East of the Daffas, you have the so-called Miris. They are different from the plains Miris and do not mix with them.

Mr. Chairman: What is their language?

Mr. Betts: It is a Daffa dialect.

Mr. Chairman: Is the Daffa dialect distinctly different from the Abhor dialect?

Mr. Betts: Yes.

Beyond Apa Tani, the Daffas extend almost right up to the McMahon Line.

Mr. Chairman: Have you any information about them?

Mr. Betts: We have no information. We have gone up to the Khru river. That means more than half the area is unvisited.

Mr. Chairman: How far have you gone up the Subansiri river?

Mr. Betts: I myself have not gone up at all. The river comes down through mountain gorges which are very high.

Mr. Chairman: Could you give any description of the people of the area of which you know something?

Mr. Betts: The Apa Tani and the Eastern Daffas are extremely primitive. They live entirely on 'jhuming'. They move from place to place but the general trend is from the north to the south. In the last few years, there seems to have been some pressure driving them southwards. They are extending their 'jhuming' into the foot hills.

Mr. Chairman: Have you any definite information that there is pressure from the north?

Mr. Betts: We have no information. It may be population pressure or it may merely be economic pressure which is driving them south.

Mr. Chairman: What about their trade?

Mr. Betts: They trade with Assam. They get their silk cloth from here, but the general tendency is towards the north. They get their salt from Tibet, also their ornaments.

In the far north the people seem to be Tibetans and they speak of buildings which must be monasteries. They live in stone houses on this side of the McMahon Line. No Tibetans come into the southern areas and there are no trade routes.

Mr. Chairman: Are there any Daflas in the plains?

Mr. Betts: Yes, there are one or two Dafla colonies in the plains in North Lakhimpur, e.g. Diju.

Mr. Chairman: Are the Apa Tanis different from the Daflas?

Mr. Betts: Yes.

Mr. Chairman: What is the altitude of Apa Tani?

Mr. Betts: About 6,000 ft.

Mr. Chairman: Have you any regular communication up to that place?

Mr. Betts: You mean a regular route? We have got only a cooly track which is a very bad one.

Mr. Chairman: Is it in the Plain?

Mr. Betts: Yes, it is in the Five Year Plan.

*Q.—*How do you come down here?

Mr. Betts: It is five days' march from North Lakhimpur *via* Diju.

Mr. Chairman: You have got Apa Tanis and Daflas and you say they are extremely primitive. From your discussion with them, do you think they will respond to methods of civilization?

A. In the case of the Daflas it will be a very very long time before they begin to respond to our methods of civilizing them. At present they are beginning to appreciate the value of our medicine, but towards educating their children, they are absolutely indifferent. Also in the matter of cultivation. They will continue their own old 'jhuming'.

The Apa Tanis, on the other hand, are definitely better than the Daflas. They have permanent property of their own.

The Daflas and Apa Tanis understand each other.

The Hill Miris are like the Daflas.

Mr. Chairman: What do you mean by Hill Miris? Are they different from the general Miris?

*A.—*No. They are not different.

The story is that the Miris first migrated from the snow ranges from the north and came down and were the first to arrive in to the plains. The tradition tells that the eastern Miris owned the plains land and had the right of hunting and fishing and they used to come down every winter hunting and fishing. This they still do, going back in the summer. They also get a *posa* of Rs. 800 in recognition of these assumed rights.

Secretary: What are the possibilities in these areas of organising anything by way of local boards or district council I mean in the areas to which administration has been extended?

*A.—*So far as I am concerned—very little, at present. Among them there are no chiefs. They are almost entirely individualistic. There may

be a few rich men in a village, and they will have some influence among the other villagers. But their influence does not extend beyond that particular village: We are trying to form councils among them to settle all minor disputes; but we find it an up-hill task.

Mr. Imdad Ali: So far as my area is concerned, it is amongst the Moubas only that we have done some spade work with a view to introducing some sort of local self-government. The other tribes are quite primitive and it will be very long before you can expect them to evolve a system of local self-government.

There are a few chiefs among the Lamais and the Akas, but the chiefs are losing ground a lot, recently. The succession is from father to son or uncle. Once the chief is elected, he is generally followed by the tribes.

He decides almost all their disputes with the help of the village elders.

Secretary: Would you say that generally speaking, any attempt to introduce local self-government should wait till the 5 year plan is worked out?

*A.—*I should say so.

Mr. Chairman: There is no head-hunting now, I suppose?

*A.—*No, but there are sudden raids among the Dafias and the Lamais. It is generally between one village and another, but at times it may be between two families even.

Mr. Betts: Among the Dafias, it is mostly between two families.

Mr. Imdad Ali: The causes for the raid may be many, but the majority of them start from what is called 'sickness carrying'. It is like this. There are three villages, A, B and C. A man from village A goes to village C which is in the plains. After a time he returns and a month or so later, there is an epidemic or death in village A, which spreads to Village B also. Then they consult omens through their Deodhais and try to find out the cause of this death or epidemic. Invariably they find that the disease was brought from village C and so they claim compensation from village C, compensation usually being 10 to 100 mithan. If this compensation is paid, well and good, if not there is trouble ahead. If village A alone is not strong enough it takes the help of village B and come down on village C and raid and attack the inhabitants, and carry off 10 to 15 people as hostages. They are kept in village A till compensation is paid.

*Q.—*How does the Deodhai find out the cause?

*A.—*The Deodhai will keep on chanting some sort of prayer all day long, with a chicken in his hand, and then kill it. From the colour of the liver, the flow of the blood and all that they say he finds out the cause of the disease!

*Witnesses.—*Bhutias and Buguns of Charduar.

1. Dorje Thongdok of Rupa,
2. Jomnibu Khrdme of Rupa,
3. Sangambu Thongo of Ghergaon,
4. Dorje Lamaguru of Ghergaon,
5. Kezang of Senchong.

Mr. Chairman: Where do you people live?

*A.—*We live in Rupa which is about 5 days' march from here. All of us live by cultivation on the hills. We grow Indian corn by means of

'jhuming'. We do not feel any kind of want. The yield from our cultivation is sufficient for seeing us all through the year. In some years there may be some slight deficiency, and then, those who are in need get grain from others who have it.

There is no school in any of our villages. If you open schools we will send our children. If chance is given to our boys and girls, we shall be very glad. But the schools you may open must be situated in our midst.

Q.—What is your religion?

A.—We are Buddhists and we have monasteries. We have some kind of festivals annually, when our pothis are worshipped by our Brahman Guru—the Lama Guru. He comes from Durangzong and he reads our scriptures for 10 to 12 days at a stretch and then we start our dances to the accompaniment of drums, symbols and music. This continues for 6 or 7 days. It is an annual festival for the good of all, for proper crops and for long life and prosperity and freedom from diseases. It occurs just before the sowing season.

We do not take much *lao-pani*—country liquor. We take it only in moderate quantities. It is called 'phak' in our language.

Mr. Chairman: Do you make these coloured cloths you are wearing?

A.—No, we buy it from the Tibetans. The shawls we presented to you now are also from the Tibetans. We do not spin or weave, so we have to buy our cloths. And we buy them from the Tibetans who come to us as our traders. (Formerly they used to realise taxes from us, but for the last 8 years they have not done that.) They come to us only for the purpose of trade. We get our cloths from them, they also deal in rugs, ghee of cow, of goat and also 'sang' (yak) ghee. In exchange we give them the cloth we get from Assam. We also make payments in cash.

We do not get salt from the Tibetans, because we get sufficient from the Sarkar (Government).

Q.—Which is your original place?

A.—We are the original inhabitants and we do not have any tradition saying that we came either from the south or from the north. We go to such places as Sapai, Majbhai, Orang, Udalguri, etc., and get such things as will be brought from us by the Cacharies in the plains, particularly chilly, saffron, yarn, bags. In our dealings we visit mostly the Hindu and Cachari villages. The Cachari are our old friends. We eat together.

For the settlement of our village disputes, we have our *gaonburas* who are elected by the people. Nowadays, these *gaonburas* are also being appointed by the Sarkar. We call the village headman 'Akhao'. There has not been a single case of murder or man slaughter in our midst.

There is no inter-marriage between the Shershukhongs (Nos. 1 to 4 of the witnesses) and the Kawhas (5th witness). Actually they have different languages.

Mr. Chairman: Hereafter, all the British will go away from our country and the natives, we the black-men will have to take up the rule in all these wide areas. Whom would you like to rule you? Would you like to rule yourselves?

A.—We are not literate and we know very little of what sort of change is coming. We think the existing state of affairs will continue and so we want to continue as we are. Please explain to us the nature of the coming change?

(Chairman explains)

Q.—Have you any objection to other people other than yourselves coming to you and living with you?

A.—We have been very friendly with the Assamese in times past. With the coming of the British, they said that we should remain friendly with them and that they would give us certain moneys and pretty cloth, and certain other things. If our old friendly relations with Assam are revived, we shall only be too happy about it. We shall certainly remain as your friends and it is for you to decide the manner in which that relationship should be continued, and it is for you to decide everything for us.

If you continue to give us the *posa*, it will be good for us.

Q.—If we give you schools and doctors, and medicines, etc., will you still want the *posa*?

A.—This is the first time we have been able to meet you all, and we have been very glad to do so. But we have to talk over this matter with our people, and after that, we shall be glad to meet you again if you come; but as it is, we shall be glad if the *posa* is continued.

Q.—We do not want to stop the *posa*. Please do not misunderstand us. We will actually treat you as our own brothers. We shall give you schools, doctors, medicines, etc., and will be prepared to spend lots of money. We consider this work of the greatest importance and we are prepared to spend crores of rupees for this work. At the same time, we want to maintain all your customs and social manners and we will maintain them quite in tact.

Dorje Lamaguru of Ghergaon: When you actually give us the schools, then that is the time to talk about stopping the *posa*.

Mr. Chairman: Does any portion of the *posa* go to the Towang monastery?

A.—Formerly we used to pay them a portion, but we do not do so now. Kezang of Senchong has no *posa*.

From times immemorial we have been a peaceful people, not prepared to hurt even a dog, not to speak of doing any injury to any human-being. We all like to live peacefully with the people of Assam. We will surely like your officers and men coming to us and contacting us. But we do not like other people to come and settle among us.

The following Rhuso (Aka) witnesses were then examined:—

1. Dumsang Jebsho of Rukhu,
2. Katiram Kabjisho of Husi,
3. Gopina Dubshushow of Murakha,
4. Sankandu Debishow of Jamiri,
5. Nebil Dushushow of Dugum,
6. Lomm Dushushow of Hulbru.

Fiftytwo of us have come here not only from the villages which have been named but also from other villages.

Ruku is about 3 days' march from here if you go fast, but if will take five days if it is a slow march. Husi also is of the same distance. Murakha is five days' march from here. Jamiri is nearer and three days' march is the maximum. Hulbru is half as near to this place as it is to Ruku or Murakha.

Gopina and Nebil have been elected by the people as Rajas. When a man is installed as Raja, he has got to feed the people who elect him. When he administers justice, the disputing parties pay him in cash or in kind. The Raja must be able to arbitrate in disputes. If he is unable to do so, he is dethroned. What is the use of a Raja if he cannot arbitrate justice?

100 to 120 families elect a Raja, and he decides the disputes with other people of the vilage. He gives the award and metes out punishment. The young boy (who was present in the meeting) is nominally a Raja, because his father was a Raja. In his case, arbitration will be done by a man who actually knows the duties of a Raja. The people can dethrone a Raja. The Raja, after describing the nature of the dispute, gives a verdict and then asks the people whether the verdict has been suitable, and if the people agree that it is so, then he will put the verdict into effect. A Raja can dictate to his people, for what is the meaning of a Raja if his people do not obey him?

The Mijis are to the west of us. They are also called Lamais. We call them Miji, but they call themselves Lamais. Only a few people who are conversant with local languages will know Miji, but the ordinary people do not understand it, but we intermarry with them nevertheless.

In our marriage system, we have got to pay the price for the bride. We have got to pay in mithuns and *endi* cloth. The poorer people will give 2 to 5 mithuns, but the rich bridegrooms will pay from 20 to 40 mithuns. Generally, we are polygamous. We have got two to three wives each.

The ornaments that we are wearing are Bhutanese in origin. Some of them have also been made by the Assamese silversmiths.

We always trade with the Assamese. We are of the same stock as the Assamese and the Cacharies. We bring down *cachu* (yam), *agar* (ginger) and chillies and our friends in the plains would give us cloth and paddy and rice, also betel nuts. The poor people only give us food and nothing else.

We were very happy under our elder brothers, the Assamese Kings. Since then, the British have taken over. We are a very ignorant people and we do not know what to say.

At this stage, Sjt. Lemum handed over two memoranda to the Chairman:

(The following is an English translation of the first memorandum).

"We were informed by the Political Officer on 22nd April 1947 to answer certain questions which have been sent to us from the Sub-Committee. The Akas in a meeting passed the following resolution:

"We hear that the British Government are going to quit India and give it to the Indians. We do not know how the Indians propose to treat us. The Indians will now take charge of the administration. Under the British Raj, all the Aka chiefs used to get some revenue. This should be continued even under the Indian administration. The Indian Government should also see that one tribe or community cannot oppress another tribe or community just in the same way as under the British rule. We should be entitled to get taxes from

the Bhutias just as we used to get before. Our territory extended up to Lasa in the Bhutia Hill. We should be allowed to cover all those places. We shall not have quarrels with these people. We must remain in friendship with the Assamese of the plains and we should have the free right to move about in all areas free from any restrictions. We should be given opportunity for education by opening of schools and medical attendance by opening of hospitals. Roads should be constructed up to the hills people of the plains get. We must have full opportunity for freely mingling with all the people of the plains. This is the aspiration of the Aka people."

(The following is an English translation of the second memorandum submitted by the Rhusos).

This is particularly on behalf of the Rani and 15 other signatories:

"In order to carry on the worship which duty is placed on the chief and which, on account of the evacuation of the land held by the people is becoming impossible for the Rani to carry on, it is prayed that in Bogijuti and Kavipota 600 puras (pura=1-1/3 acres) should be given to the Rani so that she could settle Assamese, Cacharies and other ryots there and utilise the revenue derived therefrom to conduct the worship according to Aka customs and rituals."

We have friendly intercourse with the people of Towang. We pay no revenue to them, nor have they paid any taxes to us.

YANOS

or

WESTERN DAFLAS & TAGAN DAFLAS

The following Yano witnesses were then examined by the Subcommittee:—

1. Hajari Notung,
2. Lugu Notung,
3. Tafong Notung,
4. Tagora Notung,
5. Chengreng Taba,
6. Nygla Tay.

All our people do not understand Assamese, but a number of them do. Of the five who are here, two of us know Assamese. Our place is about 7 days' march from this place. We have no chiefs in our area, but the headman of the village is generally our leader. The headman (Gamgurang) will decide disputes. If the headman's orders are not obeyed, we fight the people who disobey with bows, arrows and swords. We set fire to their houses and raid their village. We set fire to the delinquent's house and kill him at night when the man is asleep. But these fights are now things of the past. The Political Officer now and then comes and settles the disputes. It will be a good thing to maintain the influence of the Political Officer who settles disputes amicably.

We were given certain questions. We are ignorant people and do not know anything about them. We have come here to know from you.

**KHASI AND JAINTIA
HILLS.**

The Assam Excluded and Partially Excluded Area Sub Committee met in Shillong at 10 a.m. on Tuesday the 10th June 1947, the Hon'ble Mr. Bardoloi in the chair.

The question of coopting members, in particular the cooption of Messrs Larsingh Khyriem and Josing Rynja, was discussed. As Mr. Larsingh Khyriem was leading a group of witnesses it was decided to examine him as a witness first before the cooption of members. The memorandum submitted by Rev. Nichols Roy was also discussed in part.

[Mr. Larsingh Khyriem presented a Memorandum (Appendix A).]

Mr. CHAIRMAN : We regret very much that we have not been able to visit your area, for the purpose of knowing for ourselves the physical conditions under which you live. We have undoubtedly read of how you live and what you are doing from books, from information from friends and from among other sources and we are indeed very glad to meet you and know things directly from you. We realise that it would have been better if we visited these areas but you might possibly know that the Indian Constitution has got to be framed almost immediately. The British Government have said formerly that they would be parting with power before June 1948, but the recent declaration of H.M.G. on the 3rd June was that they are not here after August 1947, in other words, the whole Government of India is coming into the hands of Indians from August 1947. Of course lots of things shall have to be done for Indians to build up their own constitution, the process of which has already started, as you know from December last through the Constituent Assembly. You also know in the meanwhile that some kind of partition is going to take place in India but so far as Assam is concerned they remain just as before I mean our ship, with the Constituent Assembly which will frame our constitution and which will also determine the relationship of the tribal areas and the excluded and partially excluded areas. Therefore the Enquiry which we had started continues and we are very happy to be able to participate in the framing of that constitution so far as the Province and the Union is concerned. There are certain things about which we should make it clear. Rev. Nichols Roy has submitted a sort of Memorandum to us. He is himself a member of this Advisory Committee.

He has exerted his efforts for the establishment of friendly relationship between the Hills and the Plains, between the Excluded Areas and the Included Areas, between the people who were not allowed to know anything of each other and those who wanted to know about them. He has submitted a memorandum before us in which he wants to include also the States people and the States in the framing of the constitution for the Khasi and Jaintia Hills.

As members of the Advisory Committee, we suffer from some limitations. You may know that the functions with which we have been entrusted by the Constituent Assembly are restricted to enquiry into the Tribal and Excluded and Partially Excluded Areas. We are not entitled to enquire into the internal affairs of the States. But at the same time, we have felt, and Rev. Nichols Roy feels particularly, that any enquiry into the Hills here would not be complete unless we make some reference to the wishes of the people who may be also in the States. So far as the States themselves are concerned, directly of course, it cannot be the function of this Committee to do anything. It will be done by the Negotiating Committee of the Constituent Assembly, and by the Constituent Assembly itself when the Constituent Assembly has members from these States and possibly largely by the Governor, acting as the Agent of the Government of India.

You may remember that we do not think in terms of the British Government at all, because they have made it clear that after August 1947 they shall have nothing to do with us. That being the position, you can surely give expression to your wishes and desires regarding the future of Jaintia Hills, regarding your hopes and aspirations for the future. It is in this perspective that we request you to tender your evidence.

A. Our wishes are contained in the memorandum which we have submitted.

MR. CHAIRMAN: Before we discuss this, we would like to know the character in which you are making this representation.

A. We are in the British administered areas. We are administered as a Partially Excluded Area. Before the advent of the British, the Dollois were under the Jaintia Raja. The Jaintia Raja was our King. The Dollois were the sectional Chiefs of the Jaintia Raja. Today there are 20 Dollois and 2 Sardars. As regards administration, the Dollois do everything as regards civil and criminal matters. We here represent the Dollois and the Sardars. We have come in six groups. The people who have come here are the Dollois and leading men of Jaintia Hills. Three Dollois are present there. No Sardar is present. In the memorandum we have submitted, seven Dollois have signed including the three present. The rest of the Dollois are in the interior and it is difficult for us to get them. We called for a Darbar last month. Most of the Dollois came there and we explained our plan to them and they have all unanimously agreed to this. We have explained to them also the draft Constitution of Rev. Nichols Roy and they have agreed to that. They have agreed to become members of the Khasi and Jaintia Federated State. All the Dollois live within the Jowai Sub-Division. We represent the whole of the Jowai Sub-Division.

MR. CHAIRMAN: Do you feel that there are no other parties in your Sub-Division except yourself to speak on the future of the Jowai Sub-Division.

A. There might be, but they are insignificant. We have held two or three Darbars in the Jowai Sub-Division and they all have unanimously accepted these proposals. Rev. Nichols Roy also went last year, and we had the biggest gathering in the Jaintia Hills. They have all accepted the plan. In Shillong also, there was a meeting and about 20,000 people attended that meeting. They have all accepted the plan.

There are also Non-Khasis in the Jaintia Hills. There are Mikirs. Their population I cannot exactly say. We informed them of the meeting and they attended our meeting. In the last meeting, it was raining and therefore they could not be present. In the previous meetings they did attend. They share the same views as contained in the memorandum submitted by us. They are not called Arling Mikirs; they are simply called Mikirs. Their representatives have not come here.

We have got six groups from the Jaintia Hills. We all are of the same views. There are separate leaders.

The population is between 85,000 and 90,000 roughly. They include also the Mikirs. We all speak the Khasi language. There are slightly different dialects. The Khasis migrated from the Jaintia Hills. We call them Khasis. Bhoi is only a local name. We all speak the same common language. The Bhois live nearer the plains.

We make no difference between ourselves and the Mikirs. Our students also read the Khasi language. In the schools we teach the same language. There are Mikir boys in our schools. There are also schools in the Mikir areas. They are taught in the Khasi language.

Umpanai is just on the border of Mikir Hills, about 8 miles.

THE HON'BLE—REV. J. J. M. NICHOLS ROY: Are there any villages in the Jaintia Hills which are inhabited by the Mikir people?

A. Not exactly. They are mixed up. They are called Lalungs, etc.

THE HON' BLE REV. J. J. M. NICHOLS ROY: Are there villages which are wholly Mikir ?

A. There are. They are confined to small areas. They are connected with the Mikir areas within the Jaintia Sub-Division. They are separated from the Mikirs in the other Mikir Hills by strips of land.

MR. CHAIRMAN: What are the areas that fall between the Nowgong Mikirs and the Khasi Mikirs ?

A. Borpaiak and Jagiro on the Nowgong side. These villages are towards Kamrup District.

(With reference to the Memorandum submitted).

Bazaar is about 28 miles from Jowai and 11 miles from Jaintiapur and two miles from the bottom of the Hill. Our idea is that that portion also should be included. Our idea is that Jaintiapur and its surroundings should be included, not the whole of Jaintia Pargannas. From Daoki to Jaintiapur should be included.

MR. CHAIRMAN: What is your attitude towards the aspirations of the present Maharaja ?

A. According to our custom, the heir should be the nephew or niece of the Raja. He has been converted.

MR. CHAIRMAN: What is your opinion regarding Royalty ? Do you want a new King ? You may elect one if you like ? Do you want democracy or do you want to restore Kingship ?

One Witness : We do want to restore Kingship. But there is no royal line.

MR. LARSINGH KHYRIEM: We want a democratic State without a Raja.

MR. CHAIRMAN: Do you think there should be a King as before ?

A. Not as before. There should be a democratic King, a constitutional monarch.

MR. CHAIRMAN: But the establishment of Monarchy is not consistent with the memorandum.

A. If it could be restored, we shall welcome it. But there is not even a shadow of hope of restoring it.

MR. LARSINGH KHYRIEM: There is no question of restoration of Kings. We have all agreed on the plan that we have submitted.

SECRETARY: In your memorandum and the Draft constitution, you propose to include all the States and Syiemships and the British portion and state that the Federated State National Council is to have 29 members four of whom will be women. You have stated that 25 members of the National Council shall be elected by adult franchise of males and females from the Khasis themselves. I do not find anything here to indicate what the position of the Syiems is going to be, whether they are going to have any representation in this National Council at all. Is it correct that you have not given any place to the Syiem Chiefs in the National Council ?

A. Yes.

SECRETARY: You have stated that the internal administration of all the Units shall normally be as they are now with any modification or

reformation necessary as shall be prescribed by the rules. Simultaneously you have gone to prescribe practically everything which gives the Syiem Chiefs no power and no place whatsoever ?

Witness : The Syiems will function as they used to do.

SECRETARY : How can they when your Council has all the power ? They have not been provided any powers.

THE HON'BLE REV. J. J. M. NICHOLSROY : It is given in clause 2 (e) and also in clause 6 (e) (2). The Durbar remains intact.

MR. CHAIRMAN : Assam is a Federation, Khasi States together is a part of the Federation of Assam and Khasi State itself is a federated unit of so many units.

SECRETARY : You have drafted this on the assumption that the States will form a part of the Federation. What do you contemplate in the event of that not being possible, suppose they do not federate with you or they will only federate among themselves ?

A. This is our wish.

SECRETARY : Suppose there are two parties to the wish, what have you contemplated in that eventuality ? The Rulers are the titular heads. When paramountcy lapses if they contrive that such a federation is not feasible and for the time being at any rate the British portions will have to remain separated from the States, what do you contemplate in that state of affairs ?

A. It is our wish that the whole of Khasi and Jaintia Hills should be federated. If that is not possible, then we will have to decide it amongst ourselves. We will decide by majorities.

SECRETARY : You are thinking of overthrowing the rulers ?

MR. CHAIRMAN : Is it your idea that you will approach the Union in this matter to see that your wishes are fulfilled ? I suppose the Union Government through the Governor may effect this kind of settlement. If that even is not possible what will you do ?

SECRETARY : In Orissa there are 23 States and British portions. It may be very desirable and many people wish it that all these States should federate with the British portion of Orissa but it is one thing to wish for it and another thing to see its fulfilment. It is quite likely there will be many difficulties in the way. I want to know whether you have contemplated what will happen in the event of a federation not materializing and your having to start separately by yourself, whatever may be the ultimate goal.

A. We have not considered that. We thought this plan will be agreed

to. MR. CHAIRMAN : We quite see that the Syiems will themselves like it. Therefore ultimately the wishes of the people may prevail but in the present set-up, supposing they do not want to join, what would you propose to do under the circumstances ? Would you do without those areas in which the Syiems do not wish to forego their rights when Paramountcy lapses or would you like to follow some other method ?

SECRETARY : They have stated they have not thought about it. The next point is you have stated that some Rulers attended the meeting held on the 2nd August 1946. Could you give us some idea as to who attended, say the number ?

A. I cannot say exactly. Many Rulers and Mantries of several States attended.

THE HON' BLE MR. BRAHMA : Did they express any opinion in that meeting—the Syiems ?

A. No, but they were present there. When we asked whether they agreed to this plan, they said they all agreed. There was no objection raised. The plan was read and explained to them and they all agreed.

MR. CHAIRMAN : Have you actually taken any action on the scheme prepared by Rev. Nichols-Roy ?

A. We convened Durbars since Rev. Nichols-Roy went to the Hills and we had the biggest meeting that was ever held in the Jaintia Hills.

MR. CHAIRMAN : Are you contemplating the appointment of a Council ?

THE HON' BLE REV. J. J. M. NICHOLS-ROY : They cannot till the constitution is made.

MR. CHAIRMAN : What is the way in which you think the Constitution to be made ?

A. If this is accepted by the Syiems and the people, then the Council will come into existence. Negotiations are going on with the Syiems and they are not completed yet. The National Council shall consist of 25 members, 4 women members and 4 nominated members—in all 33 members.

MR. CHAIRMAN : Do you want that the Provincial Legislature also shall have jurisdiction to legislate for the purpose of protection of land ?

A. Yes, for the protection of land. This subject may be concurrent.

MR. CHAIRMAN : That only means that not only you have that right but also the Province has the right to protect the land.

A. Yes.

MR. CHAIRMAN : Who is going to elect the members ?

A. By general election. The members elected by the National Council will elect the Executive Council and they may be members within the National Council or outside it.

MR. CHAIRMAN : According to you this National Council will be more or less a legislative body. Your proposal is that the President even should be a member of the Executive Committee.

A. Yes.

MR. CHAIRMAN : Would you not like to provide some seats for the Syiem also ?

A. We may do. Some seats in the Executive Councils may be provided by laws for the Syiems but we cannot give the proportion. Suppose in a constituency for 10,000 people there is one member, we may give them double of that or treble. In the National Council we will have 33 members. We will be prepared to fix a particular proportion after negotiations with them. In the case of Executive Council also, we may fix a number after negotiations.

MR. CHAIRMAN : On what grounds do you claim weightage in the Legislative Assembly ?

A. We claim weightage in the Legislative Assembly because we are backward.

MR. CHAIRMAN : Don't you think that if this principle is adopted, there will be no knowing where it will lead to in view of the many backward tracts

SECRETARY : If you can run a constitution like this you can't be backward

A. We are a minority group.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Would you have any objection to some parts of the Jaintia Hills in which the Mikirs inhabit to be taken away from the Jaintia Hills and included in the Mikir Hills area ?

A. Yes, we have objection. Because that portion was a part of Jaintia Kingdom.

THE HON'BLE MR. BRAHMA : How do you propose to give them representation in your National Council ?

A. According to their population. We don't make any differentiation between them and other people. We give them the same status. Where they are mixed up with the Khasi people, they are considered just the same as Khasis. Of course they speak a different dialect altogether. Most of them know Khasi. In schools they read Khasi. In the churches they preach in Khasi. They don't preach in their own dialect. They are about 25,000 and they are mixed up with other tribes like Lalung, Kalwa and Nanthu.

SECRETARY : In Schedule A of the proposed Draft Constitution you have said :

"An initiative for the reformation in the administration of a unit in the Dolloiship will be by the Darbar of a particular Dolloiship." which means that it is open to them to make proposals but the ultimate passing of the legislation will again be in the hands of the National Council ?

A. Yes. It depends on them. That is our proposal.

SECRETARY : Do you contemplate that all the finances of these Syiemships will be entirely their own or do you expect them to make any contribution to the finances of the National Council ?

A. It will be purely their own affair.

SECRETARY : You suggest that the revenues which are now derived by the Provincial Government should be made over to the National Council and that Council may raise subscriptions and impose taxes in all areas including Syiemships. Then, how do you delegate financial powers at the same time to them ? At present nobody levies tax. The two don't seem to be consistent.

A. The present system may continue. They get from markets, from forest, etc. They can have them.

SECRETARY : As regards future administration, what exactly is the position of village durbars ?

A. They will be given powers. It will be prescribed by laws of the State of Jaintia.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : The States at present have their own laws and those customary laws will be defined by the unit itself in its own unitary capacity. That will be the position. The draft constitution is only for the whole area.

SECRETARY : It seems to me that the whole scheme seems to contemplate things which are inconsistent with one another. You cannot take away all the powers and at the same time say they can retain all the power also.

SECRETARY : The Council seems to have got every power but when something is finally sanctioned and all other legislative powers are taken, would such a scheme likely be acceptable to the Syiems and if not then how do you propose to work this Constitution ?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That will be done by negotiation.

MR. CHAIRMAN : The whole thing is dependent on negotiation. We cannot base any discussion on this contingency.

A. The idea is to prepare for a discussion in respect of the relationship between the Province and the States.

SECRETARY : You agree that it is not ripe to discuss that now. The next point is that the federating State National Council will have all powers of legislation on all matters and in respect of certain matters specified in clause 5(b) and be within the province of Assam. At the same time you have stated in clause II (c) that no Provincial legislation in regard to the subjects will apply directly to the State and it can be modified by the National Council. Would that not mean in other words that you have not given any power to the Provincial Government of Assam? You have simply stated vaguely certain subjects, but you seem to have taken away those powers by the provision in clause II (c). In 5 (b) you state "on the date on which the new Constitution of India comes into force.....and be connected therewith in the following subjects". In respect of those subjects you say in clause II (c) no legislation shall apply to the State and if any legislation is passed they can be applied only by the Council with modifications.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : There may be modification for the sake of making it applicable and which may be done by negotiation with the Provincial Government and it is just the same as the Governor is doing in regard to some legislation.

SECRETARY : The Governor need not apply the legislation at all.

MR. CHAIRMAN : Your position is to get back to the status of the Syiem today and then to talk with the Provincial Government afterwards. Do you not assume thereby that those areas which are now under the British administration will also lapse, to the same state as the position of the states which under the present constitution would be rather impossible to accept. At present a portion of the Khasi and Jaintia Hills are partially excluded areas and a portion is British territory. Your position is that you part from those who are already under the Syiem, those who are already in partially excluded area also want to go back to the position of the Syiems in order that you may have the opportunity of negotiating with the Provincial Government instead of just improving your position with the Provincial Government as partially excluded areas. This is rather an anomalous position and according to the terms of Inquiry it is not possible for us to consider the case of the states, because they are not within or directly under the Provincial Government whereas these partially excluded areas are in the British administration. Now your position is that you go back to the position of the Syiems. I told you that it is not possible for us to submit recommendations about the states excepting making a reference. Therefore the point of view that you are putting forward here will be more or less *ultra vires* of our Inquiry and therefore we may not be able to do anything in this matter particularly in connection with the provincial administration. It is the same thing possibly which the Naga people wanted.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : That will be done by negotiation with the Provincial Government.

MR. CHAIRMAN : The question of negotiation with the partially excluded areas does not at all arise.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : The desire of the people of the partially excluded areas will have to be stated now and just as the Governor is accepting now the position of the National Council in relation with the partially excluded areas, we will have to accept the same position.

MR. CHAIRMAN : On the other hand you may say that the object of this Committee is to bring these areas under administration as subject to the maintenance of autonomy in those areas as far as possible, but autonomy does not mean exclusion.

SECRETARY : You want to be connected with the Province of Assam. At the same time you do not want to make over all revenues. You do not want any legislation to apply without passing through the Council. In para. 16 (c) you state 'In case the Federated State wants the Executive Head of the Province to help it by sending a civil police or an armed force' but why should any Provincial Government undertake responsibilities of this kind without any powers of administration vested in it itself? The other question that you have said is that you ought to have representatives in the Provincial Government. The Provincial Legislature will again have no powers of legislation over you. What is the use of your sending representatives to the Provincial Legislature and why should the Provincial Legislature have any representatives at all if they have got no powers?

A. They may have certain subjects in which we are connected with the Provincial Government. The Provincial Government may have something by negotiation with the State.

MR. CHAIRMAN : If it is negotiation where is the necessity of Member in the Legislature at all in respect of anybody looking to the interests of the Hills at all? If you are an independent unit and you carry things by negotiation with me wherefore is there any necessity whatsoever of your representatives in the legislature or of any safeguard for you in the administration in the shape of maintaining ministers in the province?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Therefore in order to have it the logical conclusion will be that there must be certain subjects in which the Province shall be the deciding factor. Do you agree to that?

MR. LARSINGH KHYRIEM : Yes.

MR. CHAIRMAN : If that is so, what should be those subjects?

MR. LARSINGH KHYRIEM : Higher education and all kinds of technical education, medical, public health, provincial communications, exports and imports and all other subjects in which the Province of Assam as a whole is connected with the Central Government.

MR. CHAIRMAN : There is the legal difficulty. If you are supposed to be an Indian Unit and the Provincial Government can proceed on the basis of negotiation it is a different matter. Then you will have nothing to do regarding your representation in the legislature or for safeguarding your interests. You will yourself safeguard your interest independently. You can safeguard your interests in the Ministry as well as your interests through the Legislature only when there are certain things about which you have got to take note in the Provincial administration. That is quite clear.

MR. LARSINGH KHYRIEM : Yes.

MR. CHAIRMAN : Therefore you cannot conduct by negotiation in respect of those subjects.

MR. LARSINGH KHYRIEM : I agree that there are subjects which we shall have to administer jointly. I agree that our representatives will be there and our minister will be there. If we are independent the Provincial Government will have no hand.

MR. CHAIRMAN : The initial difficulty of this scheme is that certain words have been used without meaning I suppose what those words are.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : These can be changed. This is an attempt to unite the States with other areas. The present scheme will not be perfect. You will have to make modifications. The details will have to be worked out between the Provincial Government and the Union and possibly between the British areas and the States.

Mr. CHAIRMAN : But the States can legitimately take up that attitude. I do not know exactly the conditions of a treaty with these states, and the British Government. Therefore I am not in a position possibly to say very definitely the conditions of negotiation for the purpose of settlement of terms. But generally speaking they can say that they have not much to do with the Provincial Government. They can say that their relations are with the British Government and when the British Government goes, they may come to certain terms with the Indian Government in reference to what their future government should be, but that can never apply to areas which have been treated as Provincial territories from before and a certain kind of direct administration is already there. As a matter of fact we are not competent to go beyond this set up, with regard to the position of the excluded areas and the position of the partially excluded areas and also possibly the tribal areas which may be related to these areas.

SECRETARY : You have stated in clause 10 (a) that all the revenue derived from your area which are now realized by the Provincial Government should be made over to the National Council. You remember that the Provincial Government consists really of a number of different districts united together under its administration and that the Provincial Government derives its revenue from all these districts and that its administration is therefore run in common for the benefit of all the districts with the common finance gathered from all the districts. If you say that the finances which are now realised from the Khasi and Jaintia Hills are to be made over to the National Council why should not other districts, let us say Kamrup or Sibsagar or Silchar also demand that the finances should be similarly made over to them and if this is done, then what is the need for the Provincial Government at all ?

Mr. LARSINGH KHYRIEM : We have to contribute to the Provincial Government.

SECRETARY : When you take up that position when each district gathers all its finances then what authority will the Provincial Government have and who is going to decide whether what you contribute is going to be useful or not ?

A. It is by negotiation with the State and the Provincial Government about the contribution. There will be negotiation between the Provincial Government and the States.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : This Khasi territory is more or less like a tribal area because one tribe alone lives in the area, and this may be more or less a deficit district. You wish that a certain amount may be given to you, but you will not be a deficit district, you will bear your own expenditure over and above that you will contribute also to the Provincial Government. Is that your idea ?

A. Yes.

Q. How can you contribute if you are a deficit district already ?

A. They will raise finances by imposing taxes on the people.

Mr. CHAIRMAN : Does it mean that all the internal administration as far as you can be invested should be done by the finances which you will raise ?

A. Yes.

Mr. CHAIRMAN : Whatever is necessary to run your administration you shall find for yourself, the police that will be necessary, the forests you will run with the necessary officer staff, you will run the land revenue, the forests, the excise duty—all these you will manage with the finances which you will raise from your place. Is that the idea ?

Mr. LARSINGH KHYRIEM : Yes.

MR. CHAIRMAN: What about the other subjects which you think will not be in your jurisdiction ?

A. For the subjects which we have already mentioned in paragraph 5(c) we have to contribute for that.

MR. CHAIRMAN: You think you will be able to raise from your revenues and from the income you will be able to contribute also to the general and technical education and for all that expenditure that will be incurred in your district you will continue with the Provincial Government. Supposing it is found that in spite of all manner of taxation you are not in a position to do it ?

SECRETARY: Have you made it clear, any way, to the people that all this will amount to a considerable increase in taxation on them ? Are you willing to increase the taxation ? Then what is the amount of the deficit which you will have to meet ? Have you any estimate of it ?

A. No.

SECRETARY: You have not made it clear to them ? This is a point which needs to be examined carefully before you can have all the financial powers and powers of taxation.

A. Of course as regards taxation we have had a talk about. When we get freedom we have to bear more than what we are paying.

SECRETARY: Suppose for instance you have got a change in your administration which gives you powers to manage most of your own affairs which are within your financial capacity and then your special interest as a Khasi area and for the rest the pooled finances of the whole province will come to your help without increasing your taxation, what is your objection to that ?

MR. CHAIRMAN: The Khasi Hills possibly might ultimately pay, but do you require definite development ? Supposing you want to have possibly a coal mine. In working it the revenue of the entire province for industrial purposes may be utilised and the benefit ultimately of course will go to the Khasis more than to any other people but if you want to have a policy of exclusion then you shall have to do it or give the work to some outsider or a capitalist to derive the benefit out of it. Would you not think it desirable that for a purpose like this that you should be connected with the province ?

A. In the long run that will of course have to be done.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: That point is not covered by this draft.

MR. CHAIRMAN: The other point which has been made clear is that you would like that those subjects which are common, which would affect both should be safeguarded by members in the legislature as well as by the ministers and working jointly with the other parts of the province. There I have got a definite reply that it should be done but I think Mr. Ramadhyani wanted to make it clear in reference to finance. I wanted to know from you whether it should be treated separately. In so far as finance is concerned it also should not be a common subject between the two parts. I have got one other question in regard to the capital punishment also.

A. I do not think it will be one.

SECRETARY: You have asked that the Provincial Government should surrender all financial powers to the Council. You have not asked the Syiems to surrender the same powers ?

MR. CHAIRMAN: The whole thing becomes a nullity on account of that. At present there are certain agreements and the Syiems get certain revenues from the Government working together in respect of certain areas. I suppose that analogy you propose to be brought over here also ! But

here you have not stated that you will be able to take away from the Syiems that authority. If you stand united, the Provincial Government could go on the old order of things till the whole atmosphere is cleared. But the main thing is if the Council does not obtain those powers from the Syiems, you have no revenue whatsoever to stand on. You cannot think of a state at all.

THE HON'BLE REV. J. J. M. NICHOLS ROY : The money which is realised now by the provincial Government from the revenues of the States will come to them. This is supposed to be an agreement in the draft constitution. If the States do not come, it will be a nullity of course. It is supposed that the States will come because they realise that they must be joined with the whole District.

MR. CHAIRMAN : The proportion you have shown here is very much more than the proportion now obtaining in the transaction between the Syiem and the Government of Assam.

A. The question of proportion is a matter of detail.

SECRETARY : The Provincial Government has got relations with a number of Districts. It has got relations with the Khasi inhabited areas also. The difference may be that the Khasis have got certain different social customs from the people of the Plains Districts. It may be that they are afraid of exploitation. Otherwise, I do not see that they are different radically in any way from other Districts. Provided these two things are safeguarded, that is, your social customs, laws are put into your hands, suppose you are provided with safeguards against exploitation, is there any reason why these Hills should be treated in a different way from other Districts? Do you agree there is no reason for it provided you are satisfied in regard to exploitation and in regard to non-interference with your social customs, social systems and protection of land. Exploitation covers land also.

A. I think they need protection.

SECRETARY : Protection is conceded. You will have protection from exploitation. You will have freedom to run your own social systems. Subject to these two things, is there any reason why the Khasi and Jaintia Hills should be treated differently from the other Districts?

A. There are reasons. We are a small minority.

MR. CHAIRMAN : The answer could only be given by the States. They might say something regarding the present arrangements and the treaty.

THE HON'BLE REV. J. J. M. NICHOLS ROY : The position is this: because of the desire of the people to join the British and non-British people these complications have come. If you divide the administration, it will be the greatest advantage to the Khasi people. You must find a *via medical*

MR. CHAIRMAN : You must be able to take away these powers from the hands of the States to the people, so that the people might exercise that authority.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : We consider the people who have come here have generally agreed to this. If the people agree, the Syiems will have to come round.

SECRETARY : I do not think there is any concrete proposal in support of this which has come from the States.

A. Our wish is that the British territory and the States should be one.

MR. CHAIRMAN : We cannot argue on the assumption that the States are all willing to accept this and there are no other difficulties. Have you thought out what the position will be until we have negotiated with the States?

THE HON'BLE REV. J. J. M. NICHOLS-ROY : I think the people do not consider such an emergency, that there will be a division between the Khasi Hills and the States people.

MR. CHAIRMAN : His Excellency is trying to talk with the States in these matters. You are also trying to bring about some kind of negotiation from the side of the people. This will come, not immediately. We have got to submit some kind of report. Can we say anything ?

THE HON'BLE REV. J. J. M. NICHOLS ROY : We shall record what they desire. They have stated their desires and their plan.

MR. CHAIRMAN : Do you agree that if the States do not come into the picture, your proposal regarding finances cannot be workable at all ?

A. That will have to be reconsidered. Our idea is that we should be one.

MR. CHAIRMAN : Supposing the States do not want to come in, would you not like to say something independently on that question, even as an interim arrangement till the States come in ?

A. If the States do not come in, we have to consider about it. If an interim arrangement is to go on till the States come in, the present order will have to continue.

MR. CHAIRMAN : I think that if the States come in, something can be worked out.

A. The States will come in, if more seats are given to them. The day before yesterday, we had a talk.

The Committee then took up the examination of Mr. C. Lyngdoh, Advocate, Shillong.

MR. LYNGDOH : I appeared along with the other group. I have not signed the memorandum submitted by them. I have seen it. On the whole I agree with the memorandum. I come from a British village. I am an agent of the Syiems, not for this purpose, I am an agent for their court affairs. I cannot speak for them. I generally agree with the set up which has been presented by the National Conference. It is difficult to say when this new State will come into existence. It will largely depend on the attitude of the Syiems.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you think that the Syiems are more or less influenced by the connection with the British Government and the Political Officer ?

A. I think I cannot say anything about that. My idea is that the Syiems do not seem to have realised the real situation. That I think I can say. I do not think they really understand the significance and importance of the changes.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You think they are amenable to reason and could be made to understand more quickly ?

A. I think they will, especially when they get a little experience.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do they know there will be no more British Agents after the 15th August ?

A. I do not think they know.

THE HON'BLE REV. J. J. M. NICHOLS ROY : If they hear, will they be able to think, on account of the democratic ways of the people, that they will be at the mercy of the people ?

A. I think they will understand.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You think when they realise that the British Paramountcy has been withdrawn, they will be more or less amenable to the wishes of the people ?

A. I should think so. Because for long they have been protected, they seem to have the idea that so long as they have the political department, they are secure. With the change of things, they will understand that they are responsible to the people. Then they will accede to the demands of the people.

The witness made the following statement in answer to subsequent questions :

I am agent for 10 or 15 Syiems. I am agent for their cases and also for other matters. I have not discussed with them about this.

I think that in certain subjects the Khasi people must be connected with the province. At the same time, they should enjoy local autonomy to the extent it is possible for them, remembering that they are part of the whole. Of course, their customs and manners, and land specially must be protected. I find the Khasi people are very nervous about their land. I think we all agree that their land should be protected.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Everyone in Assam is very anxious and even the whole of India will support that view to protect the lands especially of the hill areas. I extracted a special speech from Pandit Jawaharlal Nehru on this subject because I asked him to make a special assurance and he made it.

MR. CHAIRMAN : That was by way of interpretation of the Funda Rights Provisions. That is already in the proceedings of the Consti Assembly. So you can tell the Syiems for whom you are agent that they should not be afraid at all. That it is a sure thing.

The interview came to an end.

At this stage the Sub Committee examined the , headed by Rai Lahadur D. Ropmay. (Khasi States).

RAI BAHADUR ROPMAY : I feel it a great honour and privilege to be able to see you and especially I because you bear the honoured name of one who was like my father, Rai Bahadur N. C. Bardoloi.

MR. CHAIRMAN : The scope of our enquiry does not extend to conditions inside the states. At the same time we thought it would be very useful for us to know your mind in the matter, if you should be pleased to tell us about things which will take shape of course in course of time. It becomes I think more useful if we can take time by the forelock and do things as expeditiously as possible. The States of course are represented in the Assembly and you have agreed to be represented as far as I know. You have got one seat. You are represented in the C. A. in three states. You have heard also that before the 31st of June if you do not collectively between the three states send any representative, any state which will be sending their representative will be accepted by the Constituent Assembly so that your wishes may not be conveyed unless of course you have got one of your own man to be nominated for this purpose. But if you wish it we could convey your wishes and desires to the C. A. Not that we have any jurisdiction for the purpose of saying anything to you, but we shall surely be pleased if we find that your wishes carry also the wishes of the people, and we shall be very glad indeed to bring that fact to the notice of the C. A. So we would request you to say if you have anything particular in this matter. Without betraying confidence I could tell you that with the exception of one or two people, all have expressed the desire that the Syiems and the people should form themselves into the state of the Khasi and the Jaintia people. A number of mantris have also given the same view. So if you have any particular observations to make in reference to these suggestions, we should be very glad to hear them.

RAI BAHADUR ROPMAY : I am here as a kind of Dobassi. So I speak in Khasi and if they approve of what I say then I shall translate them myself in English as suggested by the Hon'ble Rev. Nichols Roy.

The Khasi states have joined together in a federation which has now begun the work and to be in operation. Our chief desire is to be absolutemasters in our own house that is in our states and we are most desirous of

associating ourselves with the Union Government as well as with the provincial Government or governments but that association is to be determined through negotiation by agreements and engagements. We may surrender some of our rights in order to associate with them.

MR. CHAIRMAN: You are specially on behalf of the Syiems of Myllem and Khyrim. What is the population of Myllem and Khyrim?

A. About a lakh and twenty five thousand.

With regard to the British areas our great desire as the people in the British areas is that we in the Khasi or in the Jaintia Hill belong to one race and speak the same language and have the same culture and we earnestly request that the Government will kindly help us in doing this and remove all the obstacles—there may be obstacles in the way—so that we as a homogenous whole may form one state which will be a help to the provincial Government as well as to the Central Government.

MR. CHAIRMAN: You say that you shall have a federated state, which will be one state—it will be one unified Government.

A. One Government with the present states as its component units. The component units will be autonomous but in certain common subjects will surrender some of their rights in order to form a better government of the states.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Do you want to include the British areas also?

A. They should become states or join the existing states.

MR. CHAIRMAN: In regard to the Federal Government would you want that it should be determined by the vote of the common people.

A. The constitution of our Khasi states is that sovereignty rests with the people.

MR. CHAIRMAN: That is of course in reference to the states. For the federated state that you have suggested, will you also there have it according to the will of the people.

A. Yes. The Federal Government will have a council and it will be composed of the Syiems and of the people.

MR. CHAIRMAN: Will it be elected by the vote of the people?

A. The ruling chiefs will be there *ex-officio* and the rest will be elected.

MR. CHAIRMAN: How many members do you propose to choose and how many of the common people?

A. To the chiefs about 25 and to the people 50 elected representatives.

MR. CHAIRMAN: Supposing you want to reduce the number would you like to bring it down less on each side. It may be very expensive to have a council of 75 and for a small federated state with an income say of 6 or 7 lakhs. We have a council of 108 possibly we shall have less and I do not know whether it will be more. Supposing you want to make it less in number will you be able to distribute the seats accordingly. Supposing I put the number should be 25 and 8 seats are given to the Syiems and 16 seats are given to the people, would that do?

A. It is quite feasible. It will depend on the will of the people. As far as we can see, we shall have to call a Constituent Assembly and decide these matters. I thank you for the suggestion.

MR. CHAIRMAN: What I am suggesting is that that will also involve some kind of election among the Chiefs. All the 25 Chiefs cannot go.

A. We have already an electoral college among the Chiefs.

MR. CHAIRMAN : The second point is, this Council of course will be more or less like the Council here or a sort of a Darbar. We will want an Executive Council. Whether you will not want any reservation in the Executive Council for the Syiems, or it should be elected by the 24 or 25 members ?

A. There will be an Executive Council. All the members will be selected from the members of the National Council.

MR. CHAIRMAN : Without any reservation for the Syiems or any Chiefs ?

A. I am not quite sure of that. I am sorry I have not brought a copy of our plan ; but we can send it to you.

MR. CHAIRMAN : My point of view is there may be other methods of election also in which the Syiems may get representation. If it is by the method of single transferable vote, if there are three people, they can very easily get one. You have not yet thought whether you want reservation of seat or seats in the Executive Council.

A. I cannot say definitely without looking at the plan.

MR. CHAIRMAN : Do you think that the Syiems should have some representation in the Executive Council ?

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you want that the Syiems should be represented in the Executive Council or do you want that the Executive Council should be elected either from among the Syiems or anybody whom the Council will want to elect ?

A. The general feeling is that it should go to the best man whoever is elected by the Council.

MR. CHAIRMAN : Thirdly, of course, we shall have some kind of President. We shall no longer want the D. C. or people of this kind here. How do you want to select your President or Head of the Executive Council or Head of the District. It is a democratic State. He may be elected for say a period of three years.

A. The Head of the State is to be elected from among the several Heads by an electoral college.

MR. CHAIRMAN : Do you mean to say that the Head of the State must be from among the Chiefs ?

A. Yes.

MR. CHAIRMAN : He should not be elected by the people in general ?

A. No. The Head of the State should be one of the Heads of the Khasi States.

MR. CHAIRMAN : What do you do in the case of Syiems ? They are elected by the Mantries. By accepting that principle, would you not allow the Head of the State being elected by the council or may be by the general vote of the people ? Whoever is considered most capable is elected by the people. Don't you think it would be better instead of restricting it to the Syiems ? Would not the Khasi people themselves like that the Head of the State should be one whom they elect instead of election being restricted only to the Rulers ?

A. Up till now, our position is that we have thought over this matter over and over again and we still hope that for the present the Head of the Federal State should be one of the Rulers. He may not be a Syiem. He may be a Sirdar or Lyngdoh.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Will you include the Dollois of the Jaintia Hills also ?

A. Yes, when they become one State. We have included the Sirdars. I think the Dollois will come in provided they join the federation.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing they join the Khasi and Jaintia Hills and are made into one federated State, then these Dollois also will be Rulers. Some of them are bigger States. The Dollois of Bhoi and Jowai have more than 14,000 people while some States have about 1,000 people. So, these will be included among the Rulers ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS ROY : And the Sirdars also of the British Areas ?

A. Yes ; if they join the federation of Khasi States, they will become States. There will be no British Areas. All will be called States at that time.

THE HON'BLE REV. J. J. M. NICHOLS ROY : In that case, you will include all these Rulers also whether Sirdars or Dollois of areas which are now British areas which will then be inside the Federated States ?

A. Certainly. Their Ilakas will become States and their Rulers will have the same position as the Heads of the Khasi States have at present.

MR. CHAIRMAN : Supposing the people of the States feel that they should have an elected President, how do you like to adjust their claim with this claim that you have made for the Chiefs ?

A. It will all depend on the people and the representatives of the people. We do not want to proceed by revolution. We want to proceed by the process of evolution. If, in course of time, Sir, the people want to have a Republic, the Syiems can say nothing.

MR. CHAIRMAN : That is the attitude of the Syiems ?

A. Yes.

MR. CHAIRMAN : Would you like to have referendum to the people of the Khasi Hills on the subject namely whether the President should be an elective one or should be elected from the Syiems alone, all the adult people voting. If you allow the women also, there will be two lakhs of voters. The referendum is an evolutionary process.

A. That is a very interesting question. This is only a formal talk and not an official talk.

MR. CHAIRMAN : This is an official talk. If you want to have an unofficial talk, I have no objection.

A. We were told that this is an informal talk. Otherwise, we would not have been here.

MR. CHAIRMAN : The main point is if you would agree. We should surely acquaint the Constituent Assembly about the situation in which case further possible negotiation and further talk could not be necessary. That is the reason why I said so in the beginning.

A. The representative of the Federation has already been nominated to the Constituent Assembly, and we are in touch with him.

We have not thought that a referendum is necessary. In all cases of disputes in the States, nobody ever said that the Syiems should be abolished.

MR. CHAIRMAN : The Syiems will not be abolished. The question is this. Have not the Syiems been elected by popular election ?

A. By the electorate.

MR. CHAIRMAN : By the people also ?

A. For so many years, one popular election has taken place. He has always been elected by the electorate.

MR. CHAIRMAN : Supposing you do not want a referendum, if the States people, the Darbars express that the election of the President should be by general vote of the people, would you abide by that decision ?

We are agreeing to referendum so far as Sylhet is concerned and in many other places. There also the referendum is confined to the electorates. I am putting it to you, if this is not agreeable, if the Darbars of the several Syiems, if a majority of them, declare in favour of election by the Council or by the people, would you accept that position? Will the Syiems accept that position?

A. It depends on the States.

MR. CHAIRMAN: There are 25 States. If 13 of them say that the election of the President of the Federation should be from the people or from the members of the Council, would the Syiems agree?

A. It all depends on the Constituent Assembly that we envisage. It all depends on the people. Sovereignty rests with the people. The people are the final arbiters of the fate of the Khasi States.

MR. CHAIRMAN: You have no option, but to agree?

A. No option whatever.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Your opinion is this. You want that the whole of the Khasi and Jaintia Hills should be joined into one Federated State; that there should be a Council; that in that Council there should be 33½ per cent representation for the Syiems; and that they will elect the Executive Council. But as to who the President should be, you are of the opinion that he should be one of the Rulers and that he is to be elected by the electoral college.

A. This is the present position. We do not know what the future will be.

MR. CHAIRMAN: Thank you very much.

It was decided to coopt Mr. Larsingh Khyriem, M.L.A., for Jowai and Mr. Josingh Rynja for the Khasi Hills.

The co-opted members took their seats.

Notes of the examination of :

- (i) Mr. B. M. Shullai, Mukthear and 8 others
- (ii) Rev. P. L. Wann, B.D., and 8 others
- (iii) Dr. R. K. Tariang, L.M.P., and 8 others

Mr. Chairman: The object of co-opting you as members is, we have taken you as representatives of the areas about which we are conducting our enquiry. The enquiry is about what kind of administration there should be under the new change for the Excluded Areas and Partially Excluded Areas and also Tribal Areas. Here we are not concerned with the Tribal Areas; we are concerned more or less with the partially Excluded Areas. The whole question of the partially Excluded Area of Khasi and Jaintia Hills is connected with the administration of areas through the Syiems. Some desire has been evinced by certain people that in the future, Khasi Hills District should have one unit instead of two units, the Unit of the States on the one side and the Khasi Hills on the other. We have decided that we should also just know the mind of the people in the States themselves. Accordingly, we decided to send out certain invitation to the people who would like to give expression to what they feel about their future.

We are not really competent to discuss the internal relations of the States or even their external relationship with the Indian Union in the coming set up. In view of the fact that the wishes of the people might be the same, we thought that we should also enquire into the wishes of the people of the States if they would like to speak to us. Our recommendations cannot directly deal with those matters; but we can just say that this is the wish of the people as a whole. From that point of view, we shall also, if possible, try to get an idea from the people other than those who live in the Partially Excluded Area. His Excellency was agreeable to invitations being sent. We are free to hear their evidence. If they do not come, it is not our business to say anything about them.

We have already done with one set of witnesses from the Jowai Sub-Division which was led by Mr. Larsingh Khyriem himself. As he was at that time giving evidence, we thought co-option should start just after he was free to take part in this. We will now deal with three sets of witnesses who will be led by Mr. B. M. Shullai, Rev. P. L. Wann and Dr. R. K. Tariang.

You have already heard in my preliminary remarks the object of our enquiry. We shall be happy if you could say anything in this matter.

The witnesses present 3 memoranda to the Committee. (Appendices B, C and D.)

Mr. Chairman: Do you represent any Dollois?

A.—No. They are in Mr. Khyriem's group. We represent the people. The interests of the Dollois and the interests of the people are not in any way in conflict with each other.

The Dollois have got 3rd class magisterial power in petty cases. They are also the head of the village police. They have the village elders to assist them. They have got their Darbars elected by the people. They collect the revenue, house tax and land revenue. Direct taxations are only house tax and land tax. There is wet cultivation in the hills. These are the main functions of the Dollois. They get commission on the money realized by them. Then they get service lands. These are from the days of Jaintia Raja which they can enjoy. They get it revenue free even to-day. Even their assistants get them. On an average they get about 10 per cent. The biggest Dolloi will get Rs. 1,000 and the smallest 200, Rs. 20 or Rs. 30. They do not get free service from the people. We have only civil cases. Very few criminal cases.

Mr. Chairman: Why do you want to claim Jaintiapore and other places?

A.—The people there speak the same language. There are certain places like Pnao which are mostly occupied by them. The majority of the population from Dowki upto Jaintipore and its suburbs are Jaintia people. Moreover it is the only market and all our commodities we get from Jaintiapore. When the new road was opened, we began to get from Dowki. If it is included in Sylhet it will be very difficult for us. The people of Sylhet bring all sorts of liquor and involve us into cases in Sylhet. If Jaintiapore is included in our Division, then it comes under our thumb.

Mr. Chairman: The difficulty may arise if it is included in Pakistan, if by the votes that is going to be taken soon the district of Sylhet goes to Eastern Bengal. Otherwise do you expect the difficulties will be as great?

A.—If it is included in Jowai it will be better.

Mr. Chairman: Your ambition is that all the people of the Khasi and Jaintia Hills are brought together in the formation of a kind of semi-independent district. Have you any sure grounds to say that the States will agree to form this National Council unit? Your whole structure is based on the assumption that the people of the Syiems District are of the same view as you have put forward here. Are you sure of the attitude of the people of the States? I can quite take it that this is your desire but there may be many difficulties. You know of course at present the Syiems are under the paramountcy of the British Government and that as soon as British Government goes, which they will definitely by the end of August 1947, these Chiefs revert to their position of more or less independence. Of course the Viceroy has definitely made it clear that they must join some Union and I am almost certain

that they must join it but it may take a little time. Have you taken note of that when you are putting forward these proposals? I mean that the Khasi Chiefs, and the Syiems may obstruct your wishes.

A.—They may be unwilling for the present so long as the Paramount power is here, for fear of Political Officers. They will have to join sooner or later. The time-factor will not be any bar.

Mr. Chairman: We also feel almost the same way. Till they join, would you like to modify some of these proposals that you have made? There is land revenue. At present in order that you may function as a sort of semi-independent District and in the picture that you have presented to us, you assume that your Council shall have ample revenue. In view of the fact that the revenues are now included in the Syiems, are you prepared to modify to see that this finance at present should be governed by the Provincial administration just as it is to-day? At present you cannot have much revenue without allocation of some of the revenues which are now obtained by the Syiems *e.g.*, from forest rights, etc. The Provincial Government allows them certain royalties. Now, if you leave out those revenues from consideration as part of the revenue of your Council, then you shall have to start with taxation immediately and taxation without discharging any function will be an impossible position for any organization. In view of that and till this matter is settled, what will be your attitude in regard to the financial relations with the Province?

The Hon'ble Rev. J. J. M. Nichols-Roy: Do you suggest that the present conditions remain until the constitution has been framed together with the States?

A.—I think that is the best thing.

Mr. Chairman: Regarding finance your reply has to be accepted in view of the difficulties and that must also be dependent on your finances, for the council must be dependent on the kind of negotiations which must proceed between the Provincial Govt. and the States.

A.—We agree to that.

Mr. Chairman: You have said that subjects like education, trade, public health etc., should be connected with the Province of Assam. What do you mean by the word 'connected'?

Do you mean to say that these should be common subjects?

A.—Yes.

Mr. Chairman: Would you like to add there 'Law and Order' also? I am putting this to you on account of the fact that Sylhet might go to Pakistan and the necessity of defence of Khasi may be very important in the future when there may be need for defence for which you may need the help of Assam and the Union.

A.—Yes, we agree that Law and Order may be included as a Common Subject.

Mr. Chairman: Would you like that highest sentences in law should be vested also in the Supreme Court of Assam as a whole—I mean Death sentence. That means to say, that even in respect of administration of law for the highest things—the rest of which you will administer—you wish to be connected with Assam Government?

A.—Yes, we are prepared to accept the position.

Mr. Chairman: You wish to have some representation in the provincial legislature?

A.—Yes.

At this stage Mr. Tamon Passah arrived and took his seat as a witness. He also handed a Memorandum to the Members of the Committee for consideration. (Appendix E.)

Mr. Chairman: You say that you wish to have representation in the Government to safeguard the interest of your District?

A.—Yes.

Mr. Chairman: Suppose this change takes place before your Council is in a position to take over, then would you not like some kind of self-governing institution to be immediately set up such as a Local Board to function in your areas? You have already said that you may take a little time in drawing up the constitution for several reasons. There must be some negotiations between the states and the Provincial Government. That is being carried on—you may be assured. There must also be some kind of negotiation between yourself and the Chiefs before you are able to approach the main question of your National Council but in the mean time you say that things are to go on as it is but won't you think that it would be an improvement on the existing state of things and that you will appreciate it if you have immediately some kind of representative institution in the shape of, say Local Boards which will look after subjects like education etc.

A.—We do appreciate that.

The Hon'ble Rev. J. J. M. Nichols Roy: I want to know whether you like that the Mikirs who live in the territories adjoining the Mikir Hills to be joined to the Mikir Hills and be taken away from Jowai Sub-Division?

A.—We don't like that. Rather we would like to take those areas from Nowgong, if it is feasible. In any case the boundaries of Jaintia should be left intact.

The Hon'ble Rev. J. J. M. Nichols Roy: That area in which the Mikirs inhabit never used to be in the Jowai Sub-Division. They came to the Jowai Sub-Division from the Mikir Hills.

A.—Yes.

Mr. Josingh Rynja (Co-opted Member): Boithalonso formerly used belong to Jowai sub-division as an area of the Jaintia Hills but it was given over to Nowgong District because it is an area inhabited by the Mikirs.

The Hon'ble Rev. J. J. M. Nichols Roy: Have you met the Mikirs? What do they say?

A.—Yes, I have met them. Many of them want to live with us.

The Hon'ble Rev. J. J. M. Nichols Roy: Is there any village on the border of Mikir Hills that is inhabited fully by the Mikirs themselves?

A.—There are some villages where they are mixed.

The Hon'ble Mr. Rupnath Brahma: I understand that these Nankh-law villages are along the border line.

A.—Not on the border line. The majority of them are found along the border line. These lands used to be under the Jaintia Hills. There used to be 12 Dallois and we have now 22, of whom 2 are Sirdars. Owing to the incompetence of these Dallois this portion was still at Nowgong.

Mr. Josingh Rynja: I may explain that is only for administrative convenience.

Mr. Chairman: Well, we thank you immensely. The main difficulty about this is the existence of the States. What is more we have no power to remove them. These Khasi States are democratic districts and I am sure in course of time they will see their way to join with their people. I do not see how these small States can have any existence at all in these modern days.

The Hon'ble Rev. J. J. M. Nichols Roy: They will have to combine. I do not see any other way.

The Committee then adjourned for lunch.

The Sub-Committee reassembled after lunch at 3 p.m., with the Hon'ble Srijut Gopinath Bardoloi in the Chair.

Notes of the examination of Mr. Nearsingh Myntry and others, representatives from Langrin, Maharam, Nongspung and Mawiang States.

Mr. Chairman: Our enquiry does not extend to the future of the Khasi States; our enquiry is confined to only the future of the Partially Excluded Area, the British territory in the Khasi and Jaintia Hills. But we have decided to get also the opinion of the States if they would come and give their opinion to us. We cannot force anybody to give any opinion or view of theirs. If they voluntarily come and give us their views as to what should be the future of this British territory—Partially Excluded Area—and in that connection if their future can be shown to be linked up with the future of the States, then alone can we hear the parties coming from the States. I assume that you are coming to give evidence with the idea of what you think would be best for the British territory and in that connection possibly also what would be good for you. Is that so?

A.—Yes.

Mr. Chairman: What do you think will be the best kind of future constitution for the people of the British territory?

The witnesses submit a memorandum to the Committee. (Appendix "G").

Mr. Chairman: What are the States represented here?

A.—Four States are represented here. Langrin, Nongspung, Maharam and Mawiang. Nongspung is about 24 miles from Shillong. Mawiang is about 30 to 32 miles from Shillong on the western side.

Maharam about the same distance on the southwest, and Langrin about 70 miles on the southwestern side, on the Garo Hills side, on the border of Sunnamganj Sub-Division. The population of the States are as follows :

Langrin 1,335
 Maharam 17,573
 Nongspung 5,541
 Mawiang 3,551

Mr. Chairman: Who sent you? How were you chosen to come here and give evidence?

Mr. Narsingh Myntry: I am a Myntry in Langrin State. I was delegated by the Darbar of the Langrin State, by all the people occupying the Langrin State, to be present here. I am a representative of the Syiem and the people of the State.

Mr. Chairman: Had you any meeting before you came here, and discussed the matter?

A.—Yes. We had.

Regarding Maharam State :

25 representatives are present. They were selected by the people of the State in the Darbar. There are five Myntris from the Maharam State : They are—

Mr. Josiah Myntry, Mr. Symburoy Basan, Mr. Ronisson Myntry, Mr. Awanjiry Myntry, and Mr. Iswar Myntry.

We sat in a Darbar as they did at Langri.

Regarding Nongspung :

No Myntry is present. We were sent by the people of Nongspung. We were elected by the people.

There are the following Myntries present here from Mowiang :

1. Sarinshon.
2. Sings Basan.
3. Byrhon Myntri.
4. Sardar Theli Ebar.

In each of these districts the Syiems are alive.

Q.—What guarantee can you give that the Syiems also have the same opinion as you? This memorandum has not been signed by them.

A.—The Syiem has expressed his opinion that he wants to be in the Union of the Khasi and Jaintia Hills. I am speaking of Langrin. The largest number of people are in favour of this Union of the Khasi and Jaintia Hills. Though the Syiem may not act in accord with the wishes of the people; yet the people want it and it is supposed that the Syiem also will approve of it. If the majority of the people want to do a thing, they will work on that line. Without the people the Syiem cannot do anything.

Q.—Are the Syiems elected in these 4 places?

A.—The Syiem is elected by electors. There are 72 electors, but the electors cannot do anything without the people. That is the condition in all the 4 States. The 72 electors who are called Myntries are only the helpers of the Syiems but the real power is with the people.

The Hon'ble Mr. Rupnath Brahma: We understand only the Myntries are entitled to vote.

A.—Yes but the electors are again voted by the people or the people of the clan.

Q.—Do you realize that under the relations which exist between the Government and the Syiem it is the Syiem who gets a proportion of royalty in minerals, forest produce etc.?

A.—The Syiem gets it on behalf of the people. The State actually gets in Maharam. In Langri State, the royalty from the coal and limestone and other minerals are taken by the Syiem and his relatives.—the Syiems' clan.

Q.—In Maharam, is the proportion of Royalty not absorbed in the Civil list of the Maharam State?

A.—One representative says there is no royalty just now from these minerals from Maharam State. Another says there is from the forests but the Syiem collects it for the State.

Q.—Does he appropriate a share for himself or not?

A.—There are Account Rules but they have not adopted that. The income from the State, according to their idea, is to be used for State purposes but the Syiem gets certain share of the same just like pay. In Nongspung State, the royalty from the forest produce like timber and other things go to the Syiem and his clan. In Maharam State the owners of the land or forest get a certain kind of royalty or fee from the buyers or purchasers who cut down the trees and the Syiem gets only the royalty when it is sent out of the District.

Q.—In para. 3 of your note it has been said that the internal administration of the Khasi and Jaintia Hills should be independent of the Province and should be according to the laws passed by the National Council. What is the internal administration? Is it the same kind as is now being carried on in the State? And any other matters which will also benefit them and which they shall require should be in the hands of the Provincial administration?

A.—We would like to keep those things which they have now inside the State and in respect of other matters in which our present internal administration is not covered, it is the Province which shall administer us.

Q.—It has been said as common subjects education, imports, exports etc. Would you like to include 'Law and order' also?

A.—We will have our own Police to a certain extent but we must also get help from the Provincial Government. That will be a Provincial Subject.

Q.—So far as administration of law is concerned, would you like to leave the highest stages like Capital punishment etc. in the hands of the Provincial Supreme Court?

A.—The Representative from Maharam wanted the Khasi High Court to decide such cases. Another representative differed from that view.

Q.—Do you want for the administration of the subjects which will affect you and which will be done by the Province some representation in the Legislature?

A.—Yes, we also want some representation in the Cabinet to safeguard our interests.

Q.—What steps would you like to take immediately for the purpose of all the States working together before this big question of settlement with Syiems for example is settled?

A.—We want that Govt. of Assam should look after them as they have been doing so far in the past.

Mr. Chairman: Your Memorandum says that there should be a Union of all Khasi states and peoples of the various States. We have already explained to them that a lot will depend on the willingness of the Syiems to act according to the Memorandum for immediately putting into action the ideas contained in the Memorandum and apparently it will take some time. We want to know whether they could give us any idea by which they can take some steps in advance for the union of the various tribes.

The Hon'ble Rev. J. J. M. Nichols Roy: I follow you, but it is a very difficult question.

Mr. Chairman: Perhaps you would like to have some kind of intermediary step, may be for a year or two. Actually you have been able to persuade these Syiems and in accordance with the Memorandum should we not try to adopt some machinery by which this Union can be made possible?

The Hon'ble Rev. J. J. M. Nichols Roy: If the people take the step and take the Government in their hands they can do a lot of things, but I suppose the mentality of the Khasis just now is that they do not want to do that violence. They could do it, but they do not do it as they consider it is not desirable. Therefore it is only advisable that there should be quick negotiation.

Mr. Chairman: Without entrenching on the sphere of Syiems rights could we not devise something by some other functions exercised jointly by all the people?

The Hon'ble Rev. J. J. M. Nichols Roy: That is a valuable advice and it needs to be considered and also that cannot be done only by these people. It should be done in consultation with the Government of

Assam and Governor. After all the people themselves and the Syiem cannot do everything.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you want to be connected with Sylhet?

A.—No. We do not want that. We want to be connected with Sylhet if Sylhet goes.

Mr. Chairman: We are very much obliged. As a matter of fact it is a surprise that the people from the States will be coming in and ally themselves with the main plan.

The Hon'ble Rev. J. J. M. Nichols Roy: It is only a question of time.

Mr. Chairman: We are in an extremely good position but a rare thing in other places, where possibly there will be more antagonism. The leader of the group thanked the Chairman for having given the chance to tell what will be the good thing for the people and for giving them the opportunity. He also hoped that the Sub-Committee will help them that they may keep themselves at peace and also that they may continue in their manners and customs as before. The Chairman said that they need have no doubt about that and in fact the Constituent Assembly will surely consider their demands, and that Pandit Jawaharlal Nehru had already given some kind of assurance on this behalf.

After this the Jowai Witnesses were examined by the Sub-Committee. The following were present:

Rev. L. Gatphoh

Mr. W. Shuballai

Mr. S. Bareh

Mr. Jivan Rai.

Mr. Chairman: Of course you know that we are passing through a great change and it is the desire of the Constituent Assembly to know through first-hand information what the Jaintia peoples would like in reference to their future bearing in mind however that it is a practical proposition. Formerly we thought that we might have to wait till June 1948, but the recent decision of H. M. G. announced on the 3rd June makes our work even more urgent and we will have to proceed with our work as quickly as possible. We have therefore come to know from you what you will require in the matter of the administration of Khasi and Jaintia Hills in general and your Sub-division in particular. I am sure you have discussed this matter already among yourselves and we shall be obliged if you will let us have your views. At the same time I hope your views are the views of the whole group and that all of you are from Jowai Sub-division.

Rev. L. Gatphoh: I must confess that it is a pleasant task to be a spokesman of this Group but at the same time I must conceal my feelings of surprise to find that we have got to give evidence before a Committee composed of gentlemen who know us so well and what is more important than that, who know what has always been the views

of the Jaintia people expressed in the past and till recently through the one political organization, the Jaintia Durbar, and its organ the Jaintia Paper, their views regarding their future safety. We are very pleased that we are giving evidence before the gentlemen who know our peoples' hopes and peoples' fears and the peoples' aspirations.

In the light of the recent political developments in India, in Assam and especially as a result of the latest announcement of H. M. G. we feel that we are able to claim as we have nervously done in the past through that one political organisation and in view of the recent announcement claim that Jaintia country is our homeland. The Muslims will have Sylhet as the homeland in all probability and the Assamese the Assam valley as their homeland. I feel we are also entitled to claim Jaintia Hills as our homeland where our ancestors have lived for centuries as much before the people of Sylhet came to Sylhet district and we even demand the restoration of the Jaintia kingdom as it was in the last reigning days as in the days when the kings reigned in Jaintiapore. The kingdom which we lost owing to the British Government coming to the Jaintia Kingdom, that kingdom has been kept as it were under the regency of the British Government up to now. The British will soon leave this country and as a matter of justice and fairplay the power taken over from the people should be returned to the people. Our ancestors knew how to rule the country before the British came, and after more than a century of British raj famous for its organisation, for its constitution and discipline—the British Raj which has showed us the way to govern ourselves not by abolishing the old political institutions, not by introducing new and foreign laws, but according to the old customary laws, by keeping intact the system of land tenure and the social customs of the people—we feel, after we have been such a long time under the tutelage as it were of such a Government, we are now in a better position to govern ourselves than our ancestors. This inherent right of ours restored back will pave the way for the unity of our race living in the same land and unmixed with any other race, either Hindus or Mahomedans having the same language, the same customs and same outlook on life. This unity has been the cherished goal of the people for years. Foreign domination has so far been a hindrance and obstacle to our achieving it. Now that Power will be transferred to Indian hands, we feel we have every right to demand that power will also be given to us to that extent as it is compatible with the general safety and efficient working and well-being of the community as a whole. Let me state in one sentence what is the vital principle of authority for which we contend the principle of internal authority we want to have the right and power to rule and manage our own internal affairs in our own country with a sovereign state of India with power to negotiate with any neighbouring State or States or Government. That is the sum and substance of what we want. We are concerned only with the principle and the details can be worked later on. That is the only way that we hope

that goodwill will be established among all the different races and communities in Assam and in India.

Mr. Josingh Rynja: Do we understand that the two sub-divisions should be combined and united and that power should be handed over to the people for internal affairs?

Mr. Chairman: You mean that the Khasi and the Jaintia Hills should form one administrative unit. Can I take it as one of your proposals?

Rev. L. Gatphoh: If the disability is removed automatically they will become one. So far we are British and that has been our grievance all these years. We are glad that we are speaking to you who know our grievances and we have ventilated our grievances to the Jaintia organisation.

Mr. Chairman: Will you be a sovereign state without any relationship with anybody?

Rev. L. Gatphoh: With internal affairs we are, but no one can be independent. No one state or Government can be independent. They are all interdependent.

Mr. Chairman: What are these internal affairs over which you should have your authority? Do you think that your State can have sufficient means at its disposal to have good communications throughout the area which you propose to administer?

A.—Communications will be a common subject.

Mr. Chairman: You are a Member of Legislature for several years. You know what it costs for even maintaining the road from Gauhati to Shillong. Do you think the communications could be an internal subject?

A.—There are major communications and small communications and the district is responsible for certain roads and the Province is responsible for the bigger roads and there may be national highways for which the Government of India, perhaps, is responsible.

Mr. Chairman: Secondly, take the case of education. You think that you can be completely self-contained in matters of education, higher education, technical education and university education?

A.—Even the Province of Assam is depending upon the Calcutta University for its education. We have got the right to negotiate and it is for our own interest.

Mr. Chairman: When you negotiate or when you think of your own interest, you think of the interest of the world.

A.—We are interested in the general safety of India as a whole. We are not parochial now. But charity begins at home.

Mr. Chairman: It is exactly from that standpoint that I am trying to talk with you. It is for you to say what are the best things for you but at the same time it must be consistent and possible. That is the most important thing. It has not been possible for Assam to have her own education for the education of her children within the borders

of her own province. I have just therefore been putting to you whether you think that you would have your own university now.

A.—From our experience, as mission workers, we feel that now that we are independent, we have to shoulder greater responsibility. We are entirely independent now and we have got to cut our coat according to the cloth.

Mr. Chairman: Within your internal sovereignty whether your education in the proper sense of the term within the unit means that you would want education within your boundaries and there is the question of education which the province will afford and there is education which the Central Government can afford and would you like to think in the same terms?

The Hon'ble Rev. J. J. M. Nichols Roy: Would you like education to be a common subject with the Province of Assam?

A.—As for details, we are not prepared to discuss here. We are only concerned with the general principle.

Mr. Chairman: The principle cannot have any meaning unless you discuss certain things. There must be certain subjects which will be common between the Province and your unit.

The question of defence comes very prominently. If Sylhet goes to Pakistan, then it becomes a country which under the international law becomes altogether another State and the question of defence, the maintenance of the borders may be one of the subjects. If you are independent and want to talk in terms of negotiation and all that, the result is that you may be left to yourself to defend. Would you not like that such a subject should be either with the province or with the Indian Union?

A.—We are not independent of India. No unit can be independent of India. We mean internal administration within the sovereign state of India.

Mr. Chairman: I think we can assume that while you are not prepared to discuss the details of the subjects, you generally agree to have certain subjects in which you shall have autonomy, other subjects in which you will work together with the province and some other subjects in which you will be connected with the Indian Union?

A.—I am not prepared to go so far.

The Hon'ble Rev. J. J. M. Nichols Roy: In order to clarify, I want to ask you whether you would not like your University education, or technical education to be connected with the province of Assam? Are you not prepared to answer that question?

A.—We are not prepared to answer that question. We are committed to a principle, from which we are not prepared to recede.

Mr. Chairman : Defence is an all-India question.

A.—Yes.

Mr. Chairman : Communications is an all-India question.

A.—Yes.

Mr. Chairman : Maintenance of law and order?

A.—We must look to the safety of the people. It is the duty of any Government.

Secretary : You have just now stated that in internal administration you should have freedom. We just want to know what exactly you understand by internal administration. What exactly do you consider to be internal administration?

A.—By internal administration we mean we manage our own affairs.

Secretary : You have already stated that defence is not a subject which you would like to manage. Would you please clarify what you mean?

A.—Defence means the relation of one country to another. We want the sovereign power to help us. If one house is set on fire, another catches fire.

Secretary : Will you please clarify what you mean by internal administration, what its scope is? Because everything is in a way internal; even defence is internal if you take India as a whole.

A.—We make our own laws regarding land, regarding taxation, whatever tax we want to impose on the people for the working of the machinery.

Secretary : Suppose for instance, India wants to impose certain taxes for the sake of defence, what would you say about that? Has India got a right to levy such taxes or not?

A.—If I say defence is a common subject, it is imposed on all the units of India.

The Hon'ble Rev. J. J. M. Nichols Roy : You want to be connected with the province of Assam in certain subjects?

A.—That will be guided by practical convenience and safety.

Mr. Chairman : You are not prepared to discuss the practical convenience now?

A.—Yes.

Mr. Chairman : Do you know the expenditure on your Sub-Division?

A.—It has increased tremendously.

Mr. Chairman : Do you know the income of your Sub-Division?

A.—The income of course will be the income of the District. All the income from the Jaintia Hills is not spent for the Sub-Division.

Mr. Chairman: Let us take the District income? Are you aware of what the actual income of the District as a whole is?

A.—I am only concerned with the Jaintia Hills. The expenditure has tremendously increased.

Mr. Chairman: Are you prepared to admit that it is very much more than the income?

A.—Yes. It is much more in excess.

Mr. Chairman: Are you also aware that if this excess is taken away, the District itself will not be able to run even a third of its present commitments?

A.—Then, of course, we must be prepared to cut our coat according to the cloth.

Mr. Chairman: In other words, you are prepared to give up your present benefits for the people in order that you may be isolated. Is that the idea?

A.—I am not talking of isolation. We will be in a position to develop the resources of the country, and increase the revenue. But in the transition stage, we must be prepared to sacrifice.

Mr. Chairman: How do you propose to develop? With foreign capitalists coming here and working here?

A.—Develop by the people of India, by the people of Assam.

Mr. Chairman: You have got to assume therefore that some people will come forward to develop, whether the Government of Assam or the Government of India?

A.—We are not talking about the Government; we are talking of the people. Even if it comes from America, we have no objection; even if it comes from Germany, we have no objection.

Mr. Chairman: Would you therefore be in favour of capitalists from America or Germany or would you like to have it done by the Government of Assam or Government of India? Your isolation means nothing but bringing in foreign capitalists.

A.—Foreign domination is one thing. If you allow another country to come and develop, that is a different thing.

Mr. Chairman: You say you will allow the foreign capitalist to come here and exploit the resources of the country for your ultimate benefit.

A.—It is not we; but the Government will allow the Assam Government or any Government which has power to allow such people to come and develop.

Mr. Josingh Rynja: With regard to certain subjects, they will be jointly administered by the provincial Government, by the whole people of Assam, including yourselves?

A.—I am not prepared to commit even to that extent.

The Hon'ble Rev. J. J. M. Nichols Roy: In case India is divided into Hindustan and Pakistan, there might be a chance of your joining Pakistan?

A.—We have no prejudice or no partiality either. We would look to our own interest.

Mr. Chairman: You have no objection to join Pakistan if they could help you?

A.—We have not yet thought of that matter. We are not prejudiced against Hindustan; we are not prejudiced against Pakistan.

Secretary: So far, Government has been by a sort of common authority, whether at the provincial centre or at the Indian Centre. There are rich areas. By rich, I mean areas which produce a large amount of revenue. There are others which produce a small quantity of revenue only. The policy and principles so far has been that the resources of the different districts are pooled together in the provincial administration and then the total pooled revenues are utilised to the maximum advantage of the province as a whole. You do not deny development to a particular district because that happens to be poor; you do not over feed a district because it happens to be a heavy yielder of revenue. It means the pooling of the resources of the several areas in one common pool for the benefit of the whole province. Would you be in favour of splitting up the province into small areas and sacrifice this valuable principle, perhaps to the detriment of your children? You must think that if your revenues fall, it may not be you, it may be your children who would suffer. Would you like that to happen?

A.—We are also for a wider outlook; although it appears to you that we are parochial. We only want full authority so far as internal administration is concerned. We shall be within the sovereign state of India. We cannot be independent. Any sovereign State to which we are attached will also look to our interests and we shall also contribute to that State.

Mr. Chairman: Why do you assume that everybody would be benevolent except yourself?

A.—We are also going to contribute. We do not expect to get unless we pay for it.

Mr. Josingh Rynja: With regard to certain common subjects, you agree that they would be jointly administered?

A.—Our goal is unity of the Khasi race. Khasi race is one. It is for them to decide. We are only putting forth our views, our demands, our claim to get that right which we have lost, the inherent right to rule ourselves as we did in the past. That will pave the way for the unity of the Khasi race.

Mr. Chairman: Can I take it as a logical consequence of your proposition that you do not want any representation in the Assam legislature?

A.—If that is a corollary, if that follows from my statement, you may take it.

Mr. Chairman: Does that not follow from what you have stated?

The Hon'ble Rev. J. J. M. Nichols Roy: It is not a matter for argument. Is that your desire that there should be no representation in the Assam legislature.

✓ *A.*—Our goal is to be one race, one Government in the Khasi land. At this stage, there will be no representation, until it is found that it is necessary to negotiate for our own privilege, for a place in the provincial legislature.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you mean to say that the Khasi and Jaintia Hills will be made into an independent State and that State will be negotiating with the province of Assam or Bengal as they like? Is that the idea?

A.—This is our goal. That has always been the view of the people in the past. We agitated for making the Jaintia Hills a State.

Mr. Chairman: The main difficulty is, I cannot in law negotiate. I cannot negotiate with a State.

A.—If you have no choice, that means we have been dragged by force.

Mr. Chairman: The main question is, your views are being recorded. They will stand there. But the views must be such as could be accommodated according to the powers that we have got from the Constituent Assembly.

Secretary: People ought to be allowed to decide for themselves. But people, particularly who have no experience and have done no study and who may be led away by mere sentiment and emotion, ought they, who do not realise the full implications of what they are talking about, be allowed, merely on the expression of some whim of theirs, to do what they like. It may amount to, let us say, putting a big knife into a baby's hands simply because the baby wants to get hold of it and play about it of its own free will. Do you agree?

A.—It is true.

Secretary: Without full knowledge whether the implications of what may appear nice on the surface are really satisfactory and are in your best interests?

The Hon'ble Rev. J. J. M. Nichols Roy: There is going to be a change immediately in the Government of India and there will be changes also in the Government of Assam and in the services too. Whether under the present conditions, do you want or not that the Government of Assam should have connection with you as you have had in the past, with these conditions that your land will be protected, your institutions will be safeguarded, your village organisations will be kept, your customs and manners will be kept and provision will be made in law for all these. After all this has been done, you will have power in regard to your local roads, you will have power for your secondary education even if you want, but you will be connected with the provincial Government in the higher spheres just like university education, just like provincial roads, just like medical institutions of a bigger size; you will have your own dispensaries if you want; higher education, technical education such as Engineering College and Medical Col-

legè in the University of Assam, in these higher spheres, would you not like to have connection with Assam if all these conditions of internal administration are provided in the law and you are kept in tact and you rule yourself in matters of internal administration.

✓ A.—I shall put it in another way. We shall become part of Assam as a unit having authority to manage their own affairs, having authority to make laws as regards lands, having right to share privileges and benefit from the province to which they are attached, not as safeguards made by the provincial Government. Not as safeguards.

Mr. Chairman: If you have this doubt of coming into Assam, then, I suppose, we should finish.

The Hon'ble Rev. J. J. M. Nichols Roy: I do not know whether anybody in the Khasi and Jaintia Hills doubt about being part of Assam, because we are already part of Assam. We never thought of any idea different from that. When you show an attitude of doubt, that raises the question whether you have any other plan than the plan of being connected with the province of Assam in certain subjects. That kind of constitution can be made for ruling yourselves in the lower spheres, but in the higher spheres the province of Assam will make laws. Your land will be protected and there will be no exploitation. You will have your own local council and powers of local administration. What objection could you have for that? You cannot get anything better than that wherever you may go.

A.—Perhaps there is a lurking suspicion in the mind of the Committee that we are probably thinking of joining Pakistan. That is a great difficulty for us. Our goal, as I said, is to be one Khasi land. If now we commit ourselves, then the road is blocked for us to be one in the Khasi and Jaintia Hills.

The Hon'ble Rev. J. J. M. Nichols Roy: How can that prevent the unity of the Khasi and Jaintia Hills. If you say we want to be united and also to be connected with the province of Assam, how can that unity be prevented by declaring that way?

✓ A.—Until we have formed into one federated State, we cannot say that we shall be connected with Assam.

The Hon'ble Rev. J. J. M. Nichols Roy: There is no question of joining. You are already connected with it.

Mr. Chairman: The conclusion from your point of view is that we should immediately withdraw all police officers, the D.C. and leave you to do as you like. Otherwise, I do not see any meaning of what you are saying. If that is so, let us have it clear.

A.—The immediate connection with the province may be lost; but we are never outside India.

✓ *The Hon'ble Rev. J. J. M. Nichols Roy:* You may lose the connection with the province, but never outside India?

A.—Yes.

Mr. Chairman: There are two propositions. One is, you function as an autonomous unit in internal administration, but in reference to

other subjects, I do not detail them, you have joint administration with the province as a part of the province, as a district which is autonomous. The other picture is, as you say, a sovereign independent State which has nothing to do with anybody and you want the whole thing to be left to yourself. The result of that is withdrawal of all that has been there and leave things to yourself. Between these two alternatives, you have given your opinion. These are broad principles. Your proposition has a leaning towards the latter and you have got to be made independent. That would mean all officers, army, police, that has been put by the provincial Government beyond the expenditure which your District has been able to furnish has got to be withdrawn. Are you prepared to face that eventuality? On the other hand, as we visualize it, it will be surely for the benefit of all concerned, especially to the people of Khasi and Jaintia Hills concerned if you could have your internal administration to the fullest extent that you are capable of discharging. You are talking of a Union but what exactly have you done for the purpose of carrying on administration independently? The Assam Government is maintaining the whole machinery and they will try to improve it. India is going to maintain the same machinery when the British leave and they will improve it according to their genius and their requirements. Any wise man will do the same thing in respect of Khasi Hills. He will try to have more powers and autonomy. They may be contributing something more to the Province of Assam as a whole. To-day the Khasis are having good posts in the services. They may contribute more if they want to appear within the picture but they can as well say they have nothing to do with anybody. Then why should the Centre negotiate with you at all. The Province is exceedingly helping you and you have to admit it and possibly they may be prepared to even spend more money, adopt more projects which will be beneficial to all. But you have put one extreme proposition but I am putting the rightful thing. The other extreme would be to say "All right, do as you like."

Rev. Gatpoh: Perhaps it is difficult for you as Chairman to look at it from the same angle as we look at it because we are different from other tribes like Lushai and Naga Hills. In Khasi and Jaintia Hills the problem is the problem of India in a nutshell. Our great desire is there should be one race of these Hills. There was bitterness between the two on account of different political institutions. Now we get the chance of coming together. That is why we are demanding this which you find it hard to understand. We quite realize, Premier, what you have pointed out, the advantages which we are sacrificing in order to achieve the unity and then, at the end, after having achieved the unity, probably we will meet together.

Secretary: I think there is some misunderstanding. Did anybody ever suggest that the future administration will try to divide the various tribes from one another? Khasi States has been Khasi States. You will agree that the old Jaintia State was also a separate State. Now you are asking that these should be united. In other words, you are

asking that these should be united by abolishing perhaps the separate existence of the States.

A.—No but by giving it the status of States.

Secretary: What about the States at present existing? You have to consider them. I do not think it is anybody's proposal to divide the peoples who have a common custom, customary laws or common language or anything of that kind if it could be helped. If you have that idea, I think you are labouring under a misapprehension.

A.—They have the right to decide for themselves.

The Hon'ble Rev. J. J. M. Nichols-Roy: That means the majority of the people must decide—not a few people.

A.—At present whatever the Provincial Government says we have to obey.

Mr. Chairman: That is exactly to remove that idea that we have come to take your opinion. If you give an opinion which cannot under any circumstances be accepted, then we shall be left to think what will be best for you. Can I reasonably accept a proposition that you should be left entirely to yourself and withdraw the whole thing in order that you may do something in the hope that the States and the people will be combined?

The Hon'ble Rev. J. J. M. Nichols-Roy: Your proposal is that as the British Government has withdrawn its power, Assam Government also must have nothing to do with you or even the Indian Government for the present until you have united yourself and when you have united yourself, then you shall negotiate either with Bengal or India or Assam. Is that your purpose?

✓ *Mr. Gatpoh:* Yes. That is the principle underlying my statement. I am not definite whether it will be connected with the Province of Assam.

Mr. Shullai: I did not expect that question to arise.

Mr. Jibon Rai: My opinion is the same as Mr. Gatpoh's.

Mr. Bareh: My opinion is also the same as Mr. Gatpoh's.

The Hon'ble Rev. J. J. M. Nichols-Roy: You simply want that with the withdrawal of the British, the Provincial Government should also withdraw its power and that the Central Government would also do the same and you should be left to administer yourselves till the Khasis unite and then afterwards you may think that there is time to negotiate either with Bengal, or with India or with Assam. Is that the position?

Q.—We have to realize that there will be a vacuum when the British leave which cannot be left unfilled. Nature will not allow that.

Mr. Chairman: According to him there must be a vacuum.

The Hon'ble Rev. J. J. M. Nichols-Roy: Perhaps you have not thought about it. Other people who thought about it expressed the opinion that atleast the existing arrangements must go on. You cannot express any opinion on

that but you have expressed your opinion which seems to be so difficult for us to believe as a Committee. If we follow your advice what is going to happen in Khasi and Jaintia Hills?

Mr. Gatpoh: It is not that we don't realize it. We know the difficulties but at the same time we know that there is a way out of it.

The Hon'ble Rev. J. J. M. Nichols-Roy: We want you to show it. We shall have it on record. It may be better than other. If you give it out, we shall discuss it later. Yours may be the best way.

✓ *Mr. Jibon Rai:* When the British Government goes, I think the present Government may not cease to function at once. In the meantime if we are given the chance to have our own autonomy, we will get a chance to decide. The present set-up of things should continue till we are able to work out some kind of arrangement.

Mr. Chairman: Our proposal would have been a little in advance of present arrangements. We are thinking of something better than the existing conditions till you have been able to evolve your own scheme. You say that the Jaintia State should be restored. You have to work it out, to what extent it shall be safe for you to be independent. Those are matters which you should give serious thought. Our idea was to have some improvement over the existing thing if we could in the meanwhile e.g., you would like to have some kind of self-government of your own. You will agree that there is no self-governing institution in your district. You are not spending one pie from semi-government fund by the people themselves except through possibly the executive officers. Now, would it not be an improvement if you have some kind of self-government to start with in respect of certain matters. You have not been able to build up a structure for the states to be agreeable to come into the picture. It will take some time. The States' position is absolutely different from that of yours. Their position is as soon as Paramountcy lapses they revert back to their original stage. I am absolutely certain that the States shall have no option but to come and join with the people but constitutionally and under the law, they can be independent but you cannot be considered to be independent constitutionally or under the law because you have already formed part of Assam or India. So it will take a little time when you shall be able to come to some agreement with Syiems and have a constitution of the kind which has been drafted by Mr. Nichols-Roy or may be a different one—it is a matter of internal adjustment between you. This Committee is not bound by Mr. Nichols-Roy's opinion or for whatever you or other people may say but the main point is that there must be some kind of constitution. We agree with the sphere of autonomy which you shall exercise now and later on, when you finally attain that status but before you attain that status what are you going to do?

✓ *Mr. Jibon Rai:* The present Government as it is should continue until we are given a chance to frame our own constitution and administer ourselves.

Mr. Chairman: My point was that you might be given a District Board to administer yourself. You never knew so far what responsibility of self-government is. Undoubtedly you have self-government in the States within particular states but then to make it collectively something, you have had no experience so far. The Khasi State have that experience but you don't have.

Mr. Barih : That is what we are pleading for. Pending receipt of the status of State, the present Government will carry on as usual.

The Hon'ble Rev. J. J. M. Nichols-Roy: Do you mean the restoration of the Kingdom or a democratic State for the entire Khasi people?

Mr. Gatpoh : It is a matter to be decided whether we should have a King or President.

The Hon'ble Rev. J. J. M. Nichols-Roy: You said at the beginning the restoration of the old Jaintia Kingdom. You are not in favour of the restoration of the King?

Mr. Gatpoh : It is left to the people to decide what they want.

Co-opted Member : They say that the Government may carry on until they have been able to set up a constitution for the Khasi and Jaintia Hills.

Mr. Chairman: It is a constitution for the Jaintia alone or Khasi and Jaintia Hills? Some of you are talking in terms of restoration of the old kingdom.

A.—Jaintia State is the first state to pave the way for the Khasi and Jaintia State. Unless the kingdom is restored, we cannot achieve the unity of the Khasis. It is divided by political institutions.

The Hon'ble Rev. J. J. M. Nichols-Roy: There are some Mikirs living in the Jaintia Hills. What do you think of the idea of their being united with Mikir Hills? Because some of them are demanding that. Do you think your people will be willing to part with some of the areas and joined to Nowgong district so that the Mikir villages when there are only Mikirs living will be connected with their own people in the Nowgong district? Would you agree to such a thing?

Mr. Gatpoh : No, they have always been against it. These people have lived together with us for centuries and the country is really Jaintia country. The land belongs to the Jaintia Hills. The source of income for the Jaintia people is from that place and if you will take away that, you take away their bread. The Government as a matter of fact gets very little revenue but the people have their trade and cultivation and they earn a lot from that part. We don't make any difference in our treatment of Mikirs. They are all members of one political organization. Besides a great majority of them speak the Khasi language. In schools they are taught the Khasi language.

Secretary : Are you aware that there is a movement among Mikirs that all Mikirs should be unified with them.

A.—Yes, I have heard. Even the British Government had that plan for years and recently ofcourse everybody is politically minded and it is naturally to be expected. Left to themselves they have been happy in that country because their tradition is the Jaintia Hills has protected them in the olden days and they are always grateful to the Jaintia people and there is very good relationship between the two. That part of the land inhabited by the Mikir people belongs to us. I am against the transfer of that area but we have no objection to the people going away. The number of Mikir population is about 10 to 15,000. It is contiguous. There are some villages in which they live by themselves.

The interview ended.

(The meeting adjourned till 9-30 A.M. on 11-6-47.)

The Assam Excluded and Partially Excluded areas Sub-Committee reassembled at 9-30 A.M. on Wednesday the 11th June 1947 at the Assembly Hall, Shillong, the Hon'ble Mr. Bardoloi in the chair.

Mr. Alley presents a Memorandum (Appendix H).

Mr. Chairman: I just explained to you that our functions are limited to an enquiry of the tribal areas which are also general frontier areas and Excluded and Partially Excluded Areas. But so far as Shillong was concerned a request was put before us by a number of friends among whom I suppose you were included that our inquiry should also extend to the Syiem areas also. You are not in a position to submit recommendations because according to the law the Syiems become—the paramountcy is removed according to the recent declaration of H. M. G.—more or less independent at least to the extent that they exercised that independence before you were connected with the British Crown. In view of that request we thought that we could try to ascertain the views of such people living in the States as would like to present their matters before us for us to see whether our recommendations could not also be connected with what the people wish in regard to the States. So it is only indirectly connected and our functions do not extend to do anything regarding the present position of the States. Subject to that limitation we have come to make the inquiry. We are glad to see that a number of people from the States have already come and certain Myntries from certain States also came yesterday and met us. We were able to get certain definite opinions of the people of the 4 states yesterday and if you who are present here can speak on behalf of the people of any other States. We would just like to know whether you are from the Partially Excluded Area or whether there are any representatives from the State also.

Mr. Alley: We represent an organisation known as Khasi Jaintia Federated State National Conference. It is affiliated to the All-India

States Peoples Conference and we represent all the people of the Khasi and Jaintia Hills including the States and the so-called British portions.

Mr. Chairman: Are there any among you who are actually residents of the States?

A.—Yes. Almost all of us. And our Conference has also branches in various parts of the States in Khyriem and Mylliem areas. This is a permanent organisation with fixed rules and fixed membership and it is affiliated to the S. P. C. Therefore it has to be something permanent. It was started in March 1946.

The Hon'ble Mr. Rupnath Brahma: Do the people from Jowai participate in this conference?

A.—Yes. We have taken representatives from Jowai and the British portion and States and other portions.

Mr. Chairman: So it is your wish that you should all be combined, the States and the people of the Partially Excluded Areas into one unit.

A.—Yes. As a matter of fact these people have long been united even under the artificial division which we now see, the British and the States. We are running the States and the British portion on the same level, because they are the same people, same customs and habits of life.

Mr. Chairman: Of course you will admit that the administration has been according to the States and not as a unified body.

A.—That is true.

Mr. Chairman: This institution which you are proposing to bring about has not actually come into existence?

A.—This is our wish that it should be.

Mr. Chairman: You have not taken any concrete step to build this up till now.

A.—No. Our work has been mostly confined to canvassing and making the people understand. We cannot bring these into force until it is embodied in a Constitution.

Mr. Chairman: I suppose your main difficulty is that the Syiems wield certain authority both internally within their own states in relation to the people and also due to their relationship with the British Crown.

A.—Yes.

Mr. Chairman: In other words can I take it that your State would be made possible only when you have made your Syiems surrender certain of their rights and here is one factor which you have to reckon with. Here you are visualising certain finances for your State. These revenues at present belong either to the Syiem or to the Syem's clans. They sometimes come with the authority of the people of those places and in other times it is directly assignable as Syiem and his clan. Now these revenues are enjoyed by the Syiems more or less may be in one case administered on behalf of the people, and in

the other case for themselves and for their clans. At least the financial position of your State cannot be said to have any legal force till the Syiems have surrendered them in favour of your State, the new State which you are proposing to create.

A.—The position is not exactly as you have stated. The Syiems have no right to the revenues of the State. The revenues are the property of the people. Some Syiems and their clan have enjoyed those revenues not by virtue of the right but because they have usurped the power which the people ordinarily have. All the soil belongs to the people, the product of the soil belongs to the people. It is the people who have given certain rights for them to enjoy, not because that they are Syiems but by virtue of the fact that they administer the States. They have no position. That is our view. They are paid certain allowances for this aid, because they administer the States.

Mr. Chairman : The Syiems were actually *de facto* administering those revenues.

Witness : The Syiems and the Darbars.

Mr. Chairman : In reference to his relationship with the British Crown, it is the Syiem that acts. In any case, it is the Syiem, you may call it the Syiem and his Darbar, who has to surrender his right in order that the revenues may form part of your revenues.

Witness : The Syiem's Darbar is elected by the people.

Mr. Chairman : At present it is an admitted fact which is prevailing that the Syiems with their Darbars are exercising these functions, and therefore it would require the Syiems and their Darbar to surrender these revenues in favour of your State. Therefore, their consent will be necessary.

A.—Even if they do not consent, they will have to consent because it is the wish of the people. The majority of the people are confident and 90 per cent. of the people are for this plan. If 90 per cent. of the people wish it to be so, the Syiems and the Darbars must do it accordingly. They have no option.

Secretary : Suppose, we proceed on the assumption that the States have a different problem, or may have a different problem that has to be dealt with separately, and we proceed with the rest of the villages or areas under our consideration, and we may arrange for any of the Syiems areas or States to join later, will that suit you? They can join as and when we find their position is clarified. Have you any objection to that?

A.—There is one objection. We are one people, Khasi people. It is very difficult to differentiate a man living in the British portion from one living in a State. We have always thought they are one people.

Secretary : This has nothing to prevent you from doing that in the future. For the purpose of making a formal constitution applicable to all, we should now proceed on the basis of what we can readily

lay hands on and it will be open to the Syiems later on to associate themselves with this Federated State. We can go on building up in that way.

Mr. Chairman: I suppose you are following the conduct of other States in India. There have been some people who have in the meantime declared independence, I believe there are three or four States. But, for that reason, the other people who wanted to come to the Constituent Assembly and form an Union Constitution, have not waited. The main point is, if you want to have the Syiems along with you, it may take a little time. What will be your position in the meanwhile till you have been able to make the Syiems come along with the people either through a process from above, from the Governor or through a process from below, by the people themselves?

The Hon'ble Rev. J. J. M. Nichols Roy: The Syiems have already selected a representative to the Constituent Assembly?

Mr. Chairman: This is one of the reasons why the Syiems are meeting. Before the 30th of June they must make their position clear and make elections. A direction has come from the President of the Constituent Assembly that the States who want to come to the Constituent Assembly for the determination of the future should come within the 30th of June. That is putting a pressure on them to come into the picture. As a matter of fact, except one or two States, I think all of them will be coming.

Mr. Josingh Rynja: I think, as has been proposed by Mr. Ramadhyani, we can leave that matter about the surrender of the rights of the Syiems to their revenue to a meeting between the Committee and the Syiems, because that party cannot bind the Syiems by their statement....

Witness: Nor can the Syiems bind us.

Mr. Josingh Rynja: We could better leave the matter to the meeting between the Committee and the Syiems.

Mr. Chairman: We are discussing the Federal constitution. One of the most important things that was necessary to be examined was, you cannot bring into existence your Federated State to the fullest extent as you have described in your memorandum at all till you have the Syiems also brought into the picture.

The Hon'ble Rev. J. J. M. Nichols Roy: Either the Syiems agree or they are forced to agree by the voice of the people. That is the position. This scheme cannot come into effect until the Syiems agree, or they are forced to agree by the voice of the people either by changing the constitution or by agreement.

A.—Without the States, it would be difficult to carry out the plan only for the British areas. The British areas are scattered in the midst of the States. They are villages here and there scattered

among the Khasi States. They cannot be joined together in a territorial area. That is the position of the British areas, except the Jowai Sub-Division.

Mr. Chairman : Are you prepared to make any special provision in your Free Staté to have any kind of representation from the Syiems themselves?

A.—Yes, if the Siems agree. Because they are Syiems and as a matter of respect to them, we may give them 5 or 6 seats. It may go to the extent of 25 per cent of the elected seats, barring the women's seats.

Mr. Chairman : Is that the general opinion?

A.—Yes.

Mr. Chairman : Any kind of representation in the Executive Council?

A.—We wish it to be an entirely elected body. The Syiems are represented in the General Council and it is for the General Council to elect members or non-members to the Council. They are not likely to have any reservation. We consider it very unhealthy.

Secretary : It is stated that the Syiems are practically elected either by popular election or in some cases by an electoral college consisting of Myntries. I want to know whether it is a fact that generally the election has to be confined to a particular-family.

A.—Yes, except in four States. In those four States, there is popular election. Any resident of the State can stand for election.

Mr. Chairman : Is the position regarding possession of land the same in regard to all the States, namely that the land belongs to the people of the States as a whole and not individually?

A.—There are two kinds of land tenure : One is, the land belongs to the particular peasant or his clan and the other is the land belongs to the people and anybody of the particular commune can enjoy. He has a right of occupancy.

Mr. Chairman : A portion of the land is occupiable by anybody from the community and also there are lands which are individualistic and can be enjoyed by a particular family or clan?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy : There is the property of the individuals or individual clans. The other kind is, there is property of a certain people living in a certain area.

Witnesses : People from one State cannot occupy the communal land in another State unless he becomes a member of that commune. He can become a member of that commune by coming and marrying in that commune or if he stays there for a number of years or has a house.

Mr. Josingh Rynja: And also if he agrees to perform all the obligations of the people of that Raj.

The Hon'ble Rev. J. J. M. Nichols Roy: That is the position under the British. Before the advent of the British, a man who settles in that State becomes a subject of that State automatically.

Mr. Chairman: On page 3, clause (f) of the demands of the people, it is stated that this Khasi and Jaintia Federated State should be connected with the provincial Legislature in certain subjects only namely higher education, technical education in schools and colleges such as agriculture, medical, and engineering, etc., medical, and public health, provincial communications, etc.

Witnesses: Export and Imports, Sir.

Mr. Chairman: The more important is law and order.

A.—Our view is this. We will maintain our own police force and also a small militia. In the event of a breakdown of the constitution or if we fail to carry out the police administration, then only the President of the Council will ask the Governor of the province to render help. It is only when we ask for help that the Assam Government will come to our rescue. In that way, we shall be connected.

Mr. Chairman: The Pakistan Area is near you. It is not a question to be laughed at. Would you not like that to be a provincial subject, subject to the maintenance of local police. Probably it could be called defence, and taken up by the Government of India. Even for the purpose of provincial administration, do you like that that subject also should be entirely left with the provinces, subject, of course, to the maintenance of local police for your safety?

A.—The Pakistan people will be more afraid of us.

Secretary: One point is economy. You will of course wish that the provincial administration as well as your own administration is run as economically as possible. If you have a police force for your own law and order, and at the same time, you are likely sometimes to make a demand on the province for police aid, it means duplication of arrangement. Subject to village law and order, your village watch and ward being made over to you, would you not consider it more economical and administratively more convenient to have the provincial police force operating in your areas also?

A.—For defence purposes.

Secretary: Not only for defence purposes, but for the maintenance of normal law and order also. It is not desirable or necessary to have duplicate arrangements. If you are going to have a police force of your own as well as sometimes possibly make a demand on the provincial police, it certainly means that the province has got to be ready to come to your assistance. Instead of that, if you can look after the watch and ward, why should not the normal police for all districts, not only your area, but for all districts within the province, be a provincial subject? It would be much more convenient and

more economic. The force can remain under a common discipline. There are many practical and administrative measures to recommend, unification, and I do not see it is to your disadvantage.

A.—There may be some complications. Suppose a murder case occurs, we will have to requisition the police from here.

Secretary : In your District itself there will be a police force under a police head. That police force will be operating in the same manner as it is now operating in the different parts. Only it will be a provincial police force and not a purely local District police force.

A.—That will create complications.

Mr. Josingh Rynja : We will have a joint police force with the province, but the police that will be stationed in your area will be under the control of the President of the Executive Council.

Secretary : You may stipulate that the police stationed there should consist of Hill people. If the President or Office bearer of your Executive Council is likely to make a demand like that, I do not know, it is a matter of police administration, it is quite likely that they will object to any kind of dual control. There is no objection to any person asking for police assistance, but to place them under their control is something which may have some administrative difficulties.

Mr. Josingh Rynja : Suppose you make the President of the Executive Council the Superintendent of Police in that area, then the police force in that area will be under the control of that Superintendent of police and the provincial Government may appoint him.

Secretary : The President is an elected person who is liable to change from time to time and is not likely to have satisfactory experience of police technical administration and discipline of the police force which is a highly technical matter. You cannot place it under the control of an elected person liable to change from time to time. He must be a specially qualified person, a professional.

Mr. Chairman : Subject to the examination of details, would you like to have the police in the provincial sphere, subject to workability and consistent with the efficiency of the force?

A.—We can leave that matter for further talk.

Mr. Chairman : Subject to this general agreement that it should be a provincial subject in the higher sphere?

A.—Yes.

Secretary : You have stated that there should be an Executive Council of three members. You have also stated that there should be a judiciary which will be the High Court. Again from the point of view of convenience as well as simplicity, I would like to suggest that this Executive Council or Committee of three members or whatever number, they should have delegated powers, powers which the Council as a whole will delegate to them in certain matters where they will pass orders, certain other matters in which they could possibly be authorised to pass orders in an emergency which will be

confirmed by the council subsequently. You could consider that if the Syiemis and Sirdars have got certain powers in respect of deciding cases, this Executive Council or even individual members thereof could act possibly as an appellate court. In all matters of purely Khasi civil law, they could perhaps have the highest powers, the powers of a High Court. But I would suggest that in criminal matters they should possibly have no more powers than a Sessions Judge in an ordinary District. It is desirable that in serious criminal cases, the High Court of the Province should be the ultimate High Court.

A.—So far as I have been able to understand, do you want to combine the executive and the judiciary?

Mr. Chairman: Certain final powers should be with the Provincial High Court. Would you not be satisfied to leave certain powers to such a judiciary of the province, subject to this recommendation that one of the Judges at any rate should be fully conversant with the laws and customs of the Khasi Hills. Don't you think this kind of recommendation would be better than the one suggested by you in which we shall have too many High Courts for the many Hill units.

A.—Of course. There are two opinions in this respect. We are not unanimous among ourselves. One opinion is that regarding criminal matters that arise within the capital of the province—our demand is that the capital of the province must be always in Shillong—cases arising in the town of Shillong where there is a mixed population, the Judges will act as merely Sessions Judges and an appeal will lie to the Provincial High Court. But regarding areas outside Shillong which are purely Khasi areas, there, of course, the High Court will be the Khasi High Court. In view of what we have said, cannot we leave this also for further discussion with the provincial Government?

Secretary: You have spoken of the Khasi law. Suppose there are matters involving the law of Contract, the law of Insurance or any other law like that which is applicable to all alike whether they are Khasis or Nagas or anybody else. In such cases, would you consider that the ultimate arbiter should be the provincial High Court? The final authority for all that should be the provincial High Court rather than a purely local authority, because after all it is the law applicable throughout India, throughout the province at any rate. It is desirable that Judges with more than local experience should decide it ultimately.

The Hon'ble Rev. J. J. M. Nichols Roy: This may probably be discussed with the Provincial Government.

A.—Among ourselves there are people who are quite acquainted with the laws of the land.

Secretary: I am saying that the High Court for all that should be on a provincial basis because you can draw upon the experience of the whole province.

Mr. Chairman: There may be cases arising between Calcutta and this place.

A.—Wherever the cause of action arises, that court will try it.

Co-opted Member: Especially as the matter depends upon a certain number of contingencies of which we are not sure, I think we might leave it for future consideration and adjustment. For instance if we have a Provincial High Court in Assam, probably there will be less objection.

Mr. Chairman: That is coming in the course of a year, it may be earlier, and a member of the High Court might necessarily be from the Hills. Regarding development of the resources of the District it is for consideration whether it should not be the Provincial Government who, of course in consultation with your National Council, should be competent to deal with such matters. It may be that you have an industry yourself but it might be impossible with the resources of the District itself to be able to run big ventures and would you in such circumstances invite a capitalist from outside to run it or you would not for the purpose of such development be with the Province in order that this development may be done by the joint efforts of the Province and the people of the Hills?

A.—Of course it will be more profitable rather than inviting capitalists from outside. Obviously if we cannot manage, we have to join the province.

Mr. Chairman: If you do not want to leave the jurisdiction to the province, difficulties may arise for the development itself. Unless you leave it to the Province to be done in some form—say in consultation with the unit, it will be difficult.

A.—If we are connected with Assam, then obviously the Provincial Government will have to develop. Cannot we put it off till we actually frame our constitution?

Mr. Chairman: You know the likely revenues which you are likely to get. You can visualize the amount of money which shall have to be spent over any scientific venture and in such circumstances unless you decide to get some foreign capitalist from outside, the only alternative left is for a bigger unit with more potential economic capacity than yourself to come to your help.

The Hon'ble Rev. J. J. M. Nichols Roy: I suppose that can be left for the future. We will have to see how the province of Assam will be constituted, whether one part of it will be separated or not. There must be some arrangement of course with the Province of Assam but what those arrangements will be a matter of discussion when we are both satisfied of the position.

Witness: Regarding finance, it should surely be connected with the Province.

Secretary: You are aware of what the general shape of the Union Constitution is going to be. It will have certain subjects and it will have financial powers necessary to raise the necessary finance for such purposes. Similarly certain subjects are delegated to the Provinces.

and certain other duties which will fall upon local councils. Do you agree that just as between Provinces and the Centre there is a definite definition of financial powers of the taxes which can be levied by each unit, there should be defined powers between the Province and the Local Council?

A.—We have defined that we are concurrent in these subjects and the finances on these subjects will obviously be the Provincial subjects.

Secretary: You provide medical and public health for which no tax is levied. It may be that your expenditure on these may be met out of land revenue or excise revenue.

A.—We contribute to the Government certain amount of money for our students who go for higher education.

Secretary: If you say that you will contribute money to the Assam Government depending on the number of students you send, it will be impossible for the institution to function on such uncertain basis. Similarly if you say "we will contribute for sanitary service so much" it will not do. The service as a whole will have to be maintained and for that a certain amount of expenditure may be necessary which may be much more than what proportionately may fall to the share of a certain area.

Mr. Chairman: As a matter of fact you are having certain benefits more than you are entitled on account of certain other area being backward and not getting their due share according to population. If you want to exclude yourself; it may not be beneficial for you. A wider scope should be left to the Province.

A.—We must think more about this.

Secretary: If one is to work on contributions which are likely to be received and which may prove inadequate or otherwise, the whole thing will become so unstable that it is impossible to function. Take the case of Defence or Communication. Suppose the Central Government are told by the Provinces 'We are going to contribute so much in proportion to our area or our population every year and you shall not have any right to levy taxes here,' do you think we can have defence? It is absolutely impossible. In the matter of communications also certain roads may cost more than others and you cannot say that you will pay only proportionately. That is why it is necessary to define and delimit the financial powers and scope of each administrative unit.

The Hon'ble Rev. J. J. M. Nichols Roy: You will appreciate the fact that in the Hills there is mineral wealth and the Government of Assam will naturally have some share in that. They are not going to be the exclusive property of the Hills. Therefore the income from these areas will have to be shared—on what proportion is a matter to be mutually decided when the final matter comes up for negotiation.

Mr. Chairman: The main thing is whether certain specific powers of taxation in respect of certain things should be given to the local council and certain things to the Provincial Government and certain others to the Central Government.

The Hon'ble Rev. J. J. M. Nichols Roy: I should think for education, medical and communications, the proportion of that Provincial tax must fall equally on the unit too. The Provincial Legislature will be the authority to levy the tax.

Mr. Chairman: The right of a unit or right of a Province does not seriously arise. You are going to safeguard your interests by sending certain representatives. You are also going to have a Minister from the Hills. Therefore your interests both administratively as well as legislatively are safeguarded and in these circumstances whether you should try to have powers which may clash with one another. It should not arise at all.

A.—I think things will work alright.

Mr. Chairman: If there is proper representation in the High Court for Hills and for legislative action you have representation from the hills, and also in the administrative sphere, I think much of this argument for complete independence should vanish. This autonomy is to grow to the largest extent possible as experience grows and thereby decrease the main cost of provincial administration. Decentralization is the object of Congress administration. Mahatma Gandhi is one of those who would not have any official whatsoever to be administering village areas. That must be done by the Panchayats themselves and luckily you have that kind of Panchayats already existing. The Plains shall have to get back and imitate the Hills in these respects. If India is really to build up a good structure of Government by the people themselves—it may be that the present system may go for some little time—but the real democracy in which the people will have the voice, it must be shaped in the nature of what is in a very small way, in the Hills. They must grow to large dimensions and should embrace the whole of the country.

The Hon'ble Rev. J. J. M. Nichols Roy: I suppose your whole idea is that you want to protect your land and your institution as far as possible and also to be connected with the Provincial Government without endangering your interests, especially cultural.

Mr. Chairman: So far as representation in the Cabinet is concerned these are your wishes and they will need closer scrutiny according to the strength of the cabinet and legislature.

A.—We have demanded 4 seats. We are more than 4 lakhs. We claim weightage. Women seat in the town of Shillong. For Shillong we have separate proposal.

Mr. Chairman: Supposing the principle is one for a lakh throughout, surely you will agree to that proposition. The question of weightage will be discussed by the Constituent Assembly.

A.—We agree. The Khasi & Jaintia Hills lay special claim for a seat in the Cabinet.

Mr. Chairman: You shall have to earn it as Rev. Nichols-Roy has earned it.

Witness: If Sylhet goes to Pakistan we don't want Khasi State to be divided and attached to Pakistan. Some parties—of course microscopical minority—have been making statements that they would like to go to Pakistan. We would not like to go even if Sylhet is made into a sub-unit.

Mr. Chairman: What are the grounds on which you claim these villages?

A.:—These people are Khasis and they speak the same language.

Mr. Chairman: How has it been taken away?

A.:—We do not know, Sir. The plains area are not inhabited by the Khasis but by Mikirs. There are some Garos also. The Mikirs are willing to come along with the Khasis. It all happened sometime before the earthquake. Some time ago there used to be a king called Dulip Singh and this thing happened after he was deposed. I have submitted a petition to the Governor of Assam and a copy sent to you as Premier of Assam. In that a number of references have been made to this political case and the enquiry conducted by the D. C. Mr. Humphrey.

The Hon'ble Rev. J. J. M. Nichols Roy: If anything is necessary to settle this matter it will have to be done by local enquiry by seeing facts just as they are.

A.:—As to how many villages there are which are Khasi villages etc., will be the subject of enquiry. If the principle is accepted we would feel happy. In fact the people are very anxious about it and we even thought that the boundaries are being fixed.

Mr. Chairman: What will be your position till your scheme comes into operation say till 2 or 3 years.

A.:—The Assam Government will have to help us. We want to hold elections before June 1948 provided the constitution is there. Without a constitution we cannot hold an election and we cannot have a council.

Mr. Chairman: In the meantime would you like to leave things just as they are or you would like to take some steps towards the fulfilment of your ultimate object. For example you are now wanting powers in respect of every sphere. Supposing consistent with the power of the Syiems and your capacity to work is it possible to evolve some jurisdiction for you in which you can exercise your authority by an institution similar to the one which you are proposing?

A.:—We would like to have some interim arrangement.

The Hon'ble Rev. J. J. M. Nichols Roy: You realize that about the 15th of August there will be the withdrawal of British paramountcy. Now what is your opinion regarding the existence of the Political Officer in relation to the State.

A.:—He must also go. As at present the Political Officer is interfering also in the States, but if it is under the Ministry of Assam, we will prefer the Deputy Commissioner.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you want the Political Officer to exist or not?

A.—No. We want some other Political Officer who may be Khasis.

The Hon'ble Rev. J. J. M. Nichols Roy: Is there any necessity for a Political Officer? The States will be independent and when they are so as in previous years the Political Officer is only an officer who is an agent of the British Government and therefore your idea is that arrangement, should go.

A.—Yes, we will want some sort of other arrangement.

Mr. Josingh Rynja: Do you think there should be a co-ordinated element in the administration of the States who will be a sort of liaison officer or D.C. between the Provincial Government and the States?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy: Is that your idea that the present P.O. should remain.

A.—He should go and some other Khasi Liaison officer or some other Indian, preferably an Indian should be appointed. We will want a small committee to work between the Provincial Government and the states. The Committee may consist of three members.

Mr. Josingh Rynja: Don't you think that as this is only an interim arrangement it is better to entrust the work to a single selected competent person?

A.—Yes by one man selected by the representatives of the people.

Mr. Chairman: Do you not think that this may raise also the difficulty of Syiemship on the one hand and the people on the other?

A.—It must be left to the Provincial Government. We only claim that we should be consulted.

Mr. Chairman: You mean to say that the passing of power from the hands of the Syiems to the people just as in the case of the British Government to the people of India must be as smooth and free from turmoil?

A.—Yes. If the Provincial Government comes in the State will have more respect.

Mr. Chairman: The Government has already been requested to bring about some negotiation and the Governor is already taking steps in that direction.

At this stage Mr. Joab Solomon and 12 others were introduced to the Sub Committee.

Mr. Joab Solomon presented a memorandum (Appendix J).

Mr. Joab Solomon: There are many people among us who have come here who are also from the States. They have come from Myllem, Mawphlarg, Cherra. Two Mynthris Messrs. Barik Dolloi Mynthri and Hodri Singh Mynthri from Myllem State are present here.

Mr. Chairman: Do you think that the Myllem State will come into your unit?

A.—I do believe so.

Mr. Hodri Singh Mynthri: I can speak for the people of the Myllem State but for the Syiem I cannot and should not speak. We all wish to be in the independent federated state. Whether the Syiem will be agreeable to come to our unit, we cannot say. The Syiem gets only a pay from the State. It is given by the people from the income of the State. In any case the British Government have got to agree present here who belongs to the Mynthri clans. There are three others Government. The Syiem and the Durbar make the budget. We have budgeted for Rs. 180,000 this year as receipts. There is one present here who belongs to the Mynthri clans. There are three others who are from the Mynthri class. The Syiem of Limdoi himself is against this federation idea, but almost the whole of the people of this territory are all in favour of this. When all the people of the State have agreed, the Syiem also must agree and there is no other alternative.

The Syiem of Mawphlong is elected by popular election from a particular clan.

Mr. Chairman: Is there anybody from Cherra?

Mr. Joab Solomon: I am a native of Cherra.

The Hon'ble Mr. Rupnath Brahma: Have the people of Nonglwai sent any representative to this meeting today?

A.—Yes. One gentleman has come to speak for the people of Nonglwai, some of them who are of his opinion.

Mr. Chairman: Don't you think that if the Syiems do not agree soon, you shall have difficulty in the formation of your State? According to the recent declaration of His Majesty's Government on 3rd June, the British Paramountcy ceases from the 15th of August. It may be the end of August, only two months from now. Therefore the States become independent. It is quite true that the States among themselves would be able to do something. The constitutional authority who could speak on behalf of the people will be the Syiem and his darbar. If the Siem and his darbar want to create obstruction, how do you propose to put into effect your scheme. From the fact that I have gathered this morning namely that they are not at least showing any willingness to fall in line with your desires shows that we have got to assume that they may not come to the same conclusions in regard to their future as you have done. What do you propose to do in that case to put into effect your scheme of the constitution?

A.—The constitution of our Khasi States is that the Syiem and the Darbar cannot carry on on their own will. They must get the consent of the people. If the people do not agree, they cannot do anything. This is a new thing that is coming up and they must get the consent of the people. If they do not get the consent of the people, they will not be able to do anything.

When we speak of the Syiem and his Darbar, we mean the Syiem and his elected Darbar of Myntries. They are at the mercy of the people.

Mr. Chairman: Do you think that the Syiems will come to some agreement soon? Don't you think that it will take some time before an agreement will become available?

A.—It does not depend on the Syiem to do a thing quickly or not. It depends on the people to make the Syiem to work quickly.

Mr. Chairman: Don't you think that this might end in some kind of misunderstanding and may lead to violence if we want to do matters by a sort of popular force?

A.—There might be some trouble. Of course, it will be our object to avoid it as much as possible. We shall resort to democratic methods of persuasion and reason.

Mr. Chairman: Are you prepared to give some representation to the Syiems in your Council?

A.—There is some difference of opinion. Some think that the people should elect them. Others think there may be some reservation of seats.

The Hon'ble Rev. J. J. M. Nichols Roy: Supposing there are 25 persons in your council. Are you willing to have some seats reserved for the Syiems?

A.—Four or five seats may be reserved for the Syiems.

The Hon'ble Rev. J. J. M. Nichols Roy: Who will elect them?

A.—The Rulers of all the States should elect them.

The Hon'ble Rev. J. J. M. Nichols Roy: Whether these Rulers are to be Rulers of the British Areas also?

A.—Yes. These also are Rulers. Therefore they must form the electorate for electing for the four or five seats for the Syiems and Dollois and Sirdars from the British areas also.

Mr. Chairman: Do you agree to reservation in the Executive Council also?

A.—No. No seat is to be reserved for the Syiems in the Executive Council.

The three members of the Executive Council will be elected by the National Council from among the members of the Council or from outside.

One witness: One seat should be reserved for the Syiems. He must be elected by the Rulers and also with the consent of the 25 members of the Council.

It will take some time to bring about this Council. In the meantime we will make the Syiems understand.

Mr. Chairman: Some Syiems may immediately like to come: others may not be willing to come. It may require some kind of negotiation by the provincial Government. Some time must elapse before you can.

complete the picture that you have presented before us. In the meantime, how do you propose to fulfil your scheme? Although you are one of the most democratically governed people in the world, possibly in so far as the individual states are concerned, the States people have functioned as a unit. What steps are you going to take in order to bring about that fulfilment? Would you like to exercise the principles of autonomy in the larger spheres?

A.—We have to wait for some time and things will continue just as now.

The Khasi States, the Manipur State and the Tripura State are grouping together.

Mr. Chairman: Yes, for the purpose of sending a member to the Constituent Assembly.

Witnesses: When the British paramountcy has been withdrawn, this power must be left to the provincial Government.

Mr. Chairman: It is the Syiems who can have a say in the matter.

Witnesses: The people may force the Syiems to do so quickly.

One witness: I am the representative of 40,000 people of Myllem State and also of five clusters of villages including Basan Nonkse and Basan Umlong territory. When we are leading, the Syiem will be always willing to follow our lead. Myllem is a major State.

Mr. Chairman: In the history of Assam we find you described as Khyrim rather than Myllem.

A.—In former years it was one and the same. Later it was divided into two. Myllem is bigger than Khyrim. They were of the same stock.

Our main proposition is that we should be given certain autonomy in internal administration, political, religious and social activities. In respect of other matters such as education, medical, public health, we shall be connected with Assam.

Mr. Chairman: According to the evidence of some of your predecessors, there are certain other subjects also which would require further consideration, namely finance, development, law and order, further consideration whether they should be provincial subjects or not. Are you of the same opinion?

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy: You have no objection to reconsider whether these subjects should become provincial subjects?

A.—Yes.

Mr. Chairman: Regarding the judiciary we had already discussed with your predecessors to consider whether certain final powers in certain matters of criminal jurisdiction involving death sentences and possibly in certain matters of civil jurisdiction also, in certain matters which are of application throughout India, for example, Insurance laws, and the law of Contract, should not be exercised by the Provincial High Court, considering the fact that the provincial High Court must consist of at least some people who have

special knowledge of the Hills customs and manners and laws that now prevail.

A.—We will reconsider the matter.

About our internal administration, we want our Judge to be appointed by the Executive Committee.

Mr. Chairman: You will also agree, in view of what may be prevailing in other parts of Assam whether the number that you have put for representation to the provincial legislature should not be varied. Supposing, it is decided that one lakh of population should be represented by a member in the legislature, would you not like the same principle should apply in your case also?

A.—If that principle is applied to, all, we should also like the same principle to be applied in our case.

Mr. Chairman: What are the special reasons for which you want one women's seat for Shillong instead of being a rotating seat?

A.—In society the women have attained a greater prominence than in any other part of the province. They are dealing with property.

In reference to services we mean such services which will be common between the administration of the Khasi and Jaintia Hills and the other parts of Assam.

Mr. Chairman: Has this 10 per cent been worked on any basis? Would you not agree that apart from any question of percentage, the services which would require a high state of skill should be on a competitive basis from among the people of the province without assigning any percentage?

A.—Yes.

Mr. Chairman: The other reservation that you have asked should apply only to those posts other than those which will require highest efficiency.

A.—Yes.

Mr. Chairman: Re. representation in the Cabinet, you would surely agree that apart from reservation, efficiency should also be one of the most important considerations in the selection and that the number to be fixed must also be according to the strength of the cabinet.

A.—Yes.

Mr. Chairman: What is your idea in putting this point (reading from the Memorandum that relevant portion) when you know that we are not grouped with Bengal just now.

A.—We don't want to be grouped with Bengal.

A Myntri from Milliem: I want to make it clear that the private rights of the people and also the land of the communes should be preserved and protected and that those portions that the British Government took away from the Milliem should be restored.

A witness: We can reserve 4 seats in our Council for the Rulers but in the Executive Council, there should be no reservation for the chiefs. Members of the Executive Council should be intelligent and efficient men and there should be no reservation, the reason being that if there is a competent Syiem efficient enough to carry on the duty, he will be elected by the people. He should go through the election of the people. If he is elected by the suffrage of the people and if he is elected to the Executive Council then it must be by the suffrage of the people.

(The interview terminated).

The Committee then examined Mr. Syiemlieh, Pleader and 10 others. (A memorandum was submitted—Appendix 'K').

Mr. Chairman: You say you represent the various States mentioned in your memorandum. You don't surely represent the Syiems?

Mr. Syiemlieh: We represent the people of the States. Along with us some Myntries and Sardars also have come.

1 Myntri from Myriaw State

Siem Khynnahs.

Headman from Mawphlang State

One Priest from Sohiong.

Mr. Chairman: How do you propose to bring the Syiems to agree to your proposal. At present you have no Syiem in your mind who has agreed to your plan?

A.—If the people want, they will have to agree and without the consent of the people the Syiems cannot rule. We have nobody in view at present but I know Myntries of various states are afraid of Political Officers.

Mr. Chairman: You of course know according to the recent declaration they will get some kind of independence from 15th August.

A.—Yes. We also agree we must have some kind of understanding with them by which our plan could be made practicable.

Mr. Chairman: You shall have to compromise.

A.—We don't think of any compromise. If the majority wish to have freedom, then the Syiems will have to act accordingly. It will take 2 or 3 months to convince them of the popular feeling in this matter and in the interim period there might be an interim arrangement between Assam Government and the State. That is the opinion of the people.

Mr. Chairman: Would you like to take any other step towards working out your scheme during this time before you are able to bring in the Syiems any other scheme which will be an improvement on the existing state of things.

A.—The Assam Government may appoint a suitable man, some kind of an intermediary or Liaison Officer.

Mr. Chairman: Would you like to give any representation in your Council by some kind of reservation to the Syiems?

A.—We propose to give 5 seats. They should be elected by the Rulers themselves. In regard to the Executive Council we don't like any reservation for them.

Mr. Chairman: How do you visualize that the Syiems will agree to abide by what your Executive Council would like to do in reference to matters that may entrench upon the rights of the Syiems?

A.—If the Khasi & Jaintia Hills are federated, they will agree. We expect that.

Mr. Chairman: Your Council shall have to take up many of the matters which are now being administered by the Syiems. The jurisdiction of your Council will entrench upon many matters which are now exercised by the Syiems.

A.—Yes.

Mr. Chairman: For example your Council want to have certain finances. Those finances appertain to the Syiems and possibly the Syiems and Darbars. Now you propose to make them the revenue of your Council. At present the Government of Assam pay Forest royalty to the Syiems. You would naturally like that.

The Hon'ble Rev. J. J. M. Nichols Roy: The Government of Assam divides the royalty between the Syiems and the Government.

Mr. Chairman: Therefore the Syiems get something if you want to have some kind of taxation which will touch the rights of the Syiems:

Don't you think that there may be some clash?

A.—As I have said the Syiem gets from the State. Half and Half.

Mr. Chairman: Would you not like that so far as taxation is concerned, they should be clearly demarcated between the Province and your Council? You have already specified some subjects. Would you not like some demarcations in the powers of taxation—a sphere within which you will exercise your power and a sphere in which the Province shall exercise powers of taxation.

A.—Yes, it is necessary.

Mr. Chairman: In view of that, is it necessary to have your clause 7? The necessity of contribution to Assam Government does not arise.

The Hon'ble Rev. J. J. M. Nichols Roy: I suppose it was meant that in the matters of higher education and so on, the Federated States should give some contribution. Then if that be changed, certain subjects will be given to the Province.

A.—We will have to consider that in discussion with the Provincial Government. That will be necessary in order to make these easily workable.

Mr. Chairman: You mean that the people of the Khasi State should have due representation in the Services, in the Legislature and also in the executive of the Province. That is your idea?

A.—Yes.

Mr. Chairman: Do you leave the matter of the number of representatives to the Legislative Assembly as well as the number of representatives in the Ministry to be dealt with on some general principle by the Government of Assam?

A.—Yes.

Mr. Chairman: Your wish is that the seat of Government should always remain in Shillong.

A.—Yes.

The Hon'ble Rev. J. J. M. Nichols Roy: These Syiems will be made free when the paramountcy of the British has been withdrawn. Do you want the F. O. to remain or do you want him to go away?

A.—He should go away.

Mr. Chairman: I think it could not exactly remain just as it is because you are going to have certain financial powers and the Syiems should know that. You may be proposing a taxation for primary education and the power you can almost be certain of coming on to you. Well, in that case the Syiems territories will also be affected and in that way the power which now vests with the Syiems and his Durbar will be taken over by the Council. Therefore there is bound to be some encroachment on the rights of the Syiems as they exist today, in view of what you shall have in future, namely a larger unit for all. For that reason the smaller units shall have to surrender certain power.

Mr. Josingh Rynja: There are bound to be adjustments.

Mr. Chairman: As you gradually develop your powers, the powers of the Syiem will diminish to that extent. And if the Syiems come to your institution then that question will not be of much importance.

The Hon'ble Rev. J. J. M. Nichols Roy: There have been changes all along even during the British regime and the Syiems also have changed from the original position and usurped more power. So there must be changes according to reason and condition of circumstances in order to fit in the whole structure.

Mr. Josingh Rynja: You say that the Political Officer should go?

A.—Yes.

Mr. Josingh Rynja: Then who will take his place?

A.—The Assam Government and the Ministry.

A Witness: I wish to draw the special attention of the Sub-Committee to paragraph 13 of the Memorandum, which reads: 'people should be freely allowed to worship God according to their own free will and to follow any religion they like'.

Mr. Chairman: That is allowed in the fundamental Rights.

A.—Because of what happened in Noakhali and Arrah, we are afraid of what may happen here.

The Hon'ble Rev. J. J. M. Nichols Roy: You need not be afraid of the Muslim League coming to Khasi Hills. You are strong enough to fight that, I think.

A witness: We want to get back those areas which the British Government have taken away from us. I come from Nonglway State.

Mr. Chairman: This will involve certain difficulties and these and other schemes may have to be considered.

A witness: We want Bardoi which was in the Khasi State before and now in Kamrup District should be restored to the former position. In former years there were 14 branches and 8 Lyngdohs but now the British Government has reduced that and made only 5 Myntris. We want that to be restored now.

The Hon'ble Rev. J. J. M. Nichols Roy: I see perhaps there may be more electors in the Nonglway state than 5 Myntris at the present time.

The Committee re-assembled after lunch at 3 P.M.

Notes of the examination of the Hon'ble Mr. D. Sarma, Speaker of the Assam Legislative Assembly.

I am the Speaker of the Assam Legislative Assembly. For a very long time I have been the President of the Jorhat District Congress Committee and a member of the Provincial Congress Committee for the last 26 years. I was a member of the previous Assembly in which I had the honour to serve as the Chief Whip of the Party.

Mr. Chairman: We are engaged in certain enquiries as to the administration of firstly the Tribal Areas and secondly the Partially Excluded and Excluded Areas. Our scope of enquiry is confined to what the administration of these areas should be. We may state for your information that the Excluded and Partially Excluded Areas are administered by the Governor as the provincial Government and as you very well know, they are connected with the administration of the province. But so far as the Tribal areas are concerned, the Governor acts more or less as the agent of the Central Government while dealing with the frontier problems.

Now there are two sets of questions to be put to you, those regarding the administration of the Tribal Areas and those regarding the administration of the Excluded and Partially Excluded Areas. What generally is your opinion regarding the relationship and the administration of these areas.

A.—As far as I have thought over the matter, and this is indeed engaging our anxious consideration, these portions should form part of Assam as one province. By Partially Excluded Areas I mean those areas which are governed at present by the Governor as agent.

to the Governor General. These should form part of the province of Assam as one administrative unit. But I think the system of administration might be slightly modified in these backward areas suited to the exigency of particular groups within the province.

Mr. Chairman : Would you like to advocate a certain kind of local autonomy for these areas?

A.—My idea is this. I cannot express it in one word. For various historical reasons or processes for very many years in the past, the people in these tracts have been practically cut off from the plains people. Before the advent of the British, the connection was closer. We have it from the British and Indian writers who have studied all these things. But gradually I find that by one regulation after another, the plains people and the people of the Excluded Areas round about the frontiers of Assam proper have been kept aloof. As a consequence of this, they have grown more and more backward and by their continued dissociation, the previous relationship has grown gradually lesser and lesser. In this position, probably, some of these people look upon us plains people with a certain amount of suspicion. These tracts should be dealt with in such a way that we may disarm this suspicion by our action, by our benevolent administration. That is my idea. It will be the first duty of the Government of Assam, which will most probably be dominated in the ordinary course of things by the plains people, to remove the suspicion by taking them slowly along with us and giving them the advantage of their own representative institutions as far as possible in the circumstances.

Mr. Chairman : You want to give them certain kind of autonomous representative institutions of their own for their internal administration?

A.—Yes, so that they may feel that the plains people are not out to exploit them. To my mind it is not enough not to exploit them; we must be able to convince them, not by our words, but by our behaviour that we are not going to exploit them.

The Hon'ble Rev. J. J. M. Nichols Roy : Do you mean to say that you are also prepared to bear the expenditure which may be required for the Hills wherever the expenditure exceeds the income therefrom?

A.—If I know my people well, my people will not grudge that.

I have no objection to giving representation to these people in the legislature of Assam. There will be certain subjects which will be administered for the benefit of all the people including the people of these tracts.

I am broadly stating my ideas. I am not going into the details. I think this is the idea of most of the plains people because this matter is agitating the minds of those people who really apply their mind to these matters. I speak for the Assam Valley.

Mr. Chairman : You know possibly there was some controversy in regard to this fact previous to the passing of the Government of India Act of 1935. There were some among us who thought that they should not be prepared to bear the expenditure of the administration of the Hills, at least the surplus expenditure, and that was one of the reasons for this isolation policy. You think that policy was wrong.

A.—That policy was definitely wrong. But I would state one thing. It is not due to that alone; the isolation policy has started somewhere from about 1870. The British policy we all know. If I remember right, the first Regulation started in 1869 or 1870 with certain names, I could supply the names later. Certainly, the plains people, some time, about 1924 or 1925 thought that since the British are occupying these places, it is their duty to uplift these people. That was thought at one time just as some of our people in Assam, round about 1920 thought that the Assamese people should not go into the Congress and antagonise the British; I definitely remember an Assamese gentleman sent for me and advised me, the Britishers are dealing very well with us, why should we fight for independence. That was a passing phase and I do not believe that was right, I mean this unpreparedness to bear the expenses of our neighbours.

Mr. Chairman : You will surely be prepared to protect by legislation, if required, the interests of these people regarding their land, their social customs and manners, their village organisation and things of that kind?

A.—I feel there can be no two opinions about it.

The Hon'ble Rev. J. J. M. Nichols Roy : You realise that the Hills people feel that as they are mostly agriculturists, land is their life and therefore their land should be protected and not exploited by anybody?

A.—Most definitely.

The Hon'ble Rev. J. J. M. Nichols Roy : And so you will be prepared to give them power to protect and also through the Assam legislature protect their land?

A.—Yes. Shall I be wrong in saying that the present Cabinet has already made a beginning in that direction?

Secretary : The main point is this. Would you agree that in matters like land legislation, the District Councils or whatever they might call them, should have any kind of legislative power over land; for instance, if there is to be tenancy legislation inside that particular area, then, the local Council will have powers to pass such legislation and not the Assam legislature.

A.—To begin with, I will not disturb their age-old institutions. As far as we can see, certain tribal groups have their own very democratic institutions. Those of them who have got them, I think one would not disturb them to start with. We have to take them along with us.

Secretary.—Their main fear is that the Assam legislature containing a large number of representatives of the plains people, whose feelings may be different, whose customs may be different, whose ways of life may be different, may pass legislation which is not suitable for their areas. In particular, since land is likely to become an acute question in the near future, they want protection for land in the sense that any legislation which is applicable to land must be passed by them and not by the Assam legislature. We would like to have your comments regarding that attitude of theirs.

Mr. Chairman: Possibly you do not know their representations. They are representing that they should have something like a District Council of their own. The question that has been raised by Mr. Ramadhyani is whether legislation in reference to land, or action that has to be taken regarding land, should not be exclusively within the jurisdiction of those local councils.

The Hon'ble Rev. J. J. M. Nichols Roy: I think that comes from the very answer that this land will be protected.

The Hon'ble Mr. D. Sarma: That was what I was going to say. What is troubling me in respect of this question is this. Land legislation, normally speaking, cannot be left to the Districts, Sibsagar or Kamrup or Nowgong Districts, as such piecemeal legislation would not be very helpful. But when we come to the question of these tribal areas, and excluded Areas, the position will be clearly this. They should have their own institutions till such time as they come up to the same line with the plains people. I mean the economic line. Therefore, if certain groups or certain tribal Districts want that they should have their own land legislation, I shall never quarrel with them. On the contrary, I should feel that it would be stupid for the plains members of the provincial legislature to disturb their system.

Mr. Chairman: It is not a question of the system. You know that any legislation passed by the Assam legislature does not apply to the Excluded and Partially Excluded Areas except through the Governor who is acting as a filter. If he considers it fit, he applies it; otherwise, he does not apply it at all. The main fear which the people of the Excluded and Partially Excluded Areas have is that any unsuitable legislation may be applied to them if it is left to the legislature even if they have their best interests in their heart and that there may still be circumstances in which they will be compelled to pass legislation which is contrary to their interests. Therefore, they want that all legislation in matters like land should be left to them rather than to the provincial legislature, even with the best goodwill. What you say about the plains districts does not really apply to their case which stands on a different footing.

4.—I think we should try to disarm the suspicions of the Hills people. In particular, they should be given as much latitude in the administration of their own affairs as is possible. My mind is clear about that. I do not want to thrust my land laws on those people.

Mr. Chairman : If you pass any land laws, they should apply only if the organisation that they set up want them.

A.—We do not want to thrust any legislation on the Hills people. They may be suspicious of us. They have been made suspicious. It is up to us to remove those suspicions by our own conduct. My point is clear. The province of Assam should give them without any mental reservation in their heart. Of course, the Hills will repay in due course and probably more than repay. At the present moment I feel that the plains people must give without any sort of mental reservation. They should not say why should we spend 60 lakhs on these areas while our province itself is poor. That would be wrong because mental reservations always act and react. Without any mental reservation, I would help them.

Secretary : Do you agree that land legislation includes the question of settlement in Excluded and Partially Excluded Areas?

A.—Yes. I would not like outsiders to go and penetrate except according to their own wishes.

Secretary : What about the people who want to carry on other professions, opening shops or carrying on other non-agricultural professions?

A.—Probably in that respect also, the Hills people should be helped with advice not to allow crafty people to have business there with a view to draw juice out of them. I would not like certain classes of business people, I shall not mention the names, to go into those areas and do money lending, offering them trinkets and fancy things and draw very good things away just as some people do in the Naga Hills, giving four pice worth of articles and getting back ten Rupees worth of things.

Secretary : Would you impose strict restrictions upon money-lenders practising their business in those areas in particular? Safeguards against money lenders are necessary everywhere.

A.—I think Government would be failing in their primary duty if they do not do it. This is my opinion.

The Hon'ble Rev. J. J. M. Nichols Roy : In other words, you are for maintaining some kind of restriction on people from outside either for ingress or egress?

A.—Let us put it broadly. I am against exploitation of these simple people in any form because exploitation may be hydraheaded.

Q.—You have said that Hill people need certain protection of their lands. There are also tribal people in the Plains and they also need certain protection in regard to land and other matters.

A.—In certain belts they need certain protection. I would have certain legislation to save them from those people who own big quantities of lands and who make these people the toilers only.

Secretary: The main question is about the amount which is required for the development of these areas—may be for nation building departments like education, medical, agriculture and so on—now I believe while the Excluded areas of this Province are getting plenty of funds or at least a good amount of funds, the case is otherwise in regard to areas like Mikir Hills which is under partially Excluded and in respect of which any funds are votable by the Legislature. I think the general impression which the Committee received at Lumding was that the Mikir Hills was not getting enough funds for its development and the question to be considered is how it can be seen that the interests of these areas in matters of finance are not neglected before the clamour of more advanced areas. For that purpose would you have any objection to statutorily provide for a separate financial statement showing the revenue and the expenditure on these areas? Recently we found that the Excluded areas of Lushai Hills and Naga Hills were getting far more money to spend than the areas of Mikir Hills.

A.—I think Assam as at present has not got really plenty of money for all the needs. So efforts will have to be made in both the ways, first to improve the finances of the Province, and then to develop these backward tracts. I put both the categories together. Because I visualize both the Partially Excluded and Excluded areas would come under practically the same category with varying needs and varying autonomy. Regarding finance, I, at the present moment, find one difficulty because the whole thing is a relative one. You look at the Budget and you will find that Police takes away nearly the same amount as education, public health and medical gets about 1/4th of the amount and other things practically very little. Under the new regime my idea is that people of the plains should train themselves to resist the temptation of clamouring for more and depriving these backward tracts. My idea is just as the mother caters to the needs of her 5 children—one is stout, another is poor in digestion, another lacks vitamin as far as the family budget can provide within the means of the income of the family—so my province will cater for the needs of her children. That is my vision.

Secretary: You said the actual finances available for the Province is not enough to go all the way round. That is the reason why it is likely that certain areas will be neglected and certain others will be more developed. It is true that the Legislature and Government should look at all the areas as a mother looks after her children but it is quite likely also that the most troublesome of the children will get better treatment and there is a proverb 'The creaking wheel gets the grease'.

A.—The Hon'ble the Prime Minister found about Rs. 30,000 for Schools in my Sub-Division of Jorhat. We had 10 Schools and 2 extra Primary Schools but we definitely gave all the schools to the backward areas although many of my neighbours clamoured for it. If the Province has to carry on as a whole the clamorous people simply cannot have. The people who need most must have first.

Secretary : It may be a matter of opinion who needs most. There is a certain provision existing in the present constitution which acts as a kind of protection.

A.—In the present constitution there is no protection.

Secretary : It seems that there is likelihood of certain areas still being overlooked for one reason or other—may be on account of no clamour, may be somebody does not bother about the Mikir Hills or the representatives are not vocal—but the main thing is it has to be made reasonably clear to the Hill man that his interest will not be overlooked anyway and one way of doing that seems to be to show the funds which will be allocated to these areas for various purposes separately in the budget statement so that they could be examined and criticised.

A.—I have no objection to that. I consider any expenditure on the Hills would after all be a good investment.

Mr. Chairman : You already said you have no objection to their coming into the legislature. Would you like some representation for them in the Cabinet?

A.—This problem really needs examination. My idea is that in the Cabinet place should be found for those people who are really capable. Subject to the efficiency I should rather think they should be taken in but just for the sake of giving a Hill man a place in the Cabinet, probably I shall be very shy about it. Other things being equal, I would be prepared to have a member of the Excluded Areas in the Cabinet in preference to a person of the Plains because that will be a gesture of goodwill the plains man can make. But when other things are not being equal, when efficiency is to be considered, I should rather think in a country where everything waits development, efficiency has to be looked into. In the Cabinet my first criterion is efficiency but if certain areas think that if they have not certain representation in the administration they may go by default, then provision may be made for Parliamentary Secretaries or some such special thing but if we don't really have suitable men, well, I think twice. When it is a question of a passable person, then I shall have him.

Secretary : It is not a question of actual representation. If a suitable or efficient person cannot be found, then I believe providing mere representation in the Ministry may not serve any useful purpose but the main thing is to look at it from a different aspect altogether. If it is assumed that in any particular Ministry suitable representation from the Hills could not be found, will the other representative members of the Cabinet pay sufficient attention to the Hills affairs and Hills interests on their own responsibility or is there any such thing necessary as providing either a separate Department or laying a special responsibility upon the Head of the State so that the affairs and interests of the Hills do not get overlooked by not having a Minister? If there is a separate portfolio, that attracts attention. Then if there

is special responsibility laid on someone, that again attracts attention. The main thing is to see that the Hills' interests are not neglected by not being put prominently before the Legislature, the administration and the people.

A.—The administration should be as broad based as circumstances permit and if in the actual working we find that the creation of a separate department is necessary, it will be created and it should be created but so many partitions and divisions in the past do not encourage me to support separatist tendencies.

Mr. Chairman: To concentrate attention of the Cabinet of the Executive towards the problems of the Hills it may be advisable to have a special Minister for the Hills.

A.—Of course, it will have to be done. They cannot be yoked together with Plain districts. They will have to be given special attention and for that special departments may be created. The Ministry should be as broad based as circumstances permit. The essence of democratic Government is that it should be able to command complete confidence of the people both plains people and Hills people.

Secretary: Would you agree that it may be made the statutory responsibility of the Head of the Province to see that the Hills people may have representation in the Ministry unless he is satisfied that no suitable person can be found, or if not, at least a sort of Instrument of Instruction may be issued to that effect.

A.—Probably an Instrument of Instruction should be more helpful. Watertight statutory provision may sometimes not be very helpful for the people themselves for whom it is being made.

Mr. Chairman: Would you advocate a policy which is more or less like the present one that the Governor alone may be made responsible for the administration of the Hills?

A.—This dual function of Governor is very injurious for the homogenous growth of the Province.

Mr. Chairman: We have at least 3 frontiers and we will have a 4th. I mean the frontier of the Tibet, the frontier of China and the frontier of Burma and likely we may have a frontier of Pakistan also. Now in view of these *re.* the frontier of Pakistan, we shall probably have advanced people and we do not know how the problem will face us but so far as the Hills area is concerned, what do you think should be our attitude towards the tribes? At present they have their own laws and customs. We are supposed to be controlling them. In some cases theoretically, in other cases we have extended our *de facto* control. What should be our attitude towards the people of these areas. Should it be one of rule by the rifle or should it be one governed by ideas of humanity and for civilizing them?

A.—Spending money would not adequately express it but that is the thing which moves it and materializes. But surely I feel that nobody will dispute me in saying that we must have humanising and

civilizing efforts for these people but at the same time we must keep proper guard also; for some time to come we must have our outposts but we must not depend upon these outposts. We must increasingly cultivate friendship with them. In other words, I am prepared, as a policy, to open schools, hospitals and take such measures by which the people will be benefited and brought under an influence which is not merely one of force. In the long run it will be cheaper rather than maintaining perpetual police, apart from the humanitarian question. I would like those areas to be administered by the Assam Government but the Central Government must provide the funds. I don't want too much centralization. The people there are directly connected with the people of the plains and therefore Assam Government are the best people to handle them.

The interview ended.

Mr. Jogidhon Roy, Mr. Welson Khongmen, States Representatives and a number of others were introduced to the Sub-Committee. Messrs. Jagidhon Roy and Welson Khongmen, present memorandum (Appendices L & M).

Mr. Chairman: I am taking the representation of Mr. Jogidhon Roy. Who are the other States people, who have come along with you?

A.—People from Mawsynram have also come.

Mr. Chairman: Can you give us any idea of the population of Shella, Mawsynram and Khyrim?

A.—Shella is 4,275, Khyrim 48,467 and Mawsynram 2,268. In Shella and Mawsynram there are no Myntris. Three men who are the members of the Durbar have come here.

Mr. Chairman: What is the constitution of Mawsynram? What is the usual procedure? Is the Syiem appointed by the Myntris?

A.—Yes. Khyrim is a State like Myllem State. The Syiem is elected by an electorate of Myntris. These appointments are hereditary and are elected from the same family. No Myntris from Myllem have come here today. There are Sirdars who are appointed by the people but Myntris are elected only by the clans. It is not the same clan as the Syiem but a separate clan. A sirdar is a democratic head of the people. The Sirdars are elected by the people. His function is almost exactly like the Myntris. One of the Sirdars has a big territory. He is called the Sirdar of Soura and his territory is bigger than some of the Myntris' Raj. His chief task is to decide cases like the Myntris. He does not levy any taxes. In our country no tax is leviable. The revenues are mainly from the bazars, and the Syiem levies the excise and bazar dues. The Syiem is supposed to undertake the expenditure also. We do not know how much he spends. There is no account which he renders to the people and the Myntris also do not know anything about it. Whatever income is derived is solely spent by the Syiem. He does not spend on any public purpose at all. There is one school in Smit which is the headquarters of the state and that school is run by the Syiem. One of the witness who

is present here today was a teacher before in that school and he knows the Syiem spends about Rs. 45 a month.

Secretary: Are the public not interested in the expenditure and the money spent for public purposes?

A.—They are very much interested and they have always claimed that they would like to know how much was the income and how much the expenditure.

Secretary: Since it is an elective system how is it you have not been able to obtain the necessary statement of accounts or otherwise influence the Syiem to spend the money for public purposes?

A.—There lies the difficulty because the people have no knowledge. The things are decided by the Syiem and he is supposed to decide things with the Myntris and he never consults the people.

Mr. Chairman: He consults the Myntris I suppose.

A.—I do not know very much about that. The Myntris are elected by the clan only and not by the whole people. They are confined to certain clans only.

Secretary: In other words the system of the State is that there is a Syiem elected by a sort of certain group of persons and what they do and how they spend the money is entirely in their power and the people have no control or voice in that.

A.—The people have combined together and they did apply even to H. E. the Governor and to the Political Officer, but we heard nothing about it.

The Hon'ble Rev. J. J. M. Nichols Roy: You mean that the Political Officer is helping the Syiem?

A.—It seems to us to be so.

The Hon'ble Rev. J. J. M. Nichols Roy: Who is your present Syiem?

A.—Mr. Olim Singh.

Mr. Chairman: Does he approve of the scheme of a Federation for the whole hills.

A.—I have seen the draft constitution made by the Syiem of Khyrim and others. They also favour federation.

Mr. Chairman: Do you mean to say that the draft constitution is the same kind of thing like the one that you have presented to us.

A.—No. There is some difference. In their case they wanted that the President of the Legislature and of the Federal Government of Khasi and Jaintia Hills should be the same only, but we say that the people have a right to elect the best man. Our ideas of federation are quite different from their ideas in some respects.

The Hon'ble Rev. J. J. M. Nichols Roy: Are they willing to be united with the Khasi and Jaintia Hills?

A.—That I cannot say, but I believe they favour that idea. So far as I have seen the draft constitution, they are willing.

Secretary: There is the district and there is the province and there is this Indian Union. Each of these units has to surrender certain powers to the other and in the case of certain Indian States, it has been made clear that they should surrender defence, external affairs etc. If a federation is going to be formed of which your Syiems have power, are they willing to surrender any portion of their power to the Federation?

A.—For the Syiem I am not in a position to say as we come to represent the people.

Mr. Chairman: Therefore you cannot say that the Syiem will fall in line with your scheme.

A.—I cannot say.

Mr. Chairman: From your point of view would you like in your Council or would you be prepared to give a certain percentage of seats to the Syiems in the Council that you are proposing?

A.—In principle we are opposed, but as a matter of compromise we are willing.

Mr. Chairman: You are prepared to give them certain percentage of reservation in the Executive Council?

A.—No, Sir.

Mr. Chairman: You perhaps might know the legal position as well. The Syiem of Khyrim was under the British paramountcy and when the British paramountcy goes the Syiem of Khyrim is an independent man. I am sure reasons of goodwill and good sense will prevail with him to join with all people and surrender some of his rights. The legal position is that he enjoys certain rights which you want to take away under the constitution from his hands. How do you propose to have that transfer of power which the Syiem now enjoys in favour of your Union which you want to have.

A.—The Syiem and the States will remain, but will have to surrender some rights which are common.

Mr. Chairman: The whole thing will come to a deadlock when it is a question of touching their pockets or rights which they hold dear. Have you any other method to suggest by which you propose to bring round these Syiems to your Union?

A.—The real sovereignty lies with the people in the State and even now for example H. E. the Governor asked the Syiem to enforce certain account rules in the State. He did not decide by himself. He called the State Durbar and decided it. In the State Durbar every adult male member has got a right to sit and to vote.

Mr. Chairman: The State Durbar has no right to depose the Syiem.

A.—As it is now we have not got the power but when paramountcy goes, the people will have the right to do so.

Mr. Josingh Rynja: At present everything is done under the terms of their sanads.

A.—Once paramountcy goes, the people will get back their sovereignty.

Mr. Chairman: But you shall take time to get that back, I suppose.

A.—I have spoken to the Syiem of Khyrim and many times he has said that he is very anxious to see that his durbars are represented by elected representatives of the people. Actually he wants to follow the people.

Mr. Chairman: He is only afraid of the Political Department?

A.—Yes.

Mr. Chairman: I suppose the chiefs are elected in Shella and Mawsynram?

A.—The Syiems are of the same categories as the Syiem in Khyrim. In that state there will be no difficulty.

Mr. Chairman: The Mawsynram ruler is appointed by the Myntris and they do not represent all the clans of the people.

A.—Only a few.

Q.—Can you give any idea of the attitude of the Chief of Shella in respect of your Council?

A.—They are a little body afraid with being connected with the British Government, but the people themselves are all united.

Mr. Chairman: So your Durbar is of the opinion that you shall have a constitution something of the kind that you have submitted to us.

A.—Yes.

Q.—What about the representatives from Mawsynram. In what capacity do these representatives come here?

A.—They come from the peoples side. They have got a kind of conference.

Mr. Chairman: Your whole object is to have some autonomy for certain administrative functions and certain judicial functions to be exercised by the State that you are proposing.

A.—Yes.

Q.—What are those common subjects which should be within the internal administration of the state? What is the sphere in which this autonomy can be exercised in respect of land?

A.—We want to have all the land and all our rights and institutions which we have had to be preserved intact as they are today.

Mr. Chairman: Do the same customs and rules prevail in all the states in reference to their land tenure?

A.—In Mawsynram there are private lands and of course the owners of the land have the right over the land. There is Raiz land also. In that Raiz land every one has a right to cultivate.

Mr. Chairman: Is that very much the same in all the other places also?

A.—In my place there are private lands and there are also what is called bigger clan land. The fundamental principles are about the same.

Mr. Chairman: And the law of inheritance are the same?

A.—In Mawsynram only the females get, but in Shella all males and females get equally.

Mr. Chairman: Would you like law and order to be Provincial subjects also like public health, education, etc.? You have not completed the list. Would you include law and order also in the list?

A.—We want our own police.

Mr. Chairman: But for larger purposes?

A.—We want provincial Government to take control of them. There should be no reservation of seats for the Rulers in the National Council.

Mr. Chairman: Are they prepared to have any reservation in the Executive Council?

Mr. Josingh Rynja: If they are not prepared for a reservation even in the National Council, it follows more so there should be no reservation in the Executive Council.

Witnesses: From 1864, the British Government came and put boundary pillars and took away the land of the Shella State, and gave it to the Sylhet District. Some of the lands have turned into Khas land. We ask your help to see that these lands may be returned to us.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you have any maps to show that these lands belonged to you?

A.—The map that was made in 1864 shows that. That names of the villages which have been taken away into the Sylhet District, are Khasi names. Even up to the present date, those names are still in vogue.

The Honourable Shri Rup Nath Brahma: Are there Khasi people even now?

A.—No. The Mohammedans from Sylhet occupy those lands.

Mr. Chairman: Is it on this side of the river or on the other side?

A.—Towards the Sylhet side. These lands have nothing to do with the Surma river.

There is a place called Charwadadar, the land of the four Wadadars. Even at the present time this name is in vogue. This area is in the plains. Almost all our plains land which we owned before have been taken away by the British and given to the Muslims. The Khasis who were in those places like Jayanga had to run away from those places. They were driven away, because the British Government has made a boundary line.

Mr. Welson Khongmen: The same happens in the Khyrim State also on the Sylhet border. I happen to have lands there. Sometimes the boundary pillars were encroached up to one of our huts far

up in the hill. Rent was claimed for a number of years. We had to litigate when I was a small boy. We had to contest that case. Of course, we won that case.

Mr. Chairman: That is always the practice of evil-minded people.

Mr. Welson Khongmen: The Government lease out the lands to certain Zamindars. These Zamindars in order to increase their revenue make encroachments. Our States are so weak that they do not take much care. The land belongs to me and not to the State. Nobody takes any care. The Peshwaris settle the land. When the surveyors come, they are led away by the Zamindars and my land is put into the Sylhet District. We pray you help us in this respect. Even this time when the Surveyor came, we showed him the places which used to belong to Shella people; but he did not care for our representation.

The names of the villages are: Jayanga, Ustinga, Ramsai Gao, Muki, Laitstep (this has been changed into Lastop gao), Kuntargao, Charwadadar jaga (the land of the four wadadars). These are the names which we can give just now.

The Committee then adjourned till 9.30 A.M. on 12th June 1947.

The Committee began its deliberations at 9.30 A.M. on 12th June 1947 with The Hon'ble Mr. Gopinath Bardolai in the Chair, at the Assembly Hall, Shillong.

Witnesses examined: Mrs. B. Khongmen and 15 others, Mrs. L. Shullai and 15 ladies.

Both the witnesses submitted a memorandum each—See Appendices N. & O.

Mr. Chairman: I am taking Mrs. Khongmen's memorandum which is not very different from the one that has been submitted by Mrs. Shullai. The points are more or less common and before we go to the demands, we want to get certain information from you.

Mrs. Khongmen, you of course are a representative in the Assam Legislative Assembly. You represent the Khasi as well as non-Khasis?

Mrs. Khongmen: I represent non-Khasis and I am the Deputy Speaker in the Assembly.

Mr. Chairman: I can take it that Khasi women take more responsibility regarding the management of their family affairs and also such matters as relate to the people of the States.

Mrs. Khongmen: Yes, it is correct.

Mr. Chairman: Do you feel that you have been, as representative of the Khasi State, treated well by the Province in reference to the honour which the Province has given you.

Mrs. Khongmen: Yes.

Mr. Chairman: In what way the ladies who have come with you are representing the States?

A.—Some of them come from Cherra, Khyrim, Jaintia Hills and other States. Those are the important States in the Khasi Hills. Those who have come with Mrs. Shullai have also come from Cherra, Jaintia Hills etc. The general feeling of the ladies of our place is that we should be combined together into one Khasi district.

Mr. Chairman: Will you be content with the present administrative divisions or would you like to have more divisions for administrative convenience of course, on the assumption that the States also will come in?

A.—In that case probably we might have to think along those lines i.e., of having more divisions.

Mr. Chairman: You do not vote in the elections of Syiems, myntries etc.?

A.—The Syiems are elected by the Myntries who in turn are elected by their own clans. The females are not allowed to vote. We now insist that we should all be allowed to vote in all political matters and every adult female should have that vote.

Mr. Chairman: Would you like to have the same thing in reference to the election to the Provincial Legislature or would you like to have some property qualification or other considerations in determining the franchise?

A.—We would prefer adult franchise.

Mr. Chairman: Now, I am taking both the memoranda together because virtually they are both the same and are more or less an abridged form of what Mr. Nichols-Roy has given to us about the future Khasi State. You will agree, I suppose, that unless the Syiems who have more or less relations with Government, agree to abide by what you have thought to be the best for the Hills, you cannot put your scheme into operation immediately. Now you are wishing for a complete full Khasi state. We will discuss its powers later on but even for what you are proposing for yourself. Don't you recognize that it would be necessary to have the willing consent of the Syiems in order that you may put the scheme into operation?

A.—Yes, it is necessary. Negotiations are going on regarding that.

Q.—Have you put any particular representatives from among you to negotiate with them so that the agreement they arrive at may be binding on you?

A.—In some cases I have approached the Syiems and they do agree on certain points and on others we have not come to any agreement. For instance, about National Council, they want to have the Syiems always to be the President and we want the chance to be given to the public. About women they say it is not the custom of the Khasis to have females in the Durbar but we insist that we should be included; otherwise there will be a rebellion from among women. In Khasi States, women have all rights except political rights.

The Hon'ble Rev. J. J. M. Nichols Roy: With the exception of political rights, they have all the rights. They can drive the men even from the houses!

Mr. Chairman: Regarding the Council, would you agree to reserve some seats for the Syiems and if so, how would you like them to be selected?

A.—We are prepared to provide some seats for them, so that we may come to some agreement and the selection could be made by the Syiems themselves.

Mr. Chairman: You have no objection to the Syiem being given certain reserved seats and the seats to be filled up by the Syiems themselves.

A.—But of course in the case of general seats they should be elected by the voters.

Mr. Chairman: You said that you would be agreeable to have certain seats reserved for the Syiems the election of which will be done by the Syiems themselves. Then you are also prepared to give the Syiems the opportunity of standing for the other general seats.

A.—Yes.

Mr. Chairman: And be elected by the general vote of the people.

A.—As far as the reserved seats are concerned that should not last for a very long time. At present for a few years we shall be prepared to have certain reserved seats from among the Syiems only. We are also prepared in spite of this reservation to allow the general seats to be contested by the Syiems. We do not want to deprive them of their right to stand. The same principles will apply in case of women also. They should be allowed not merely to occupy the reserved seats but also should be given the right of contesting the general seats as well.

Q.—Why have you provided the nomination of 4 members in the Council?

A.—Suppose there is some able person who is highly educated. The services are very necessary for the welfare of the people. In that case I think the National Council could have the power to ask those people to come and help in forming the constitution. We will give the same power as the elected members. Supposing even if they fight the election and they are discarded by the people, if the National Council think that they are essential to the well-being of the country they could get them in. This is in case these men who are experienced men may not want to contest the elections but who may be essential and necessary for the running of the administration. We want reservations in the National Council for women and also feel that they should have also some place in the Executive Councils. If the women are found to be efficient they could be elected by the National Council. We would not want any reservation as a propitiatory measure to the Syiems in our Executive Council. We are contemplating three and not more than 5 and we would have

no reservations. We would like to have reservations for the Provincial legislatures, for the Hills people. We would not extend the same principle for the Syiems also at least for some time. What we really mean is that people of position and people of capacity only should be elected to the Executive Council. On the elective principle if all the members of the Executive Committee become Syiems and they are efficient, we have no objection. Supposing the National Council decides to elect the three Members from among the Syiems, under principles of democracy, we will not object to that, consistent with efficiency and capacity. The National Council will decide as to what that efficiency and capacity will be.

The Hon'ble Rev. J. J. M. Nichols Roy: It is supposed that the National Council will be wise enough to elect efficient men. If they are not, they kill themselves.

A.—Yes.

Mr. Chairman: You have left the election of the President to the Executive Committee. Won't you think it would be better to have the Executive head or the President of the State should be elected by a proper franchise by all the people or all the members of the National Council?

A.—I think when they represent the people of the whole country, they have the power to choose the President.

Mr. Chairman: In the Electoral college the result has always been for a tendency towards development of cliques and possibly you may not like the head of the State should be elected on a very narrow margin.

The Hon'ble Rev. J. J. M. Nichols Roy: There may be proposals of this kind, I suppose, that the President may be elected by the Council or by the people or by the Executive Council which has been elected by the Council itself from among the people. These three proposals are no doubt before you, but you have chosen that it should be elected by the National Council.

A.—Yes. But that may again be examined, in case the Syiems may be amenable to come to the plan that they have made. The whole thing may be re-examined and the President may be elected by all the people. We are willing to do that. As things develop, we will negotiate with the Syiems.

Mr. Chairman: Have you realised the financial implications of the proposals that you are making? You shall require the President whom we shall have to take. We shall have the three members of the Executive Committee, whom we shall have definitely to pay. Then we shall also have the Council Members who shall be coming also from some considerable distances to partake in the deliberations of your State. Have you made any estimate of the likely expenditure which may be involved even in setting up this machinery?

A.—Yes. It is rather a difficult matter and we have not yet done that but we will have to do it according to the resources available to us.

The Hon'ble Rev. J. J. M. Nichols Roy: The Khasi people have had their democratic institutions for such a long time that they have been used to come to the Durbars even at the sacrifice of their money and have been meeting all expenses themselves.

A.—Yes. We visualise that we shall have certain officers who must be paid also. We shall have to carry out the duties which the State will assume to itself. There would be whole time officers but we have not made any financial calculations yet.

The Hon'ble Mr. Rup Nath Brahma: At present under the existing constitution there is one seat for the women in the whole province and you have wanted in your Memorandum one seat for the Shillong area. Would you like that same privilege should be given to the women in the plains?

A.—Yes.

Q.—What is your reason for wanting one seat for Shillong?

A.—This being the capital of the Province, we desire that we should be given special consideration.

The Hon'ble Rev. J. J. M. Nichols Roy: Another reason may be that the women here are mostly Khasi women and for the last few years have received some privilege. There were discussions in the previous years during the last inquiry that was held by Sir Laurie Hayman as the President of the Inquiry Committee that was sent by H. M. G. whether the seat for women should be a seat that will be returned by Sylhet as well as Gauhati and Shillong. At that time that was to go by rotation. It was decided then that Shillong being the capital of the Province and as there are many ladies resident here and as they are mostly educated they should have a seat here in Shillong and it was supposed that the ladies of the other parts of Assam were not forward enough to come to polling booths and so on. That was the idea held by some people. So it was decided that the seat should be held in Shillong. Also the percentage of the literacy here was greater than in other parts of the Province. I find that they have not claimed any special seat for the Khasi women in the Provincial legislature. It is only the general seat.

A.—Yes. If there be any seat for women either in Gauhati or in Sylhet or any part of the province it must also be a general seat.

Secretary: You have stated that the President should have power to return to the Council any legislation which he and the Executive Committee consider unsuitable. What are your reasons?

A.—It is quite possible that the President may be an experienced person who may have some knowledge of the country while the Legislative Council may not have so much experience and legislation may be hasty or they may overlook things.

Secretary: Would you perhaps not like to extend it to a wider sphere and say that the Head of the Province should also be given such a concession or be able to ask the Council to reconsider?

A.—These matters relate to the Khasi Hills and are purely internal matters.

Secretary: You have put it down rather widely. You have specified a few subjects with which you are linked with Assam and in clause II you have stated that you ought to be independent of the Province in all the other subjects. It is clear that you consider that should be the case in matters connected partly with Khasi law and customs and so on.

A.—Yes.

Secretary: You have got representation in the Provincial Assembly. You have stated here that the representation should be on a certain basis. Now the Provincial Assembly can pass certain laws with your representatives present there. If you put down that in certain subjects those laws can be applied to this area if necessary with the approval of the Local Council would you not consider that to be a satisfactory method which will save a lot of time and discussion and possibly expedite matters?

A.—Yes.

All legislation by the province should normally be applicable to every area within the province but in certain matters where you consider that your interests are at stake you could possibly ask that legislation in such matters should have the second approval of your local council as well?

A.—Yes.

Mr. Chairman: Do you agree to the general principle that in all affairs in which the Provincial Government will be exercising authority you shall be guided by the decision of the Provincial Legislature? You have according to your own scheme defined two spheres, a certain sphere for the provincial sphere and others which should be within your council. But you have not clearly defined the spheres. Would you try to define for your Council?

A.—I suppose they ought to be dealt with by the National Council.

Mr. Chairman: You have defined certain powers for the Province and put an 'etc.' in your memorandum and similarly you have not said anything regarding the powers within which the States will exercise their rights. What do you say about law and order broadly? Do you think that it should be a provincial subject excepting I suppose the village police which without expenditure you could have?

A.—The National Council will have the power. But in higher sphere it should rest with the Provincial Government.

Mr. Chairman: Similarly is the question of finance and fiscal autonomy and powers of taxation. Would you not allow the Province to carry on those functions by the Province itself excepting in such matters which will directly fall within the sphere of your administration?

A.—No. Our National Council should have that power.

Mr. Chairman: For such matters as will fall within their jurisdiction?

A.—Yes.

Mr. Chairman: The taxation for the carrying out of such measures as will fall within your jurisdiction, will be within your purview, but for other methods you must leave it to the province to do it. For example, let us say that we want to carry a proposal which will be applicable to all people in the hills and would you or would you not in the circumstances allow the Provincial Government to decide this particularly when you know that you will have your minister and members of the legislature representing you? Your right of taxation and other powers in reference to subjects that you will administer shall be given to you. But there may be other spheres in which the people as a whole shall have to take certain action in which your representatives in the legislature, your member in the Cabinet also takes a due share. For example, defence. Or, it may be a big project and interest on the loan has to be paid. There you cannot be allowed to say that I shall not have anything to do with that.

A.—We are ready to bear a fair share of joint administration.

Mr. Chairman: The point is the authority. It is not a question of sharing. The authority should be given to the province.

The Hon'ble Rev. J. J. M. Nichols Roy: In those subjects in which all the units are connected with the province, the province shall have the authority.

A.—Yes.

Mr. Chairman: In regard to the final judicial authority would you not like to leave the final authority with the provincial High Court in certain criminal cases which involve the taking away the life of a man and in certain other cases involving laws applicable to the whole of India, such as the law of Insurance, the law of Contracts, etc.

A.—It is a very difficult matter.

Secretary: The High Court is the highest court of appeal. On its decision rests finally a man's case. If the High Court decides against a man, that is the end of the matter. He has got to put up with it whether he considers it right or wrong. If the High Court comes to a wrong decision, well, the sufferer will be the person concerned. For this reason, you must consider that the High Court must be a place where the greatest experience of law and its administration as well as general experience is available. You cannot ask any person to be a High Court Judge. It may not be feasible to have a satisfactory High Court if you have only a small unit like the Khasi and Jaintia Hills to choose from. Besides, in many matters one has to consult other people with experience, take their views regarding the law and there is also judicial literature which will have to be studied and considered. Then there are matters also where there are laws applicable to the province as a whole and to the whole of India, such as the Companies Act, in which there is nothing specially Khasi about it. In all these matters, it is obviously desirable that you have the best possible authority and an authority with the maximum experience. Therefore, it appears desirable that the highest court of appeal or revision in the land should not be one confined to the purely local unit.

A.—We agree.

Mr. Chairman: You want certain reservation for women in the services?

A.—Yes. The competition should be among the women of all communities and not the Khasis alone.

Secretary: Would it not be sufficient if it is stated that the women are as eligible as men?

Mr. Josingh Rynja: Their desire is that there must be competition only between women and not between men and women. There are certain services which are unsuitable for women.

Mr. Chairman: At present there is no reservation for women. The Fundamental Rights Committee has laid down that there should be no disqualification for services in the State on the ground of sex, religion, etc. They have made no provision for reservation, on the ground of sex.

A.—We want to confine it to certain services.

Mr. Josingh Rynja: You have stated that the Nongwah group of villages (at present in the Kamrup District) and the area around the Jaintiapur Bazaar (at present in the Sylhet district where the majority of the people are Khasis) should also be reincorporated in the Khasi and Jaintia Hills District. I think you have based your demand on the ground that these were originally Khasi places and now the majority of the people inhabiting these places are Khasis.

A.—Yes. The people in the plains are also encroaching on our land. We do not like that.

We are having respectable connections with the Mikirs and the Mikirs and Khasis have been living happily for centuries.

Mr. Josingh Rynja: You do not think that because a particular village or a particular area is inhabited by the Mikirs, that area should be taken away from the Khasi and Jaintia State and given to the other States or Districts simply because it is inhabited by the Mikirs?

A.—If the land belongs to them, it is for them to decide.

Mr. Josingh Rynja: If the land belongs to the Khasi and Jaintia Hills, but a certain area or village is inhabited by the Mikir people, do you think that that land should be made over to the other District simply because it is inhabited by the Mikir people?

A.—Are they demanding it?

Mr. Josingh Rynja: I do not know; but if they do?

The Hon'ble Rev. J. J. M. Nichols Roy: There are a number of Mikirs living in Umpanai. That village happens to be contiguous to the Mikir Hills. This land from time immemorial is the land of the Jaintia Hills. Mikirs have come from the Mikir Hills and settled there. Now they want that this village should be attached to the Mikir Hills instead of remaining inside the Jaintia Hills. The question is whether you will agree to that or whether you are against it. Some Mikirs, I do not know whether all of them want it, want that they should be joined to the Mikir Hills instead of being under the administration of the Jaintia Hills.

Mrs. Khongmen: I think if it is close to that side, they could go. The wishes of the people of those areas should decide, if the area is contiguous.

Some witnesses are against this. They say it is for the people of the Jaintia Hills to decide.

The Hon'ble Shri Rup Nath Brahma: Have you any representatives from the Mikirs among you?

A.—None.

Mr. Chairman: It may take some time for the Syiems to come into your scheme. Pending such time, would you like to have any other kind of organisation in which you can all work together without infringing on the rights of the Syiems. Would you like to have some kind of local self-Government in which all the Khasi people could participate and exercise certain functions just as a preliminary step, as an interim arrangement may be for six months or for one year; you do not infringe on the rights of the Rulers you may take up such benevolent activities as roads, educational activities, etc. Or would you like the present set up to continue?

A.—That matter we will have to consider. It is hoped that the people and the Syiems will come together. The question of interim arrangement has not been thought of.

Mr. Chairman: Till it happens, the present conditions will continue?

A.—Yes.

Mr. Josingh Rynja: The position is this. If the States and the British area come together, then they will have a Committee and that will come to you and will adjust things together.

The Sub-Committee then took up the examination of Mr. Harrison Myntri and others.

Notes of examination.

We come from the Cherra State. Some are from Warbah (Bhowal). We present a memorandum (Appendix P).

Mr. Chairman: How do you say that you represent the people of Cherra and Bhowal States?

Mr. Harrison Myntri: I am a Myntri in the Cherra State. The others present are: Habi Mohan Myntri, Rose Mohan Myntri, Elector Lasto Sing Dingdoh, Jokima Elector, Noran Elector, Bhod Elector, Sardar of 16 villages Sheburoi, Headman of the village Thiedieng, Headman of the village Jilling, Headman of Cherra Hondromuny, Headman of Maraikparai Onira, Headman of Mawkisiem Oburai and others.

Mr. Chairman: The Syiem apparently has not joined with you in submitting this memorandum.

A.—The Syiem has not yet taken up the administration, because he was suspended for some time. The Dewan runs the State now. The Syiem has been restored, but the Chief Administrative officer has not yet been appointed and therefore the Syiem cannot function now.

Mr. Josingh Rynja: The restoration has been made conditional upon the appointment of the Chief Administrative Officer.

Mr. Chairman: Who elects the Syiem of Cherra?

A.—The Myntries and Electors who are 53 in number. There are 12 Myntries and 41 Electors. The Electors are elected by the people and the Myntries are elected by the Myntri clans.

Q.—Is this principle of election by Electors and by Myntries very old? Previous to this was it only the Myntries who did it?

A.—This is 44 years old. Previously the Syiem was first elected by the Myntries but their election was placed before the 60 clans. 12 Myntries' clans and 48 other clans. Then they are asked whether they have any objection to the Syiem elected. If there be no objection, then the Durtar of the whole State is called. The State Durbar is composed of those 60 clans and also of all the people from the State whoever comes. Then they announce to the whole of the Durbar whether they have any reason to object to the election of the Syiem and whether they have heard anything that is damaging to the character of the candidate. If there is no objection, then they decide that he should be the Syiem of their State. The competent man of the Syiems family is taken by the people if there is no objection from the whole multitude of people. But now even a nephew can claim the Syiemship against his own maternal uncle which was not the case previously. The Syiemship is confined to the family. In the family there are separate groups and it is from the whole Syiems clan—not only from a definite family.

Q.—Have you had any meeting or Conference before this scheme was put up?

A.—For that purpose we have not met together in a Durbar but we have discussed with the leading people because there might be some hinderances about our calling Durbar on account of the present conditions in the State.

Q.—You will agree that so long as the Syiems do not give consent for the coming into effect of this scheme, you shall have to wait.

A.—The Durbar is the Durbar of the Syiems and the people. If the people want to have a Durbar, the Syiem shall have to call a Durbar and the people shall have to decide the case. Now they don't want to create difficulties in the State because the State itself is in difficulty as the Syiem has not yet taken over the administration. The people of the Cherra State actually feel that they should not wait but go on with the democratic movement that is going on now in the world and they don't know what will happen to them. They therefore wish that they should move on.

Q.—Is it your opinion that you are afraid of the action that may be taken by the Political Officers against you if you call a public Durbar of that kind?

A.—Yes, that is true.

Q.—Have they heard anything from the previous witnesses?

A.—We just came yesterday. We have not been here for long and we have not heard of what others have said.

Q.—You say that the judicial authority of the State should be vested in a High Court which should have final jurisdictions in civil, criminal and revenue matters. Do you agree that the final punishment in criminal matters should come within the jurisdiction of the Provincial High Court?

A.—Even if the matter is finally decided by the Khasi High Court, we have no objection if the appeal goes to the Provincial Supreme Court.

Q.—What do you mean by saying that your National Council will be independent of the Province of Assam? Do you mean that your National Council shall exercise functions in respect of matters other than common subjects?

A.—Yes.

Q.—So far as the exploitation of the resources of the Province for the good of the people and also for the protection of the people from exploitation by outsiders in reference to land etc. would you not like that the Province should have concurrent jurisdiction with you?

A.—Regarding land, that is what we want. If the Province does not protect the interests of the minorities, we shall be nowhere. We also want that the Provincial Government should protect us from the exploitation of our resources from outside. We are also willing that the Provincial Government should develop the resources of these areas but at the same time we should be consulted and our consent obtained for the same.

Q.—Would you be willing to reserve certain seats in the Council for the Syiems?

A.—According to the real feelings of the people, they have no right at all to get any reserved seats but on account of the respect that the people have of the ruling chiefs, they will be willing to give them 2 or 3 seats which will be elected by the Syiems and other Rulers themselves. We will also be agreeable to the general seats to be contested by the Syiems as well just as any other person if they wish. We would not reserve any seats for the Syiems in the Executive Council. It is because the Syiems are elected by the people of that particular state. If they want to get a chance for the bigger State, they should be elected by the people. Another reason is that because they are the executive head of the local state, if they go to the Executive Council of the bigger State, they should forfeit the headship of the lower State and they would not like that.

A.—He is like a governor of a province and when he becomes a member of the Indian legislature he will lose his governorship.

Mr. Chairman: What actually are the powers that you will leave to the Syiems after you have absorbed so much power.

A.—The state will remain just the same as they are now, but there are other powers which were taken by the British Government and that will go to the Executive Council. Whether our State will take away much of the money which the States now get from various sources will have to be decided by the people themselves.

Mr. Chairman: Otherwise how would your State grow? The administration cannot be run without finance. There are the revenues of the States, the royalty in timber, minerals etc. If these become the revenues also of your State how can the States run the show?

The Hon'ble Rev. J. J. M. Nichols Roy: The position is that the British Government gets half of the produce from the State and the State gets half of it and that half is utilised by the State and the other half is used by the British Government for the administration of the State. This portion which is taken by the British Government for the running of the Administration in the State will go to the Executive Council and the other half taken by the State must be properly utilised now not for the benefit of the Syiem himself—he may get a share—but for the benefit of the people also in the way of schools and hospitals and communications which they are not doing practically now. The people will be willing to pay taxes in order to run the administration for schools and hospitals and some other things which can be done by the National Council for the good of the people.

Mr. Chairman: It is quite plain in other words that some of the present revenues must be curtailed.

Mr. Josingh Rynja: I think that will be generally agreed to, Sir.

Mr. Chairman: Some of the Syiems will find it difficult, but generally others will not find it as difficult. Some have been accustomed to a life of luxury and comfort and they will naturally find it difficult.

A.—Now there is already revenue in our State portion which has been allotted to the Syiem and he will get only that portion and not the whole revenue of the State.

Secretary: There are zemindary lands in Sylhet district. Who gets the revenue of the zemindary?

A.—There are three kinds of land in Sylhet district held by the Cherra State. One of the lands is the land taken in exchange for the Sylhet land, but we have no sovereignty over that. For the land which we hold in Sylhet district we do not pay any tax to the British Government, but we get the tax from the tenants there because this land is rent free because it is an exchange for the capital of Assam that was held at that time. There is another portion of land which we got from the Jaintia Raj, because that Raj gave us that land for the help we rendered to them. For that we pay some

revenue to the British Government and there is also a portion of land in which we the sharer state is a sharer with other zemindars in Sylhet district. The position in Sylhet district is a piece of land is shared by zemindars, sometimes 1/16th and 1/8th. The revenue from these lands goes to the State fund. When the Syiem used to be acting as an autocrat he used to take all this revenue, but now he cannot do that. It belongs to the State. The people fought against the Syiem on account of that and the British Government took the responsibility of suspending the Syiem on account of that. In the new arrangement the Syiem will get only a portion of the revenue of the state and he cannot be left with all the money. The Syiem has been in suspension for several years and he has not taken hold of the administration yet. So he cannot give any account to anybody and the administration is being managed by the Diwan appointed by the British Government. It is directly under the Political Officer. According to the rules which have been issued by the Political Department the Syiems will now get 1/8th of the revenue of the State and he can get only that much and nothing more.

A witness: I am speaking on behalf of the Bhowal State. I come from the durbar of the people. The people of Bhowal State want to be united with the Khasi Federated National Council. I cannot say whether the Syiem is agreeable to it or not. It may be possible that the Syiem is afraid of the British Government of the Political Department.

The Hon'ble Mr. Rup Nath Brahma: Does he agree with the views expressed by the Spokesman Mr. Harrison Myntri?

*A.—*The method of election of the Syiem is by popular vote. It would be different from the Cherra State. The Syiem will be able to follow the lead of the people. I am the only representative because it rains very heavily there and other people could not come and it is very far away and we took the road *via* Sylhet. The Durbar has sent me to represent here.

Mr. Harrison Myntri: We are very thankful that you have given us a chance to speak to you and if you do come to our State you shall see that a large multitude of people are quite anxious to have the constitution that will come to the Khasi hills and we expect that you will help the minorities so that we may float and sink together.

Mr. Chairman: We have highly appreciated the evidence that have been given. We shall do our best to see that your desires are fulfilled. We will be submitting our report to the Constituent Assembly who is the final authority in these matters. So far as the Government of Assam is concerned, you may rest assured that they look after your interests in the most sympathetic way.

At this stage the Mikirs were presented to the Sub-Committee, Mr. Singlikthe was the spokesman of the group.

The Mikirs present a memorandum (Appendix Q).

Mr. Chairman: Are the boundaries where you live contiguous to the Mikir Hills portion of Nowgong?

A.—It is contiguous areas.

Mr. Chairman: How many villages are there?

A.—About 70 or 80 villages. It is only in one portion of my locality. There are several divisions. Previously, it was a division and that division is still continuing.

Mr. Josingh Rynja: In the Jaintia Hills there are two divisions Chingong and Amris only.

Mr. Chairman: What are the villages now included in the Khasi and Jaintia Hills which are contiguous to the Mikir Hills?

A.—I have mentioned 20 villages, but there are many others also.

Mr. Chairman: You state in your memorandum that the population is 50,000. How have you worked it out?

A.—In the British administered area there is more than 23,000 and at the same time there was some difficulty in the census in the last time.

Mr. Chairman: How have you arrived at the figure?

A.—It is only a guess.

Mr. Chairman: How have you arrived at the figure 23,372 which you have put in the memorandum?

A.—From the Census Report. The Census report specifically mentions the Mikirs as 23,000. It is stated separately.

Mr. Chairman: How do you say that this land does not belong to the Khasi Hills?

A.—From the days of our forefathers, we have been inhabiting these places and still we are inhabiting all these places. Before the coming of the British, we were having great connection with the rest of the Mikirs. After the coming of the British, this has been joined with the Khasi Hills.

Mr. Chairman: When was that done?

A.—Since the coming of the British, these areas have been included in the Khasi and Jaintia Hills.

Mr. Chairman: Are these plains or Hills?

A.—These are all Hills.

Mr. Chairman: Supposing you receive in the democratic Khasi and Jaintia Council which will be formed the same powers as other people will have, what objection can you have to remain here?

A.—For living in the Khasi Hills, there is no proper improvement in the lands of the Mikir people. We want to join our people. Therefore we intend to be united in the new District that is proposed to be formed.

Besides the areas contiguous to the Mikir Hills, there are Mikirs in other areas. The figure 23,372 does not include the Mikirs in the other areas.

The Hon'ble Shri Rup Nath Brahma: What do you propose to do with the people who are not living in areas which are contiguous to the Mikir Hills?

A.—Let them remain as they are in the Khasi Hills. We want only areas contiguous to the Mikir Hills to be brought into the Mikir Hills area.

Mr. Chairman: Have your people got holdings of their own?

A.—There are some.

Mr. Chairman: The others are tenants of Khasi landlords?

A.—The other people do *jhum* cultivation.

Mr. Chairman: With the Khasis together?

A.—In the contiguous area, there are no Khasis who are cultivating the lands. They are simply businessmen.

Mr. Chairman: All the lands are in your occupation?

A.—Yes, because they are *jhum* cultivation lands.

The Hon'ble Shri Rup Nath Brahma: Are there any Khasi villages in between the Mikir villages?

A.—No. There are some houses, not villages. They have all migrated from other places.

Mr. Larsingh Khyriem: Do you admit that Lalunga, Nangtings, Karvangs have also villages there?

A.—There are a few Lalungs.

Mr. Larsingh Khyriem: Do you admit that these people are not Mikirs?

A.—No. They are different. They are not Mikirs.

The Committee then took up the examination of Mr. Rostanwell War Sirdar of Sohbar and others.

Notes of examination

Mr. Rostanwell Sardar presented a memorandum (Appendix R).

Mr. C. D. Khyllab one of the witnesses presented another memorandum (Appendix T).

We come from the Partially Excluded Areas, British administered areas.

Mr. Chairman: How do you propose to bring in the States to put into effect your scheme?

A.—It is for the people to negotiate between the people of the States and the people of the British areas.

Mr. Chairman: It is only after negotiation with the people that you will be able to work your scheme for a Khasi State?

A.—Even now it may be possible if you will make enquiry from the people generally.

Mr. Chairman: What about the Chiefs?

A.—Now the Khasi administration is run is; the Syiem cannot do anything himself. He must administer the State together with the Darbar and the people. The Syiem is bound by the customs that he cannot go contrary to the desire of the Darbar.

Mr. Chairman: Supposing it goes into the individual pockets of the Syiems don't you think that they will require some kind of position?

1.—That may be so; but at the same time, the people will not be so hard because they have been used to respect the Syiem. They will put him in a respectable position and give him a substantial pay.

Mr. Chairman: Would you like to give them some political status also?

The Hon'ble Rev. J. J. M. Nichols Roy: Supposing there are 30 or 33 or whatever number in the National Council. Will any seats be reserved for the Syiems?

Mr. Chairman: Mainly, as Syiems are you going to recognise any political status for them? The details will be gone into later on.

A.—The Syiems will remain as Syiems in their local States. We are willing to give them four seats reserved in the National Council. We do not want the Syiems to be elected by the Rulers themselves, but the National Council should elect them.

In matters of relationship with the province, our opinion is the same as that of the witnesses already examined.

When we want four seats to be reserved, the four seats will be distributed among all the Rulers both in the Khasi States as well as in the British Area, the Sardars and Dollois.

Before the advent of the British, the Nangpoh Sardarship was a State. It had a Syiem. When the British Government came, the Syiem whose name was Shillong, was not counted as a Syiem, but he was counted as a Sardar. Our desire is that we should get the same status as we used to have before the British came. The Sardar should be called a Syiem. From the time when the British came, though the name of the Ruler was called Sardar yet the Ruler has always been elected from the Syiem's clan. Only the name has been changed.

Representative from Nangpoh: We have always tried to get back to that status until now. The British Government promised many times to investigate about this but they never did anything and our prayer is that it may be considered because the Nangpoh Sardarship is quite different from the other British Sardarship and therefore it is our prayer that you will see what can be done for us. We are

status of the Sardar to be raised as the Syiems. Now in some cases the Sardar has the same rights as the Syiems. We want they should now be considered as States.

Representative from Langrin: After the British came to this District, they took away our rights to our lands and forests and we want them to be restored. Encroachments have been made on our lands by the British Government. The boundary which used to be very much lower down the valley has now been pushed up to the Hills.

Sardar of Bairon Klip Mohan Roy: I want to get back the rights to the forest and lands that have been taken away from us by the British Government. We also want to have back Theriahat.

Dumbu Rai-Headman of Turma: There is a village just on top of our village which has been taken over by the Syiem of Langpoh. We want to have it back.

The Hon'ble Rev. J. J. M. Nichols Roy: These are disputes over which the Committee has no jurisdiction.

The interview ended.

The Committee then examined witnesses from Myllem State. The witnesses handed in a Memorandum to the Committee—See Appendix S.

Witness: We all belong to the Myllem State. We don't represent the Syiems. We recognize the necessity of getting the sympathy of the Syiems for the fructification of our Scheme but so far they have not made any move. So we would like to present our views.

Mr. Chairman: The State that you propose cannot go on without the finances of the State which are at present enjoyed by the Syiems. Would you not in such circumstances think that the Syiems should come into your Scheme in order that your Scheme may work.

Witness: Yes, that is what we would like. We have to negotiate with the States. So far we don't get any lead in the matter.

*Q.—*Do you think it is rather difficult to negotiate with them because there is still the Political Department influencing the Syiems? And do you recognize that from August 1947 the British Government gives direct control to the Syiems?

*A.—*Yes. We think when the British Paramountcy has been withdrawn, the people will have greater voice to influence the Syiem. Moreover the Syiems in the Khasi and Jaintia Hills do not enjoy sovereign powers over the people especially over the land. The soil belongs to the people. The Syiem himself cannot speak for the people. The people are to be consulted.

*Q.—*Do you realize that the Sanads and terms of contract are with the Syiems and in their names?

*A.—*No. The Sanads are only letters of appointments of the British Government without the consent of the people of the State. That is the position that the Khasis have always held. The Sanads

are the creation of the British Government and the people of the Khasi Hills do not recognize this Sanad. The Syiem has no right. It is the British method.

Q.—But the surrender takes place according to British methods. Therefore with the going of Paramountcy, the people should come in and create those conditions.

A.—Now independence comes to all—not only to the Syiems.

Q.—In order that the transfer may be entirely peaceful, don't you agree that it is necessary to have some kind of understanding with the Syiems?

A.—Yes, it would have been a better procedure. We are prepared to do it now. We are ready to give certain seats in the Council for the Syiems. The Rulers of all Khasi States including the Dollois, Sardars and Syiems should elect the seats that we will reserve for the Syiems. There are 3 Myntries here of the Mylliem State—

1. Son Rai Basan.
2. Omangi.
3. Ohiman.
4. Edwin Majow.
5. Basan Krit of Nanumlong.
6. Wasid.

We would like to reserve no seat in the Executive Committee. We would like to leave it free for election. The Syiems could have the same rights as other people. We have given them 4 seats and in addition they can stand in the general election.

Q.—If the new State is to function as you envisage, it shall curtail certain powers of the Syiems. It shall have to take out certain revenues from the hands of the States in order that it may become the revenue of your Bigger State. Do you anticipate any opposition from the Syiems if this is done? You shall surely require money to run your administration. At present the finances are allocated to the State by royalty on timber, minerals, etc. You may have to appropriate some of these if you are to have any finance.

A.—Yes, that is inevitable.

The Hon'ble Rev. J. J. M. Nichols Roy: The British Government has already passed order that the Syiem will get only 1/8th of the income of the State. They cannot appropriate any more than that. So the Syiem remains there. He will rule according to customary laws as hitherto but regarding finance it is altogether in the hands of the Durbar and he will get only 1/8th of the income of the State. If the people choose, they can give him a bit more.

Witness: That is the construction of the State. The Syiem will have nothing to do with the Durbar. But for the Political Officers, he will be guided by the wishes of the people of the State. Otherwise he will not be able to do anything.

Q.—In respect of your relationship with the Province, I think your views are not very different from those of the other friends we heard?

A.—No. We agree with their views. We would like to remind you of the statements made in our Memorandum—last para.

Mr. Chairman: These are complicated questions. These are beyond the terms of reference of this Committee. Anyway they will be taken note of.

The interview terminated.

(The Committee adjourned till 3 P.M. on the same day.)

The Assam Excluded and Partially Excluded Area Sub Committee reassembled at 3 P.M. at the Assembly Hall on the 12th June 1947, the Hon'ble Bardoloi in the chair.

Miss M. Dunn presented herself before the Sub-Committee to give evidence.

Mr. Chairman: I thank you for having come here. You know of course what brings you here, it is a matter of troubling you to give certain opinion. We take it that you represent a certain opinion among the Khasi people, particularly the Khasi women and we shall be grateful if you would be pleased to tell us what you think best for the future of the Khasi people, the excluded and partially excluded areas and if you feel disposed to speak anything about the Khasi people as a whole, and even in the States also. You know of course that the recent declaration makes it necessary that steps should be taken and taken as early as possible and certain very important questions arise in reference to the States, because the British Government is going to withdraw from the picture and it is we ourselves who have to frame our own constitution and decide the relationship which the hills may have with the plains areas. This Sub committee was set up by the Constituent Assembly. We have toured as you may have heard almost all the hills and the only place now left is the Khasi and Jaintia Hills. You know that the Khasi and Jaintia Hills is composed of those areas owned by the British Government and some villages interspersed among the States and certain contiguous areas like Shillong. Now could you tell us how you would like these areas should be administered? There are three things by which you can judge. To what extent it can be autonomous and it can be administered entirely by the Khasis themselves. Secondly what subjects you think there should be which can be administered as common between the Khasi Hills district and the Provincial Government. And thirdly what the relationship may be through the Province with the Unit. It is in reference to these three aspects that we want your opinion.

Miss M. Dunn: In my opinion these are very vital points. As far as I understand and gathering from the talks with different people of different political colour I understand that every one of them stands for what you call Independence. By that the Khasis mean that they do not wish to subject themselves in any way to any other Government, be it provincial or otherwise. We have a peculiar system of Government here. Our Rev. Nichols Roy himself knows how much the people have been holding meetings and fighting there has been and they have been talking and talking about this. They do want the independence of the Syiems. You asked me to say about the relationship between Khasi and Jaintia Hills and the people of the plains be it through the Provincial Government or straight with the Indian Union.

Mr. Chairman: I put in three categories. In the first place there is the autonomy in the Hills and to what extent that autonomy can be exercised. Secondly that autonomy should be so complete and it is for you to come to the conclusion that it could be independent to the extent of complete independence in itself, because in that case the question of relationship will not arise and it will only arise between two partners or it may be between two parties who want to opt together just as you are working in reference to the partially excluded areas. The question of relationship with the Centre arises only after you have decided that there are certain things over which you cannot exercise that autonomy.

Miss M. Dunn: No people whether they belong to a province or a separate state can exist isolated by themselves. They will have to come to some other set of people for certain relationship on certain matters. We cannot be isolated there is no doubt about it, but I would submit that we do not need to be under anybody. For example, there is a proposal that these hills should send representatives to the Provincial legislature.

Secretary: Are these hills not already sending a representative to the Provincial legislature?

*A.—*We are talking about a new order of things. The States portion is not sending representatives to the Legislature. Shillong is very peculiar. It is divided into two portions. There is the Syiems portion and the partially excluded areas within the Municipality and the British possession. Those areas only send representative to the Provincial Council and that is not a very happy position because they must necessarily be very few in number. And then we have got our own customs which are so entirely different from the rest of India that we would not like the Provincial Legislature to legislate for us.

Mr. Chairman: You mean to say in respect of the peculiar customs and manners and your land tenure.

*A.—*Land tenure is very important from our point of view.

Mr. Chairman: In regard to that you would not like any provincial legislature to be legislating?

*A.—*My view is that I would not like this complete submission or association.

Mr. Chairman: There can be no question of submission in democratic state.

A.—It will not be democratic. They are so few in number that we will be outvoted by the rest.

Secretary: Perhaps you have gathered these ideas from people outside or from papers which have given you certain pre-conceived notions. At present these hills are considered to be a part of the province and because there is a certain area in which the inhabitants have got certain special customs and rules and laws of their own it is to be considered whether it is necessary to make these areas partially excluded or not. The question of applicability or otherwise of legislation passed by the Provincial Legislature can be considered separately. That provision is there. That has meant to some extent taking these areas away from the scope of the legislature in that any legislation passed in the first instance will have to be scrutinised to consider its suitability before it is applied to these areas. This was supposed to be done by the Governor, it appears, in his discretion. In the future, in the change which is coming there will be no Governor in that sense that he would be considered something apart from the Province and apart from the legislature. There may be a head of State but he will have to be chosen by the Province as a whole by one manner or another, either by direct or indirect election. Therefore the question now is: how is the administration of these areas to be carried out without in any way damaging their special interests or their special laws and customs or their special rights. Sending representatives is really asking you to form a part of the Government of Assam in which you have as much right over the rest of Assam as over these particular areas from which you may be elected. We are only asking you to associate yourself in a common Government and there is no question of subjection or dependence. If you think that there is going to be a new domination imposed upon these hills, I submit that would be a wrong starting point and therefore it is better to look at it from the other point of view which I have stated: The question is how the administration of this area is going to be carried on without harming your special laws and customs and without wiping out your language.

A.—It may be in this Committee we are not entitled to discuss what I am going to submit now. But as I have been invited, it would not do any harm. What our people would like, this is not my own personal view, but what our people would like, is that all the so-called British possessions should be returned to their parent State to start with. These States will be governed by their Syiems in the proper way. I know that they will not endanger our rights or our interests.

Mr. Chairman: The States will be revived as before?

A.—They have not died.

Mr. Chairman: As you know there are as many as 25 States. They should all have a separate existence?

A.—They would rule as before.

Mr. Chairman: Just as before, each State with its own people?

A.—I know that there is a federation of States. They have come together; they have drawn up their own system of administration on common matters and I do think that we should not let any outsiders interfere in these matters. Association we cannot avoid.

Mr. Chairman: Is this the general opinion you have gathered?

A.—Yes.

Secretary: You can give your own opinion also.

A.—There are certain subjects, certain matters which we will not be able to deal entirely by ourselves. There must be association with a sister Government. Everybody realises that. You yourself cannot be independent of Bengal or the rest of India. Assam by itself cannot exist. In the same way, the Hills people cannot. But what I would submit is the subsequent relations between the Syiems and another Government should be by negotiation between the two. Both will be sovereign.

The Hon'ble Shri Rup Nath Brahma: Are you speaking for the Khasi Hills alone or for Jowai Sub Division also?

A.—Jowai and ourselves should not be separated. Surely, Jowai people have given evidence and they must have told you.

Mr. Chairman: Which is the State with whom you are going to negotiate?

A.—We ought to leave that to the federation of Syiems.

Mr. Chairman: It may be possibly Sylhet or Eastern Bengal or Assam?

A.—It is not for me to say that.

Secretary: It has been made clear that time is very short. Therefore this is a problem on which some complete opinion has to be expressed now and things cannot be put off. The main point is there is no federation of Syiems at the moment.

A.—There is one.

Secretary: It is not a recognised federation in the sense that it has no statutory sanction. All the Syiems do not recognise it. None of the Syiems has approached us. Some have even expressed the opinion that they do not want to appear before us.

Witness: For the purpose of the States, this Committee is *ultra vires*; this Committee has no jurisdiction. You cannot examine the State people. They have got a different channel.

Secretary: We have to consider the British portion in the first instance. Would you kindly state something about that?

A.—This is quite definite. I visualise not a British portion and a State portion. I visualise one united Khasi State in the new order of things.

Secretary: Now, the new order of things may be such that we have to confine ourselves in the first instance to the British portion and then only possibly by negotiation, etc., create another order in which the States will be grouped or joined with any federation. For the time being, the federation is a thing of the somewhat distant future, if not very distant.

*A.—*If this Committee has any voice in the proceedings of the Constituent Assembly, I should like them to press that there should not be two portions of the Khasi Hills, but there should be one united Khasi State.

Mr. Chairman: Would you agree that it is the voice of the people that should prevail in the creation of that State? You are supposed to be a democratic people.

*A.—*I was talking of keeping to our old custom of keeping on the Syiems.

Mr. Chairman: In the formation of the State which has definitely not come into existence, would you like the voice of the people should prevail? That is the question.

*A.—*We are an entirely democratic people. That is the fundamental principle of the Khasi people. To reiterate it is superfluous. In every way, whatever we do, it is all democratic.

Mr. Chairman: You agree that it is the voice of the people which should prevail in the formation of the unit that you are going to form.

*A.—*Even our Syiems are elected. They will speak our voice, our opinion.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you mean to say that the Syiems even now voice the views of the people?

*A.—*Do not they have a Darbar?

The Hon'ble Rev. J. J. M. Nichols Roy: I want to ask you definitely. Do you think that at the present time, the opinion of the Syiems is the opinion of the people of the country?

*A.—*We are not talking about the present time. What we are trying to formulate is what we would like our future to be. Everything will mould itself in the future State.

Mr. Chairman: We shall have to mould it.

*A.—*We will mould it.

Secretary: We have to proceed on the basis of what we have in existence at the present time.

*A.—*We have to build on the present. We have already got the Syiems. These isolated areas which are called British possessions, should be returned to the Syiems.

The Hon'ble Rev. J. J. M. Nichols Roy: Suppose the people in these portions do not want it, what will you do? The British area which used to be in the Cherra State do not want to join the Cherra State.

A.—What will you do in the Assemblies if a certain minority do not want a thing whereas the majority want it? Why not have a referendum? We cannot be hypothetical about it.

Secretary: You state that you would like all the Khasi areas to be united into one. You have also stated that in the present day world, these areas cannot regard themselves as isolated or independent. Would you proceed further to say what their relationship should be with Assam in the first instance and with the Centre in the second instance?

A.—I say we should leave that for negotiation between the two sovereign States.

Mr. Chairman: Before you gain sovereignty, all that has been maintained by the Assam Government should be withdrawn. Completely cutting away means this. Would you agree that all functions that are now being discharged by the British Government in respect of the protection of the Hills, in respect of the defence of the Hills, all this should be withdrawn, whichever is in excess of the revenues which this part of the province gets. Are you prepared to say that?

A.—Surely, that will be the subject of negotiation.

Mr. Chairman: Why not negotiate now? You claim first independence and then negotiation. Why not negotiate from now? When you say independence is not merely in theory, if you are really a sovereign state, then let it be understood with its full implications. Whatever the provincial Government, or the Central Government have, all that will be withdrawn and you will make up your State. After that, you will negotiate. Is that the position?

A.—That is a thing which should surely be discussed between the Government and the Syiems. It is for them to decide.

Secretary: If you leave it entirely to be done at a future date, that means getting no further. Will you put yourself in the position of a negotiator, or at least a person interested in these negotiations and say how these should be connected and what relations should be?

A.—This is not a subject for the Committee to discuss. I do believe that the Syiems have sent up certain representations with their proposal to the proper authorities. If you want to know anything further about that, if the Constituent Assembly wants to know anything further, they may refer to them.

Mr. Chairman: That is not the subject matter of my enquiry. You have just now stated that you are interested that all the people of the Hills are combined into one State and in that statement, you are also exceeding the limits of the scope of my enquiry, or possibly than what you have got to say.

There are only two ways in which you can conduct an enquiry. You can surely speak about the formation of the State which means also an encroachment on the rights of the Syiems, which means, at any rate a thing very much different from what pertains today. So far we have been able to get some opinion of the people. As I said, we have very little to say as a kind of final recommendation in reference to what

the relations of the Syiems will be with the future Government. As I said just now, you are just now going into ground which is not properly relevant to the scope of our enquiry. But at the same time, we are taking their views to ascertain what their hopes and aspirations are and it is only from that stand-point I was talking. So far as you are concerned, you are from the Partially Excluded Area and you can surely give your opinion what you think of the Partially Excluded Areas.

A.—I am a State subject. I do submit that a Khasi in a British village is not different from a Khasi in a State. Their customs are not different.

Mr. Chairman: That is why the scope of the enquiry must extend to the views of the people of the States also.

A.—Therefore I say that they all should be one first.

Secretary : There are the States. They may not want to federate. Some of them may be opposed.

A.—They have already federated.

Secretary: It has not come before us. I believe that federation is by no means complete. In any case, when the British power is withdrawn, what happens is that the British portions will be left in their present position. You have to consider it from that raw fact which faces you. You cannot possibly go on saying that federation will be formed in due course and negotiations will take place, because the federation cannot be formed at once. It may be formed later on. But what we would request you is, assuming that the British power is withdrawn, how should the administration of these areas be carried on until the federation of the whole area under the Syiems takes place. In fact, the Committee has reason to believe that the federation desired by the people who have been examined so far is not a federation under the Syiems, but a federation of the people over the Syiems. It is not going to be an association of the Syiems, but an association of the whole area under the so-called National Council in which the Syiems will have a comparatively small part to play if they are allowed to exist at all. That is the position.

A.—That is the position that I want to object to to start with. This is what I know. There is a federation of Syiems and that federation has submitted proposals.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you mean to say that any agreement among the Syiems can be legally imposed on another part that does not want to obey that agreement? Has that federation been made legal? Does that have statutory authority? It does not have to my knowledge. It is only a coming together of the people in a conference and talking together what they want to do and what they do not want to do. That is not a federation. In reality, it is only a desire to form a federation. To say that there is a federation is altogether wrong.

A.—I think there is a federation. This is what I know.

Mr. Josingh Rynja: Let us not talk about any federation now. We aspire that there should be a federation of all the States and all the areas of the District into one. Is it not so?

A.—Yes.

Mr. Josingh Rynja: You say that there should be negotiation between that future State and the province or any other State outside that State. What we have to consider at present is, in the interim period, when the British Government leave the provinces, what will be the position before the formation of the State of ours. I do not suppose this Committee is opposed to a federated State. We may assume that the Committee is not opposed to that. Pending the formation of the State, what do you think will be the position?

A.—This is what I submit. This is what I was told by the people who know. There is already a federation and this federation has submitted proposals.

Secretary: You may base your arguments on what you know. This Committee is the Committee which has jurisdiction to report on the kind of administration for these areas. Any proposals coming from the Syiems will ultimately come before this Committee. It has not come so far. The main point is to have your views regarding the administration of the areas which are now called 'Partially Excluded Areas' until the future state of affairs develops and we will greatly appreciate your views.

Mr. Chairman: To put it very plainly, there are only two alternatives, either to allow the continuance of the existing order of things till the formation of the federated State, till the federated State takes over.

Witness: For the interim period, say a certain number of months?

Mr. Chairman: It may be a certain number of years. If you push up the claims of the Syiems, there will be bloodshed and nothing else. If the Syiems agree to democratic methods, it will come about sooner. But there is no doubt some time will elapse before the formation of the State. In the meantime, is it your position that the Government which comes into existence in the shoes of the British Government, may be the Central Government, may be the provincial Government, whatever it may be, should withdraw altogether from you and leave you to do as you like, or would you like some kind of interim arrangement should be made and if so what that arrangement should be. You have got to say, carry on the administration as it is run today, or I am independent.

A.—I started by saying that we cannot exist isolated without any connection with any other Government. My submission is this. I would like such relationship to be as between two independent States, two sovereign people. That is in short my submission.

Mr. Chairman: That will be a matter of the future about which we shall discuss later on. In the meantime what do you propose to do in this period. The future will look after itself.

A.—We have got to build up from now. What we begin now will be continued. We are now laying the foundations. It will be difficult to shift the foundation. Therefore, I want to begin with independence.

Secretary: If you say, we are independent, we cannot have anything to do with you. You have stated that you cannot remain isolated. You will have to have certain relationship. The question is what that relationship should be.

A.—My contention is this. I go back to the same thing and I hope you will excuse me. I cannot help this. I believe there is this federation and this federation has already submitted its plan for the future administration of these areas. The future may mean tomorrow or some years hence.

Mr. Chairman: Where will you be in the meanwhile?

Witness: I hope you are not asking for my personal view?

Secretary: We are asking for your personal view, particularly as you have been a Minister of this province.

A.—It is difficult to take that responsibility.

The Hon'ble Rev. J. J. M. Nichols Roy: The difficulty is whether we can be left to ourselves during the interim period.

Mr. Chairman: Regarding your future State, I propose to ask some questions what should be the relations of the Syiems. In the interim period, I suppose you have got to assume that the present things will continue.

A.—It is very difficult for me to say.

I am not ready to express my personal opinion. I just will not. The views that I have given are from the talks that I have had with very large number of people. I want each State to maintain its independence as before, all the Khasi States.

Q.—This Federation that you are proposing of the States, who will run the affairs? Will it be only by Syiems?

A.—Well there will be representatives of the people also.

Q.—What proportion you will give between the people and the Syiem? What should be the composition of that body?

A.—I don't know what they have already formed. The Governor and the Viceroy have that information.

Q.—We have no information. There is a plan for the revival of the old Khasi and Jaintia kingdom when the British leave. Will you like it?

A.—Yes, I will like it very much. He can have the Jaintia parganas. I don't know what the Jaintia people have asked. Personally, there is no objection to restoration of anything. It is on that principle that I have been advocating all this.

The interview came to an end.

The Committee then examined the witness from Nongkhlaw.

Q.—Do you want that there should be separate treaty with each of the Khasi State?

A.—Yes.

Q.—Don't you wish that all the States should combine together?

A.—I have not thought about it. When the States will have full independence, the Chiefs and Syiems should be elected. The Syiems Durbar will be able to depose the Syiems if Syiems do not act properly.

Q.—Supposing the people say that they shall be connected with the Provincial administration in some way or other, would you agree to such a proposal?

A.—Yes, by treaties as I have said.

Q.—If the people say that they will be with the Provincial Government in reference to certain matters, e.g., education, communication, etc., would you agree to that?

A.—That will be decided at the Durbar of the Syiems.

Q.—There will be certain matters which the Durbar do not do to-day. The Syiems Durbar for example do not have police to protect them. Supposing another Syiem comes and attacks him, has he any army to protect him? In that case will you agree that this thing will be done by some law by the Provincial Government?

A.—Once there was a famine in Nongkhlaw and the British Government had to loan about 2,000.

The Hon'ble Rev. J. J. M. Nichols Roy: Then the British Government appointed the Syiem. Now you will be completely independent. What Government will come and help you?

A.—Something should be provided in the treaties for such help when needed so that in case the Syiem finds any difficulty, he should approach the Provincial Government for help.

Q.—Supposing the people of the states want or the Durbar want to be united with the Provincial Government under certain conditions, what will be your opinion about that?

A.—If it is a majority decision we have to abide by it. Nobody can prevent it. Even they can throw out the Syiems. I am a Government Pensioner. I took my pension in 1934. I agree that there should be some representation in the Provincial Legislature. We don't want a large number. For the purpose of utilizing mineral, timber etc. for the good of the people we want technical education. The Syiems have not done uptill now. Hereafter we shall insist on them to do it. If the Syiems cannot do it, then we will have to seek the help of Provincial Government and join them for education, agriculture, medical aid and communication.

(The interview came to a close).

The Committee began to examine another witness from the British portion.

Presented a memorandum (Appendix T).

Q.—You are proposing a Constitution for the entire people of the Khasi and Jaintia people. You have seen Mr. Nichols-Roy's scheme also.

A.—Yes. My scheme differs from his in certain aspects.

Q.—I want to know whether anything approximating these conditions prevail in your existing village organizations.

A.—In former times it was so. Now they have curtailed the powers of the village council. The British Government have done that. I am from a British village. The village administration at present in the British villages is better than the State village administration. They have still certain local autonomy as regards rights and control over forests. Anybody cutting down a part of forest must pay compensation which goes to the village fund. We shall also have a group council of the villages. That is my proposal. A number of villages shall form into a group council. We have an instance of that in Shella State. There is a State Durbar and matters of common interest are discussed there.

The Hon'ble Rev. J. J. M. Nichols Roy: There are some other Group durbars also as in the Shella States. There is a State Durbar also which is of all the States. These exist to a certain extent in the Khasi and Jaintia Hills. The Institutions that are existing in most of the States will probably require to be made to progress.

A.—I propose all these group councils should constitute our Council for the whole State and we are proposing indirect election. Only in village we have direct election. For the Federal Council election should be by indirect election. I propose even for the Assam Legislative Assembly election should be by indirect election by the members of the National Council.

Q.—In reference to the relation of this Federal State to the Provincial Legislature you have already said that the connection of the States with the Union Government will be on the subjects of Defence, Communication and Foreign affairs. Probably you have based on the Cabinet Mission Plan. If that plan is changed, probably you shall be agreeable to the Union exercising much wider powers if it is so decided in the Constituent Assembly.

A.—If the majority decides, we have objection. We want connection with the Provincial Government for University education, higher technical training, transport and communication, agriculture and irrigation. Law and Order on a higher level also may be included. While we will have our own Federal Police, we still need the help of the Provincial Government.

Q.—Would you also wish that the finance in reference to the administration of subjects which are common between you and the Province should be dealt with by the Province? Surely you shall have the right to tax in the sphere of responsibility that you discharge but so far as the subjects which are to be administered by you and

the Provincial Government the financial responsibility should lie with the Province?

Mr. Nihon Wallang: The representative of the state shall contribute as much amount as agreed upon by its representative and the Provincial Government. If we leave the matter to the province to determine that means imposing a thing on the state. On the other hand it should be by agreement. We shall try to make some adjustment. As for raising the finance it should be left in the hands of the National Council.

Mr. Chairman: So far as the administration of those subjects which you shall have in your jurisdiction, you shall surely be masters of the situation but so far as subjects which will be administered between you and the province should not that adjustment or power be left to the province?

Mr. Nihon Wallang: You have previously made a statement elsewhere in which you said that if Sylhet wished to remain in Assam, it must remain so conducting its own affairs, financing itself and maintaining her own services and in this way the chances of exploitation from outside will be diminished.

Mr. Chairman: Here also it is not said that the final authority which will allocate this revenue will not be the Provincial Government, that the province must have to pool all revenues from which according to the importance of administration in reference to certain subjects in particular districts it should get help from the province. I have not also said that there will be members of the legislature in Assam. Here I have not said what ultimately the relations will be, but in any case wherever there is a common administration don't you agree that the matter of finance should be something common?

A.—No, Sir.

Mr. Chairman: It will sometimes happen that you will actually require more expenditure than you can possibly bear with your revenues and in that case even with your contribution you will not be successful to carry out the projects that you will want to execute. It would be better in such circumstances the province could very well do that, because that will give them a better return. They will take those measures first and other measures later on, in which case the benefit comes to you I suppose sooner than it would otherwise come or would be made possible in certain circumstances.

A.—Our people would say that would mean interference in the internal affairs of our State.

Mr. Chairman: I am only speaking of those subjects which will be dealt with in common between you and the province. I am not speaking of those subjects in which you will exercise authority as for example education, village roads, maintenance of law and order in the village. If you want taxation you can surely tax in these matters. But in matters in which you are working in common, where you cannot yourself do it, being a part of the province, when you are giving the province the right of administration of the subjects, would you not

like to give the right of administration of the financial aspect of the subject also to the province?

The Hon'ble Rev. J. J. M. Nichols Roy: If you run an university and the province has to tax for that purpose, you as a unit will have to give that power to tax to the Provincial Government. Are you agreeable to do that?

Mr. Chairman: Supposing for arguments sake, some money is necessary for an university would you not give the power of taxation to the province?

A.—As regards enforcement of legislation, that is, if any law is passed by the province and if that is also introduced in the state, it will be nothing short of interference. The only point is that the state shall contribute such amount as will cover the necessary expenditure.

Mr. Chairman: That makes the position of the Provincial administration difficult for these reasons. If I cannot wait for contribution from one district and Nowgong District will say the same thing. Goalpara will say the same thing. We shall manage our own things ourselves and we shall make the contribution only. It affects the most vital matter of the Provincial administration which is for the benefit and uplift of all units. It is a most dilatory method and in certain cases impossible also. It is for these reasons that you should require safeguards in the nature of representation in the legislation and also representation in the Government itself. It is there where you come into the picture.

Secretary: You say that you are going to collect your own tax and then you would make over a certain portion of that. You do not propose that the province should have any power to tax directly from your area. That means that the Provincial Government will either have to accept what you choose to give it or leave it. Secondly, you know that everybody is not exactly a lover of heavy taxation and the lighter the taxation the better we will all like it. It is quite possible that your Council may not approve of certain taxation. They may claim that they are already so heavily taxed that they cannot afford to pay. Then again there is the question of efficiency of tax collection. In many cases local boards and municipalities are extremely inefficient in collecting the taxes. They make delays and as a consequence the Provincial Government will not be able to run its responsibilities unless and until it has got its own powers to raise finances. Take the case of income-tax which is now a central subject and probably may continue to be so. The Province has got certain powers and it has got under the 1935 Act what you may call Provincial autonomy. But in spite of that the Centre has got powers to raise its own taxes for these subjects which are its responsibility. Now unless and until the Provincial Government or the Central Government is put in a position where it can levy its own taxation for the purposes of its own responsibilities, it will soon become an intolerable and unworkable position. Therefore it is not possible to say that you are going to give us a certain contribution. Your contribution may or

may not be sufficient. Your tax collections may not be efficient and you may not be willing or even your people may not be in the capacity or at least may be unwilling to undergo further taxation.

Mr. Chairman: So far as the Central subjects we have already said that in order to carry out this function they shall have the powers also of taxation and that you have already agreed. I feel that the subjects will be very few but for actual working, those powers must remain, otherwise the provincial administration will not be possible, because the same argument might be trotted out by another district.

A.—As far as I understand our people will be against that proposal that direct taxation should be made in our state.

Mr. Chairman: Will you be satisfied if you are consulted in these matters according to your own opinion? I do not know how far it may be possible to make that. I suppose your point of view is that your Union at least should be consulted when a taxation of this kind is proposed.

A.—I say that it will be left to the National Council to collect the taxes.

Mr. Chairman: It may be that the amount may be smaller in certain cases and the amount may be bigger in other cases but the main point is to whom are you going to leave that responsibility which should be commonly borne by the Council as well as the Provincial Government. Are you prepared to modify your views to the extent of saying that it will be the Provincial Government which shall do it but shall do it in consultation with your Council?

A.—No, Sir.

Mr. Chairman: Supposing our administration fails on account of this non-co-operation. Supposing these districts which enjoy autonomy to the fullest extent possible do not allow the Province to act and on account of that the administration of these subjects become impossible, what will you then do? Your example may be followed by one hundred other groups. You will thus be creating a position which may be viciously followed by other units also.

Mr. Josingh Rynja: We need higher education, technical education and also a public health department and communications. We know also that it is difficult to impose taxes on the people. Is it not difficult not to impose taxes on the people?

A.—The people would be convinced that it is not so easy. It is possible that the National Council will be convinced and will try to convince the people to pay such taxes.

Mr. Chairman: Therefore will it satisfy your purpose if such measures are done in consultation with your National Council? In that case you get the opportunity of discussing in your National Council. Your representative is already there in the legislature. You can very well agree and it is competent to say in your own interests that it would satisfy you if your Council is consulted.

A.—That depends I would not say that it is not possible that I should consent but the representative might at that time consent.

At this stage Mr. A. MacDonald Kongor, President of the Hills Union and of the Khasi National Darbar, was presented to the Sub-Committee for giving evidence. He presented a Memorandum (Appendix Z).

(Mr. MacDonald reads the Memorandum to the Sub-Committee.)

Mr. MacDonald Kongor: I am the President of the Hills Union. I know the Hills people have submitted memoranda separately. The Hills Union was established in 1943 and the Khasi National Darbar was inaugurated in 1922. This Union comprises all the Hills, Garo Hills, Naga Hills, Lushai Hills, etc.

Mr. Chairman: You know that in the various Hills except the Garos probably, different shades of opinion were given. Do you subscribe to the opinion given?

A.—These were not submitted through me. I can say nothing. I had no occasion to see the representation submitted by the Garos. In other words they had given their opinion without consulting me.

This statement was drafted by a Committee appointed by the Khasi National Darbar. The Committee was appointed on the 6th of this month, after we received intimation and purposely for this Committee. I am submitting this memorandum both in my capacity as President of the Hills Union and of the Khasi National Darbar. I heard many representations have been submitted by the people of the Partially Excluded Areas as well as from the States. They have been given without my knowledge and without coming through the Khasi National Darbar.

This independent State has not yet come into existence.

It will take some time for the federation to come into existence. But in the Khasi Hills, it will not be difficult.

Mr. Chairman: Have you in the meantime any knowledge of the approach either on behalf of the people or on behalf of the States for the formation of the State that you are proposing?

A.—Yes. We have had meetings with the heads of the Khasi States. We have had consultations with a good number of Sardars from the British Areas also with a view to come together and form a State.

The Syiems have agreed to make substantial contribution. The Syiems of Myllem, Khyriem, Nongspung have agreed to surrender a part of their revenue for the creation of this State.

We have not yet come to a final decision in regard to the machinery of Government of the State and the place of the Syiems in it. The question is receiving our serious attention. As a spokesman on behalf of the Khasi National Darbar, I do not think it is wise for me to commit anything by expressing my individual opinion. It is being

very seriously considered. Therefore, I think it is better for me for the sake of the whole project, and proposal that I express nothing here.

Mr. Chairman: That means to say that you do not propose to say how your legislature or executive or State should be constituted?

A.—We are already accustomed to a democratic system of Government in the States as well as even in the British areas. I feel there will be no difficulty in coming to a solution on democratic principles.

Mr. Josingh Rynja: It is generally agreed by the Syiems and the people from the British areas that there will be a federated or confederated State?

A.—Yes.

Mr. Chairman: What share will the Syiems have in the State of your contemplation? Are you thinking in terms of any reservation of powers for the Syiems?

A.—We cannot deal with the Syiems as separate individuals from the Darbars.

Mr. Chairman: Your point of view is that Syiems would not receive any consideration in taking a share in the administration of the State apart from the fact that he is a member of the Khasi State? Is that the position?

A.—Yes.

Mr. Chairman: In other words, you would not like to have any reservation of powers for the Syiems as Syiems?

A.—No. Except in the matter of clemency which used to be our custom in the case of punishments.

Mr. Chairman: You want to abolish also the present jurisdiction of the Syiems?

A.—No.

Mr. Chairman: You will surely curtail some jurisdiction in regard to financial matters?

A.—In financial matters, we shall have to curtail.

Mr. Josingh Rynja: What do you think about the present administration of the Syiems? You think they are administering according to the old customs in Khasi democratic ways?

A.—To a certain extent they still adhere to it. But during the British regime, much power was given to them. I should think that power was given to them against the wishes of the people.

The Hon'ble Rev. J. J. M. Nichols Roy: Supposing the people have their own way, do you think it will change the conditions a great deal?

A.—Not very much except that they will try to follow a democratic system of administration. That means they will go back to the old customs. According to the old custom, the people can also depose a Syiem and elect anybody.

Mr. Chairman: You think that your old democracy suffered during the regime of the British administration in the States?

A.—Yes, to a certain extent by the political officer recognising the head of the States even against the wishes of the people.

The Hon'ble Rev. J. J. M. Nichols Roy: Do you think that the Political Officer can be withdrawn and no political officer is necessary after August 1947?

A.—I do not think we need any more political officer.

Mr. Chairman: In any case, you have admitted that there will be some time before you will be able to bring into existence your new State. What will you do in the interim period?

A.—The present things will have to continue till a better arrangement can be made. In the meantime, we will try to develop our statehood.

Mr. Chairman: You generally agree that in the present day world you cannot have an isolated existence; nobody can have an isolated existence. Therefore you have got to assume that you must join hands with some power by treaties, by agreements, by common understanding. Supposing the people of the plains do not want to interfere in your local customs and manners, the regulation of your life and so many other things, would you not, for the purpose of common development in matters, say, higher education, trade and commerce, ally yourself with the neighbouring province like Assam?

A.—As it is now, we cannot say what is to happen to the province of Assam. Therefore we have avoided saying anything about that.

Mr. Chairman: Now, there is no doubt about Assam. It is quite clear now. The question is only about Sylhet. Will the separation of Sylhet make any difference? Would you not like to have certain things in common between this province and your unit?

A.—So long as we are allowed autonomy, we would have no objection to joining our neighbours in regard to things which we cannot administer ourselves. We want to have perfect autonomy in internal affairs.

Mr. Chairman: Apparently, it cannot include communications which extend beyond your borders?

A.—We have stated that in the matter of communications, we will have to share.

Mr. Chairman: Would you not like that this should be a matter of common administration in which possibly you have some say and we have some say? If the idea of independence is carried to its maximum limits, it comes to this: I will be there in the boundary and the rest of the things you shall have to do yourself. Will you not take an example. Take the case of higher education, technical education, development of hydro-electric power. These are subjects which we will jointly administer? I am only

which will require joint efforts both for the benefit of you and of us all. Would you not like that they should be administered by a common agency, I mean the provincial agency in which you participate and I participate?

A.—These are all matters of detail. In principle, we have got to work together in matters in which we are jointly connected, and also in regard to the financial implications of carrying out these subjects.

Secretary: You have stated that the Muslims have asked for separate homelands and that the His Majesty's Government's proposals have practically conceded this demand. You have stated according to the same principle, on stronger grounds, the Hills people demand self government. To begin with, I presume that you have taken note of the Viceroy's and His Majesty's Government's very clear opinion that they do not favour this division of India into two different areas?

A.—We have been reading daily from the papers.

Secretary: Have you noticed this particular point?

A.—India is being divided.

Secretary: Have you noted the expression of opinion that the division of India is not recommended by them and it is not in accordance with their desires?

A.—My opinion is quite the contrary.

Secretary: Have you just noted that?

A.—I have noticed that.

Secretary: The next point is, the population of the areas which are proposed to be divided comes to something like 54 or 55 millions. Are you aware of that?

A.—I have not taken note of the numbers.

Secretary: In any case, if the population is something like 50 millions, would you perhaps not hesitate to apply the same analogy to an area which may have something less than three lakhs?

A.—As far as we are concerned, we should not be treated on a population basis.

Secretary: What I am saying is this. Would you perhaps not hesitate to adopt something which may be all right for 50 million people, but may not be all right for three lakhs?

A.—We shall have to hesitate at every stage and ponder over matters.

Secretary: Have you taken that also into consideration?

A.—We shall have to hesitate and take into consideration as things develop.

Secretary: If you are taking an attitude that you will do something and are not prepared to say what exactly are the factors you have taken into consideration and what you have not taken into consideration,

it seems there is very little ground for discussion. I am asking whether these facts have been taken into consideration by you.

A.—We cannot say we have taken all things into consideration.

Secretary: You have stated that there are a number of commodities which will be exported from your area and that the export duty will bring in sufficient revenue. In the result, it may be, either your people will have to sell for a lesser value or your people will have to make some sacrifice.

Mr. Chairman: He has agreed that so far as trade and other matters are concerned, he has got to go with the neighbouring province.

Secretary: The next point is, you are going to be a small area which claims to be independent. Will it serve any purpose for America or Britain or any other country to enter into an agreement with a small area with three lakhs of population somewhere in the Hills of Assam?

A.—I would not express any opinion on such matters.

Secretary: You are not imagining a case of Khasi and Jaintia Hills being outside India or outside the province?

A.—No.

Secretary: What exactly do you mean by independence?

A.—We should no longer remain as a dependent State. We want independence in the same sense that India is wanting independence. I mean independence within India. By independence I mean independence in all internal matters.

Secretary: Independence in the nature of sovereign states which will enter into treaties, etc.?

A.—No.

Mr. Chairman: You want to be connected with Assam, with a larger share of autonomy that is possible to be enjoyed by a set of people. Is that your idea?

A.—Yes.

The Committee then began to examine Mr. L. D. Basan, Editor, U. Khun Kahi and Mr. Nihon Wallang, Editor, U. Lushai.

Q.—What is the circulation of your paper.

Mr. Basan: About 2000.

Q.—You know the change that is taking place in India and you know also that it is the intention of H. M. G. that they will have nothing to do with Indian Government from August 1947. You also know the purpose for which we have come here. We wish to know your views about the future administration of these areas.

A.—We want one united Khasi and Jaintia Hills. Its Government must be like that of the United States.

Q.—You say it will be like the U. S. A., but the U. S. A. have separate states and they have a strong federal centre. Now, what do you propose? Is it your idea that your State should also be a sort of independent state, all coming together under a strong federal union?

A.—There must be some reforms inside the States. The States are now run not in a democratic way as was the case before. Now every ruler is autocratic and we want to reform it to democracy by reviving the old customs and rules so that the rulers will only be constitutional rulers. As far as the internal administration is concerned, the states will remain as they are. There should be a National Durbar to supervise the administration of various states. We have started negotiations with the Syiems but it will take some time to come to a settlement. Till then the present conditions can continue. In the National Durbar any citizen of the Khasi and Jaintia Hills may be elected as the President. We want direct election by the people themselves. We will have an Executive Council. The members of the Executive Council will be taken from the National Council. They will be elected by the National Council. The President will be from among the members of the National Council, and not an outsider. About 4 or 5 Syiems can be accommodated in the National Council. They should be elected to the National Council. Now we want that big states having a population of over 5000 may get a seat in the National Durbar automatically. That will make 7 or 8 seats and they will be elected according to the constituency. At present in the Durbar we need about say one member for 2 to 5000 people. Those areas having more than 5000, whether Dolloiship, Sardarship and Syiemship will get automatically a member in the Durbar but they will all be elected. The Head of the State becomes a member of the Council. The selection depends upon the people. My opinion is there should be 7 from the Syiems and 5 from Dollois. 12 altogether will have to be taken to the National Council without any election.

Mr. Nihon Wallang: My opinion is that there should be reservation of about 5 seats to be elected by the Rulers themselves and the rest to be elected by the people from particular areas in the proportion of 2 to 5000.

Q.—Have you had any negotiation with the Chiefs or you know of any negotiations with them in the line of your thinking, giving reservation accordingly?

A.—We have had talks with Syiems and the Chiefs on the basis of what we have contemplated but we have not been able to get their consent yet.

Q.—What do you think should be the relation of this State with the Province? This State should have autonomy in reference to your land customs, your administration of justice, in all these you shall have autonomy. Do you agree that such powers which it will be necessary for development of this district such as higher education, medical aid, communication and law and order on a higher level, all this should be administered by the Provincial Government jointly with you?

A.—For all that we are dependent on the Province in one way but in law and order there must be only a supervision by the Province and in that matter we would like there should be some representation

of the Khasi people in the Legislature and that there should also be some representation in the Cabinet in some shape or other. So far as internal administration is concerned, we should have perfect autonomy. In reference to finance, for all these subjects it should also be the joint concern just as the same as other subjects.

(The interview ended and the Committee adjourned).

To

The Secretary,
Excluded Areas (Assam) Sub-Committee of
Constituent Assembly, Shillong.

Dear Sir,

I beg to acknowledge receipt of your telegram from Delhi inviting me to give evidence before your Committee on the 13th instant at Shillong. I express my regret for not being able to appear before you as I shall be away in Calcutta on that date.

I am, however, of opinion that there *should not be any* "Excluded Areas" in the future constitution of free India. But the new constitution should contain provisions for safeguarding the interests and for educational and economic advancement of all the backward communities of erstwhile "Excluded and Partially Excluded Areas" of this province. Past experience has clearly proved that the seclusion of these peoples from the infiltration of all civilising influences, other than through the agency of government officials and chosen Missionaries, has kept them as backward as they were when these areas went under British administration. It is for this reason that the artificial system of exclusion should be abolished. But these simple and naive peoples are also to be protected from the economic exploitation of their more advanced neighbours, and to be raised to, at least their level of education and culture, in minimum possible time. How far these aims can be realised through constitutional guarantees only are for the constitutional "experts" to plan and administrators to work upon. The suggestion of Regional Ministers for these areas, if feasible, can be experimented with.

Yours faithfully,
H. DUTT.

**Proposed Draft Constitution
OF A PART OF ASSAM, NAMELY,
THE KHASI AND JAINTIA HILLS.
BY REV. J. J. M. NICHOLS-ROY**

(Minister, Assam Government)

SUBMITTED TO THE SUB-COMMITTEE OF THE ADVISORY COMMITTEE
FOR MINORITIES OF THE CONSTITUENT ASSEMBLY OF
INDIA

<p>Total Area.</p> <p>Khasi States ... 3694·37</p> <p>Sirdarships ... 344·63</p> <p>Jaintia Hills ... 2106·00</p> <hr/> <p>Total ... 6145·00</p> <p style="padding-left: 2em;">Sq. miles</p>	<p>1. The District of Khasi and Jaintia Hills is composed of the following :—</p> <p>(a) The 25 Khasi States with a total population of 213,586 and an area of 3694·37 square miles according to the census of 1941.</p> <p>(b) The 31 Sirdarships within the Khasi Hills having a total population of 19,656 and an area of 344·63 square miles according to the census of 1941 interspersed among the Khasi States.</p> <p>(c) The Jaintia Hills which has an area of 2106 square miles and a total population of 85,807 according to the census of 1941 having 20 Doloiships and 2 Sirdarships.</p> <p>(d) The British Area of the Town of Shillong with a population of 13,202.</p> <p>2. (a) The areas mentioned in Section 1 from (a) to (c) [together with the 20 Nongwah Khasi Villages consisting of about 400 houses now included in the Kamrup district but having a territory contiguous to the Khasi Hills] shall be united under the term "Khasi-Jaintia Federated State".</p> <p>(b) The administration of the British Portion of the Town of Shillong in Section 1 (d) shall be as mentioned herein below in Section 13 of this Part. All the Khasi States, the Sirdarships, the Doloiships [and the group of Nongwah villages] shall each form a unit as mentioned herein below in Section 3.</p> <p>(c) There shall be two sub-divisions in this Federated State one to be called the Shillong Sub-division and the other the Jowai Sub-division. The Shillong Sub-division shall include all the units in the Khasi Hills [together with the group of Nongwah villages] and the Jowai Sub-division shall include all the units in the Jaintia Hills.</p> <p>(d) The administration of these two subdivisions shall be prescribed by rules.</p> <p>(e) The internal administration of all the units shall normally be as they are now with any modification or reformation necessary as shall be Prescribed by rules.</p>
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3. The following areas of different categories of the district of Khasi and Jaintia Hills [with the group of Nongwah Khasi Villages mentioned in Section 2 (a) above] shall each constitute a unit within the Khasi-Jaintia Federated State having its local administration as at present—

Khasi States Areas.

<i>1. Syiemships.</i>		(1) The fifteen Syiemships, namely :—
1. Myllem ... 65,153	Nongstoin, (vi) Cherra, (vii) Nongspung, (viii) Myriaw, (ix) Mawiang, (x) Rambrai, (xi) Nobosophoh, (xii) Mawsynram, (xiii) Langrin, (xiv) Warbah (Bhowal) and (xv) Malai Sohmat.	(i) Myllem, (ii) Khyrim, (iii) Maharam, (iv) Nongkhlaw, (v)
2. Khyrim ... 48,467		
3. Maharam ... 17,573		
4. Nongkhlaw ... 15,627		
5. Nongstoin ... 13,155		
6. Cherra ... 11,302		
7. Nongspung ... 5,541		
8. Myriaw ... 3,799		
9. Mawiang ... 3,551		
10. Rambrai ... 3,151		
11. Nobo Sohphoh ... 2,872		
12. Mawsynram ... 2,268		
13. Langrin ... 1,355		
14. Warbah (Bhowal) ... 1,138		
15. Malai Sohmat ... 684		

*Khasi States areas—contd.*2. *Wadadarship.*
16. Shella con-

(2) The one Wadadarship of Shella or Shella Confederacy.

federacy ... 4,275

3. *Lyngdohships.*

17. Sohiong ...	4,178
18. Mawphlang ...	2,192
19. Langiong ...	1,292

(3) The 3 Lyngdohships, namely :—
(i) Sohiong, (ii) Mawphlang, (iii) Langiong.4. *Sirdarships.*

20. Mawlong ...	2,017
21. Jirang ...	1,713
22. Dwara Nong- tyrmen ...	961
23. Mawdon ...	595
24. Pomsangut ...	381
25. Nonglwai ...	363

201,647

(4) The six Sirdarships in the Khasi Hills which are of the same status as the other three categories mentioned in (1), (2) and (3), namely—

(i) Mawlong, (ii) Jirang, (iii) Dwara Nongtyrmen, (iv) Mawdon, (v) Pomsangut and (vi) Nonglwai.

(5) The 31 Sirdarships of the Khasi Hills which are at the time before this Act comes into force of a different category from the Sirdarships described in category (4) above, namely—

British Areas5. *Sirdarships.*

1. Nongpoh ...	2,503	(i) Nongpoh, (ii) Jyrngam, (iii) Laitlyngkot, (iv) Nonglang, (v) Sohbar, (vi) Marbisu, (vii) Nongjri, (viii) Laitkroh, (ix) Tyrna (x) Umniuh Tmar, (xi) Saitsohpen, (xii) Mawsmal, (xiii) Nongriangsi, (xiv) Mawthang Sohkhylung, (xv) Myrdon, (xvi) Byrong, (xvii) Tynrong, (xviii) Nongkroh, (xix) Synnei, (xx) Mawmluh, (xxi) Nongs hluid, (xxii) Nonglait, (xxiii) Mawbeh Larkhar, (xxiv) Mynteng, (xxv) Ramdait, (xxvi) Nongriat, (xxvii) Nonglyngkien, (xxviii) Sinai, (xxix) Tynriang, (xxx) Nongbah, (xxxi) Lakading.
2. Jyrngam ...	1,722	
3. Laitlyngkot ...	1,664	
4. Nonglang ...	1,627	
5. Sohbar ...	1,368	
6. Marbisu ...	1,270	
7. Nongjri ...	1,088	
8. Laitkroh ...	984	
9. Tyrna ...	885	
10. Umniuh Tmar ...	860	
11. Saitsohpen ...	722	
12. Mawsmal ...	602	
13. Nongriangsi ...	523	
14. Mawthang Sohkhylung ...	498	
15. Myrdon ...	415	
16. Byrong ...	348	
17. Tynrong ...	330	
18. Nongkroh ...	327	
19. Synnei ...	283	
20. Mawmluh ...	257	
21. Nongshluid ...	224	
22. Nonglait ...	208	
23. Mawbeh Larkhar ...	160	
24. Mynteng ...	149	
25. Ramdait ...	136	
26. Nongriat ...	116	
27. Nonglyngkien ...	97	
28. Sinai ...	93	
29. Tynriang ...	81	
30. Nongbah ...	74	
31. Lakading ...	42	

6. *Dolloiships*

1. Bhoi ...	15,798	talang (vi) Nartiang, (vii) Rymbai, (viii) Nongbah, (ix) Sutngang, (x) Satpator (xi) Shilliang Myntang, (xii) Amwi, (xiii) Nongjngi, (xiv) Nongphyllu (xv) Mynso, (xvi) Narpuh, (xvii) Darang, (xviii) Lakadong, (xix) Nongkhlich and (xx) Maskut.
2. Jowai ...	13,344	
3. Raliang ...	7,558	
4. Shangpung ...	5,999	
5. Nongtalang ...	5,824	
6. Nartiang ...	4,691	
7. Rymbai ...	3,720	
8. Nongbah ...	3,506	

(6) The 20 Dolloiships in the Jaintia Hills, namely —

(i) Bhoi, (ii) Jowai, (iii) Raliang, (iv) Shangpung, (v) Nong-

9. Sutnga ...	3,10
10. Satpator ...	2,993
11. Shilliang	
Myntang ...	2,529
12. Amwi ...	2,347
13. Nongjngi ...	2,315
14. Nongphyllut	2,121
15. Mynso ...	1,256
16. Narpuh ...	1,146
17. Darang ...	1,025
18. Lakadong	771
19. Nongkhlieh	691
20. Maskut ...	39

7. *Sirdarships in the Jaintia Hills.*

1. Langsoh-Myntang ... 3,752
2. Saipung ... 1,277

8. *Nongwah Group of*

Khasi Villages.

1. Nongwah
2. Tomu Paham
3. Kor Bhanga
4. Guk
5. Umrim Paham
6. Umtyrlep
7. Nongtariah
8. Mawtyngkong
9. Sohkyrdew
10. Pambhet.
11. Lukhra
12. Hanjei.
13. Patsyem.

(7) The two Sirdarships in the Jaintia Hills, namely :—
(i) Langsoh-Myntang and (ii) Saipung.

[(8) The Nongwah group of Khasi villages mentioned in Section 2

(a) shall form one unit under one Sirdarship.]

Definitions.

4. In this Part of the Constitution Act, unless there is something repugnant to the subject or context the following words shall have the meaning as defined against each :—

(1) "State" means any of the units in category described in Section 3 [1], [2], [3] and [4].

(2) "Federated State" means the Khasi-Jaintia Federated State as mentioned in Sections 2 and 3.

(3) "Unit" means any territorial and administrative unit as mentioned in Section 3 above.

(4) "The National Council" means the Council as mentioned in Section 6 [b].

(5) Each of these terms "Syiemship," "Lyngdohship," "Wadadarship," "Sirdarship," "Dolloiship" means a territorial and administrative unit ruled by a Syiem, a Lyngdoh, a Wadadar, a Sirdar, or a Dolloi, respectively.

(6) "Prescribed" means prescribed by rules provided under the provisions of the Sections of this Part.

(7) "A Khasi" means a person belonging to the tribe of people known as "Khasis" whose original native home is in the district of Khas and Jaintia Hills or within the Kha-i-Jaintia Federated State by whatever name they may be locally known such as Khyrnian, Pnar, Synteng, Jaintia, War or Bhoi, and includes—

(a) A person born of Khasi parents.

(b) A person, one of whose parents is a Khasi.

(c) A person who is married to a Khasi (whether male or female) who claims oneself to be a Khasi.

(8) Unless the contrary appears from the context words importing the singular number includes the plural number, and the plural number includes the singular number.

(9) The pronoun "he" and its derivatives are used of any person, whether male or female.

5. (a) On the date on which the new Constitution Act of India comes into force all the units mentioned in Section 3 above under this Part shall be considered autonomous and be automatically federated under the name "Khasi-Jaintia Federated State" according to the provisions of the Sections under this Part and the rules framed thereunder.

(b) On the date on which the New Constitution of India comes into force, the Khasi-Jaintia Federated States as mentioned in (a) above shall also be federated with the Province of Assam and be connected therewith in the following subjects—

(1) General and all kinds of Technical Education.

(2) Medical and Public Health.

(3) Provincial Communications.

(4) Exports and Imports.

(5) All other subjects in which the Province of Assam as a whole is connected with the Central Government of India.

Khasi-Jaintia Federated State National Council.

6. (a) There shall be a Council of 29 members, four of whom shall be women, for this Khasi-Jaintia Federated State which shall have power to legislate and perform other functions as will be provided herein below. This Council shall herein below be referred to as the "NATIONAL COUNCIL".

(b) The term of office of the members shall be five years.

(c) The 25 members of the National Council shall be elected by adult franchise of males and females from the Khasi themselves. For this purpose the whole Khasi-Jaintia Federated State shall be divided into 25 constituencies. Each constituency shall comprise an area which will have a population of about 10,000, and the election of the four women members shall be according to rules prescribed.

(d) The demarcation of these constituencies and the method of election shall be provided by rules.

(e) The functions of this National Council shall be as follows:—

(1) To codify the customary laws of all the different units, viz.: the Syiemsip, the Lyngdohship, the Wadadarship, the Sirdarship and the Dolloiship territories of any description under the Federated State.

(2) To reform any administration in any of the units under any of the categories mentioned in Section 3 when proposals for reforms are initiated by the Durbar of a unit.

(3) To legislate for the administration and regulation of the whole Khasi-Jaintia Federated State (including the land therein) in any subject which does not fall within the exclusive right of any of the units mentioned in Section 3 of this Part. The Subjects which will fall within the power of the units are listed in Schedule A.

(4) To raise subscription or impose cess or tax upon the whole Khasi-Jaintia Federated State or any unit therein for the purpose of the needs of the Federated State.

(5) To exercise any other legislative function which may be decided by a two-third majority of the members of the National Council.

(6) This National Council shall have power by the decision of the majority to co-opt up to four members who shall have the same rights and privileges as the elected members thereof.

(f) This National Council shall have a Chairman to be elected by a majority vote as will be provided by rules and shall also have a Secretary who shall be appointed as prescribed.

(g) This National Council shall also form an electoral college to elect members of the Executive Council.

Executive Council.

7. (a) There shall be an Executive Council consisting of three members who shall be elected by the National Council and whose term of office shall be five years.

(b) This Executive Council shall have a President who shall be the President of the Khasi-Jaintia Federated State and whose term of office shall be five years.

(c) The election of the members of the Executive Council and the President thereof shall be prescribed by rules.

(d) The functions of this Executive Council shall be as follows:—

(1) It shall have power over the Treasury and shall have charge of the Finance of the Federation and shall frame the budget of the Federation to be placed before the National Council.

(2) It shall have power to appoint officers for the administration of the Federated State.

(3) It shall have power subject to the vote of the National Council to appoint a Police Force or any armed force to maintain law and order within the Federated State.

(4) It shall exercise the power of the final executive authority to decide all disputes relating to any administrative affair in any of the units and between one unit and another.

(5) It shall have power to ask the Provincial Government to assist the State in case of necessity to maintain law and order.

(6) It shall have power to appoint subject to the vote of the National Council, the Secretary of the National Council whose term of office shall be five years.

(7) It shall have power to appoint and to fix the salaries of the judiciary, the Secretary of the National Council and to fix in the first instance the salaries of the members of the National Council, but this will be subject to the vote of the National Council.

(8) It shall have power to deal with the external affairs connected with this Federated State.

(9) It shall have power to arrange all the elections within the Federated State in all units mentioned in Section 3.

(10) It shall have power in emergent matters to pass executive orders for the peaceful administration of the Federated State without reference to the National Council but such orders shall only be for a specific time.

Assent to the Legislation of the National Council.

8. (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 in its opinion such legislation will affect public peace and work adversely and unreasonably against the interest of any people or unit.

(c) The Executive Council shall have power to return any legislation passed by the National Council for reconsideration and also shall have the power of vetoing any legislation, but such powers shall not normally be exercised save in matters which may, in its opinion be considered to be detrimental to the interest of the Federated State or any of the units therein.

Khasi-Jaintia High Court of Appeal.

9. (a) There shall be a Judiciary that shall be the High Court for all civil and criminal cases from any and all of the units of the Federated State. The term of office of the members of this Court shall be five years. The qualifications of the members of the judiciary shall be prescribed by rules.

(b) This Court shall be called the Khasi-Jaintia Federated State High Court.

(c) This Court shall have power to appoint their own office staff and it shall have power also to frame its own budget which shall be submitted to the Executive Council, to be incorporated, with any amendment by the Executive Council in the budget of the Federated State.

(d) The decisions or judgments of this High Court in any case which comes before it shall be final.

(e) This Court shall deal only with the Civil and Criminal Cases which are outside the administrative affairs which fall under the jurisdiction of the Executive Council. In case of any doubt as to which case will be considered administrative to be dealt with by the Executive Council and which will be considered as coming within the jurisdiction of the Judiciary, the decision shall be made in the joint meeting of the Judiciary and the executive Council. The Judiciary and the Executive Council shall in a joint meeting define cases which will fall under their respective jurisdictions.

(f) The appointment of the members of this Court shall be provided by rules.

(g) There shall be no capital punishment within this Federated State but all cases which may be deemed to be fit for transportation for life are appealable to the provincial Supreme Court.

The Finance of this State.

10. (a) All the revenue derived from the District of Khasi and Jaintia Hills which now come to the Provincial Exchequer shall be handed over to the Executive Council of this Federated State.

(b) The Federated State will pay to the Provincial Exchequer a certain sum of money as will be agreed upon between the Executive Council of this Federated State and the Government of the province of Assam, for the purpose of the expenditure in the subjects in which this Federated State is connected with the province of Assam.

(c) All the amounts which the Provincial Government collect now from the heads mentioned herein below shall be handed over to the Executive Council of the Federated State. The heads are:—

- (i) Land Revenue.
- (ii) Forests (including royalty from minerals).
- (iii) Stamps and Court-fees. Fines.
- (iv) Excise.
- (v) Proportional Exports and Imports and Excise Duties.
- (vi) Amusement Tax.
- (vii) The proportional amount of income tax and Agricultural income tax.
- (viii) Any income from any other heads which the Federated State may be entitled to get by reason of its being connected with the Province and a proportional share of any subvention which the Central Government of India may allot to the province of Assam.

(d) All the hydro-electric power and the income therefrom shall be vested in the Federated State. The income therefrom shall be divided as follows:—

- (1) Half thereof shall go to the Federated State.
- (2) One-fourth thereof shall go to the unit within less which the waterfall or plant is situated for the development of schools and communications, medical and public health
- (3) One-fourth thereof shall go to the Provincial Exchequer.

(e) Three-fourths of the royalty from forests and minerals within the Federated State shall be vested in the Federated State. The collection of this royalty shall be according to rules prescribed.

(f) All the reserved Forests within the Federated shall be vested in the Executive Council who shall have the power to develop, to upkeep and work them, and the income therefrom shall go to the general finance of the Federated State.

(g) Half the income of all excise shops in the Federated State shall go to the general finance of the Federated State and the other half shall be utilized for schools and dispensaries in the unit in which the excise shops are situated.

(h) All inter-units communications shall vest in the Federated State, and all income therefrom shall go to the general finance of the Federated State.

Relation of this State with the Provincial Government

11. (a) This Federated State shall send four elected members to the Provincial Legislature. The constituencies for these members shall be as prescribed by rules.

(b) The Provincial Government shall give services in the Provincial Offices to subjects of this Federated State.

(c) No Provincial Legislation in regard to the subjects mentioned in Section 5(b) (1), (2), (3) and (4) shall directly apply to this Federated State. Any such legislation can be applied to this Federated State only by the National Council with any modification.

The Administration of the different units inside this State during the Interim Period.

12. The administration of different units inside this Federated State during the interim period before the rules prescribed have been completed shall normally be according to the rules of administration in the Khasi and Jaintia Hills; and the Executive Council shall take the place of the highest authority mentioned in these rules.

The Town of Shillong.

13. (a) The Town of Shillong is composed of two portions at present: (1) The Myllem Syiemship portion and (2) the British portion which certain subjects of the Myllem State have leased out to the British Crown. When the paramountcy of the British Crown is withdrawn and Myllem State is federated with the Khasi-Jaintia Federated State on the date on which this Constitution Act comes into force—all these areas shall automatically fall within the Myllem Syiemship.

(b) The Provincial Government shall make special arrangement in regard to the town of Shillong through the Executive Council of the Khasi-Jaintia Federated State within one year from the date in which the Khasi-Jaintia Federated State is formed.

(c) Before any final agreement is made in the interim period of one year, the power exercised by the Political Officer over the Myllem Syiemship portion shall vest in the Executive Council and the present British Court shall continue to function as it is at present.

(d) The Shillong Town which is under the administration of the Shillong Municipal Board constituted under the Assam Municipal Act which includes the British Area and also the Myllem Syiemship Area shall be the Shillong Urban Constituency. This constituency shall have the right to elect three representatives to the Assam Legislative Assembly as follows:—

One shall be a Khasi, the second shall be any one whose name appears in the list voters in the constituency and the third shall be a woman elected by women voters only.

(e) Only those who have their homes in Shillong and have been residents therein for at least three years shall be entitled to have their names in the register of voters.

(f) No one whose name is registered in any other constituency outside the Khasi Jaintia Federated State shall be enlisted as a voter and both males and females are entitled to be voters for the other two seats provided their names are in the register.

The position of the Hills people within this Federated State.

14. (a) All the hill tribes and tribal people such as Mikirs, Garos, Nagas, Lushais, Kacharies etc., who have their permanent dwelling in this Federated State and who claim themselves to have permanently resided therein shall have the same rights and privileges as a Khasi and shall be subject to the administration of this Federated State.

(b) The other people who have permanently resided here and who speak the Khasi language shall also be subject to the administration here and shall have the right to vote in the elections.

The interim period and thereafter.

15. (a) In the interim period before the National Council and the Executive Council function the Deputy Commissioner, Khasi and Jaintia Hills shall exercise the powers which are vested in him.

(b) The arrangement for the election of the National Council shall be made by the Deputy Commissioner, Khasi and Jaintia Hills.

(c) Immediately after the National Council and the Executive Council have functioned all the powers which are at present exercised by the Deputy Commissioner, the Political Officer and the Local Government and the Governor shall vest in the Executive Council.

(d) The Executive Council shall have power to appoint a District Officer or a Sub-Divisional Officer if found necessary with certain duties to be entrusted to him temporarily for a special time or permanently.

Relation of the Provincial Executive head with the Khasi-Jaintia Federated State.

16. (a) The Executive Head of the Province of Assam shall have general supervision over this Federated State.

(b) In case the Federated State sends a request to the Executive Head of the Province to help it by sending a civil police or an armed force, it shall be his responsibility that such help be rendered to this Federated State.

(c) In case of the breakdown of the administration or breach of peace which is beyond the control of this Federated State, he shall have power to render help to this Federated State by any method which may be deemed necessary by him and in such a method to be adopted he shall be guided by the advice of the representatives from this Federated State to the Provincial Legislature.

SCHEDULE "A."

I. List of subjects which are in the jurisdiction of units in Section 3(1).

ADMINISTRATION

1. The election of the Syiems in the fifteen Syiemships, according to the prevailing custom in each of the units.
2. The election of the headmen in each village by adult franchise of males and females.
3. The conduct of each village Darbar of male and female adults.
4. The conduct of a State Darbar for the decision of any matter within each unit of the Syiemships.
5. An initiative for the reform in the administration of a unit within a Syiemship will be by a State Darbar.
6. Markets.
7. Communication and Finance within each unit.
8. The framing of the budget of a unit.
9. Original Civil Cases in a village headman's court.
10. Criminal Cases except cases of murder.

II. List of subjects in the jurisdiction of a unit in Section 3(2).

1. The election of the Wadadars of the Shella Confederacy by adult franchise of males and females.
2. The election of headmen of each village in the Confederacy.
3. The conduct of the Darbar in each village or part of a village known as "Khers".
4. The conduct of the Darbar of the Confederacy.
5. An initiative for the reform in the administration within this unit will be by the Darbar of this Confederacy.
6. Markets.
7. Communications within each unit.
8. Framing of the budget of the Confederacy.
9. Original Civil Cases in a village headman's court.
10. Criminal Cases except cases of murder.

III. List of subjects in the jurisdiction in Section 3(3) and 3(4).

1. The election of the Lyngdohs and Sirdars by male and female adults.
2. The election of headmen or elders by adults of males and females.
3. The conduct of the village Darbar of each of these units.
4. An initiative for the reform in the administration of each of these units will be by the Darbar of a particular unit.
5. Markets.
6. Village communication within each unit.
7. Framing of the budget of each unit by the Darbar of the unit.
8. Original Civil Cases.
9. Criminal Cases save murder.

IV. List of subjects in the jurisdiction of the units in Section 3(5).

1. Election of a Sirdar according to the usual practice but by male and female adults.
2. Appointment of elders or Matabors by the Sirdar and approval by the majority of persons present in the Darbar.
3. An initiative for the reform in the administration of each of the units will be by the Darbar of a particular unit.
4. Markets.
5. Village Communications.
6. Framing of the budget of each unit by the Darbar of a unit wherever possible.
7. Original Civil Cases.
8. Criminal cases save murder.

V. List of subjects in the jurisdiction of the Units in Section 3(6).

1. The election of the Dollois according to the usual practice but the election shall be by male and female adults.
2. The appointment of Myntris by the Dollois to be approved by the majority in an open Darbar of adults present in the Darbar of the Dollois.
3. The election of headmen in each village by adults of the village.
4. The conduct of each village Darbar of male and female adults by those present.
5. The conduct of the Dolloiship Darbar for the decision of any matter within each unit of the Dolloiships.
6. An initiative for the reformation in the administration of a unit in the Dolloiship will be by the Darbar of a particular Dolloiship.
7. Markets.
8. Communication.
9. Original Civil cases in a village headman's court and Darbar and appeal there from to the Dolloi's court.
10. Criminal cases in the Dolloi's court save in cases of murder.

APPENDIX "A"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE OF THE CONSTITUENT ASSEMBLY OF INDIA FOR THE MINORITIES OF ASSAM

By **Larsingh Khyriem, M.L.A. (Jowai), and his group**

I am a member of the Provincial Legislature elected by the people of the Jowai Sub-division with a population of about 90,000. I am also the President of the Jaintia Darbar where all the people of Jaintia Hills are supposed to be members. I am also the President of the Sub-divisional Congress Committee of Jowai Sub-division and the Vice-President of the Khasi-Jaintia Federated State National Conference.

These friends who have come with me are the Dollois, leading men and representatives of various interests of the Jowai Sub-division. We enjoy the confidence of the whole sub-division.

Ever since the Cabinet Mission Declaration, we have often met to consider what our position should be in the future administration of India.

The Hon'ble Rev. J. J. M. Nichols-Roy prepared a plan for the future administration of this district. He had made many additions and alterations in the light of discussions and public opinion. On 2nd August 1946 the biggest political gathering in the Khasi and Jaintia Hills was held in the Students' Field of Shillong. I was the Chairman of the Reception Committee and the Hon'ble Rev. J. J. M. Nichols-Roy was the President. About 20,000 people from all over the States and the British Areas came to that meeting. Some Rulers and Myntris also attended. In that public meeting Rev. J. J. M. Nichols-Roy read out and explained the proposed plan for the administration of our district. The meeting unanimously accepted the plan.

The Jowai Sub-division was not conquered by the British. The Jaintia Raja relinquished the administration of the Hills when the British annexed the Jaintia purgannahs. Thereafter the Jaintia Raja was given a pension and lived in Jaintiapur near the Bazaar. The majority of the people residing around the Jaintiapur Bazaar are Khasis (they are called Jaintias or pnars but these are only local names and they are Khasis).

The people living in the Jowai Sub-division are one people with those residing in the Khasi Hills. As a matter of fact Khasis migrated to the Khasi Hills from Jaintia Hills.

1. As we are one tribe with the same social custom and culture we demand that the whole district of Khasi and Jaintia Hills should be united under one administration. We also demand that the Jaintiapur Bazaar and the area around it should be included in our district.

2. The whole Khasi and Jaintia Hills district should be constituted into a Federated State to be called the Khasi-Jaintia Federated State.
3. In the internal administration the Khasi-Jaintia Federated State should run its own affairs without interference by the province.
4. The Khasi-Jaintia Federated State should be connected with the province of Assam in general and technical education, public health, provincial communications and other subjects that may be agreed upon by this State and the Province.

The Khasi-Jaintia Federated State should also be connected with India in those subjects in which Assam is connected.

5. There should be a National Council whose members would be as follows:—

- (a) 25 members to be elected by universal adult franchise from 25 constituencies into which this State should be divided. Each constituency should have a population of 10,000 or more.

- (b) 4 seats should be reserved for women.

- (c) 4 members may be nominated by the Council but this should not be compulsory.

6. The National Council should have power to legislate on the protection of land from exploitation by outsiders.

7. There should be an Executive Committee of not more than 5 members to be elected by the National Council. The members of the Executive Committee may be members of the National Council or any person of the Khasi-Jaintia Federated State. One of the members of the Executive Committee should be the President of the Khasi-Jaintia Federated State. He (the President) should be elected by the members of the Executive Committee.

8. The Executive Committee should have power to withhold hasty legislation for a limited period and to send it back to the National Council for re-consideration.

9. The Town of Shillong which contains a mixed population of Khasis and non-Khasis should be separately considered in sending representatives to the Provincial Legislative Assembly.

From the Town of Shillong there should be—

- (i) One seat for a woman to be elected by the adult suffrage of the women of Shillong.

- (ii) One general seat.

- (iii) One reserved seat for a Khasi.

10. This State (excluding Shillong) should have four seats in the Provincial Legislative Assembly. If the representation is on the population basis of one lakh of people to be represented by one member, this State should have a little weightage.
11. One-third of the strength of the ministry should be reserved for the Hills of Assam. This is necessary, considering the areas and the special claims of the Hills. Out of this or any other ratio, one Minister should be a Khasi for the reason that—
- (1) The States which were not so long connected with the administration in British India are now coming in. A Khasi representative in the Cabinet will be able to watch their interests closely besides creating confidence in the minds of the people of the States.
 - (2) Special attention should be paid to the legal and administrative complications that always arise in Shillong, the major portion of which is in the Myllem State. A Khasi Minister will be able to pay special attention to this.
 - (3) A Khasi in the Cabinet will be able to watch the interests of the people with reference to possible mineral wealth and electricity in this district.
 - (4) The population of the district is much larger than any unit of the hills of Assam.
 - (5) The advantages of education and progress which the Khasis have had justifies their claim. Moreover, a Khasi Minister will be able to render help and guidance to the other hill-people who are less developed.
 - (6) A Khasi Minister will protect the district from exploitation by outsiders.
 - (7) A Khasi Minister will be helpful to the communities which are biased against each other.
 - (8) A Khasi Minister will be helpful towards the growth of democratic government as he had all along been used to democratic system of government etc.
12. Government services should be reserved for the Hills of Assam according to population. Major posts should be filled up by competition amongst hills people.
13. The Provincial Executive Head should have power to help the State in case of the break-down of the Constitution or the maintenance of Law and Order but he should not do so except on a request being made by the President

of this State or its members to the Provincial Legislative Assembly. The Executive Head of the Province of Assam should consult the members of the Provincial Legislature from this State in the manner in which he should render help at such a time.

14. Financial assistance should be given to the Khasi-Jaintia Federated State by the Provincial Government whenever necessary.
15. A Supreme Court of the Khasi-Jaintia Federated State with Appellate, original and other powers of a High Court in India should be established. The members of this Supreme Court should be elected by the Executive Committee. It should be independent of the Legislature or of the Executive Committee.

APPENDIX "B"

MEMORANDUM SUBMITTED TO THE 'ADVISORY SUB-COMMITTEE FOR MINORITIES OF ASSAM OF THE CONSTITUENT ASSEMBLY OF INDIA.

By Mr. B. M. Shullai of Jowai Sub-division.

We demand :—

1. That the whole district of Khasi and Jaintia Hills should form a State to be called the "Khasi-Jaintia Federated State".

2. That the Jowai Sub-division should remain a Sub-division under the Khasi-Jaintia Federated State.

3. That the Jaintiapur Bazaar and the area around it should be re-incorporated in the Jowai-Sub-division. It was once a part of the territory of the Jaintia Raja and the people living in this area are mostly Jaintias (Khasis).

4. That the internal administration of the Khasi-Jaintia Federated State should be independent of the legislative or executive administration of Assam.

5. That the internal administration of the Khasi-Jaintia Federated State should be vested in a National Council, the members of which should be as follows :—

(a) 25 members to be elected by adult universal franchise from constituencies into which the Khasi-Jaintia Federated State is to be divided.

(b) 4 women members to be elected by adult franchise of the women of this State.

(c) 4 other members which may be co-opted by the National Council.

6. The 25 Khasi States, the 31 British Sardarships of Khasi Hills, the 20 Dolloiships and the 2 Sardarships of the Jowai Sub-division and any other area that may be added to the district should be the units of the Khasi-Jaintia Federated State. The administration of these units should be as it is at present, but reforms should be encouraged and insisted upon by the National Council.

7. There should be a Sub-divisional Officer of the Jowai Sub-division whose power and jurisdiction should be defined by rules made by the National Council.

8. The National Council should elect an Executive Committee consisting of about 5 members. This Executive Committee should be the Government of the Khasi-Jaintia Federated State.

9. The Khasi-Jaintia Federated State should get 4 seats in the Provincial Legislature besides three seats for the town of Shillong (one woman, one general and one reserved seat for a Khasi). We support joint electorates.

10. There should be a Supreme Court of the Khasi-Jaintia Federated State with appellate, and original jurisdiction in civil, criminal and revenue matters.

11. The qualification and the manner of electing or appointing the members of the Supreme Court should be prescribed by rules to be made by the National Council.

12. The Khasi-Jaintia Federated State should be connected with the Province of Assam in subjects like education, trade, public health, etc., etc.

13. The Government of Assam should give services to the hills-people of Assam. Services should be reserved to the hills-people on population basis and the hills-people should compete among themselves and the best man should be selected.

Important posts requiring special knowledge or skill should be opened to all communities and the selection should be made entirely on merits.

14. Other points have been touched in the draft constitution prepared by the Hon'ble Rev. J. J. M. Nichols-Roy. We support the principles of the plan.

15. The above demands are made on condition that Assam is not grouped with Bengal or included in Pakistan.

APPENDIX "C"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE FOR MINORITIES OF ASSAM OF THE CONSTITUENT ASSEMBLY.

By Rev. P. L. Wann, B.D., from Jowai Sub-division.

The last election made us to think seriously what should be our position when India got independence. Soon after the election, the Hon'ble Rev. J. J. M. Nichols-Roy came to Jowai and in the biggest public meeting the Sub-division had ever seen, attended by the Dollois and thousands of people and representatives of all the Dollois, he told us what he thought should be the future administration of our district in the New India. The proposed plan was written and circulated in the country. In the biggest public meeting in Shillong on 2nd August 1946 the people approved the plan, we also whole-heartedly support it.

Our claims are :

1. That the whole district of Khasi and Jaintia Hills should be united into one administration and under a State to be called the Khasi-Jaintia Federated State.

2. The present Jowai Sub-division should remain a sub-division under the Khasi-Jaintia Federated State. The Jaintiapur Bazaar and the area around it should be included in the Jowai Sub-division.

3. The Dollois and Sardars of Jaintia Hills should retain their position and powers as at present, and so also the Syiems, Lyndohs, Sardars and Wahadadars of Khasi Hills.

4. There should be a National Council of the Khasi-Jaintia Federated State to be elected by adult franchise of males and females of the age of 18 years and above.

5. For the purpose of election only, the whole district should be divided in 25 constituencies. In each constituency there should be a population of about 10,000. Each constituency should return one member to the National Council.

6. Four other seats should be specially reserved for women in the National Council. The women-members should be elected by the women of the Khasi-Jaintia Federated State.

7. The National Council should also have power to nominate 4 members or less to the Council, if it deems fit and proper.

8. There should be a sub-divisional officer of the Jowai Sub-division whose powers should be prescribed by the rules to be made by the National Council.

9. The National Council should have power to legislate on lands, to raise tax and have other powers to enable to run the administration and to control the units under it.

10. The Internal administration of the Khasi-Jaintia Federated State should be independent of the Provincial Legislative Assembly

except in subjects like Education, Trade, Provincial Communications etc. In these subjects the Khasi-Jaintia Federated State should be united with Assam.

11. There should also be a high court of the Khasi-Jaintia Federated State which should be the supreme court of this State exercising appellate and original jurisdictions.

12. The people of this State should have complete freedom of religious worship. They should not be restricted to change their religion in whatever way they feel convinced. Change of religion should not entail any forfeiture of their rights to property or inheritance.

13. Whatever religion the people follow, the customary law of inheritance should be followed so long as the convert calls himself or herself a Khasi.

14. The people of this State as well as the people of the Hills of Assam should be given services by the Government of Assam as at present. Some important posts should be open to competition by all communities.

15. The people of the Khasi-Jaintia Federated State should be entitled to send 4 representatives to the Provincial Assembly besides one woman and two seats (one reserved for a Khasi) from Shillong by joint electorates.

16. One Khasi should always be in the Provincial Cabinet.

17. The Capital of Assam should be in Shillong.

18. Other points are raised in the draft constitution by the Hon'ble Rev. J. J. M. Nichols-Roy and referring you to that draft constitution we shall not repeat them here.

19. The above claims are made on condition that Assam is not grouped with Bengal under any circumstances, we have other plans if Assam is either included in Pakistan or grouped with Bengal.

APPENDIX "D"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE FOR MINORITIES OF ASSAM OF THE CONSTITUENT ASSEMBLY.

By Dr. R. K. Tariang of Jowai.

I am the Secretary of the Jaintia Durbar which is the only recognised and accepted body to voice the feelings of the people of the Jowai Sub-division.

For months we have thought what should be the kind of administration that will enable the people of this district to develop themselves according to their genius and wishes.

In our considered opinion, we think that the future administration of our district should be as follows:—

1. The two administrations for the States and the British Areas arbitrarily divided by the British in order to rule easily, should be abolished. In-as-much-as we are one people inhabiting the district we should be under one administration.

2. The Khasi States, the Sardarships and the Dolloiships should constitute a State and be called the 'KHASI JAINTIA FEDERATED STATE'!

3. There should be a legislative body of the Khasi-Jaintia Federated State to be called the Khasi-Jaintia National Council and to be elected by the adults of this State (men and women) from 25 constituencies to be formed, each constituency returning one member. There should also be four women seats elected by the women of the State. It may also be necessary to nominate members to the National Council. Necessary power should be vested in the National Council to nominate not more than 4 other members.

4. The Khasi-Jaintia Federated State should be connected with the Province of Assam in subjects like education, medical and public health, exports and imports, provincial communications etc. for these subjects the Khasi-Jaintia Federated State should pay contribution to Assam according to negotiations that may be agreed upon. This claim is made on condition that Assam is not grouped with Bengal or included in Pakistan.

5. All financial matters should be subject to the vote of the National Council.

6. The Assam Government should give the Khasis the following:—

(a) Employment in Government Services.

(b) Roads in the district.

(c) Special weightage to representation to the Assam Provincial Legislative Assembly.

(d) 3 seats in the Assam Provincial Legislative Assembly from Shillong, one seat being reserved for a woman and another seat for a Khasi.

(e) A Khasi in the Assam Ministry.

(f) Financial assistance and loans if asked for by the Khasi-Jaintia Federated State.

(g) Assistance in the maintenance of law and order.

7. The Jowai Sub-division should remain a sub-division under the Khasi-Jaintia Federated State. The Jaintiapur Bazaar and the Area around it should be added to the sub-division.

8. The internal administration of the Khasi-Jaintia State should be independent of Assam.

9. There should be an independent Supreme Court of the Khasi-Jaintia Federated State, the members to which should be elected by the National Council or appointed by the Executive Committee or a Service Commission.

10. Shillong should remain the capital of Assam.

11. All other points have been dealt with in the draft constitution prepared by the Hon'ble Rev. J. J. M. Nichols-Roy. We fully support the plan.

APPENDIX "E"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE BY MR. TAMON ROY PASSAH DEMANDS

1. That the District of Khasi and Jaintia Hills should form a State to be known as the Khasi-Jaintia Federated State which in internal affairs and in subjects not connected with Assam or India should be independent of the Province.

2. The Khasi-Jaintia Federated State should make its own laws for the administration of the people of this state and the units under it.

3. The Legislature of the K. J. F. State should be called the Khasi-Jaintia Federated State National Council. This Council should consist of (1) 25 members from 25 constituencies into which the K. J. F. State should be divided for this purpose, and to be elected by the males and females of the age of 18 and above. (2) 4 women members to be elected by the women of the age of 18 and above. Provision should also be made empowering the National Council to co-opt a limited number of members not exceeding four.

4. The National Council should have power to legislate that all citizens should have the right of free elementary education, to raise tax, etc.

5. Exploitation of the land and its natural resources by outsiders should be prohibited by law. The exploitation of the natural resources of the land, the use of which is of national importance, should be permitted to individuals or companies of the people of this state under state supervision and in accordance with rules and regulations approved by the national council.

6. The national council should elect an Executive Committee consisting of 3 to 5 members. The Executive Committee should be the Government of the Khasi-Jaintia Federated State. A member of the national council or any other person of this state should be eligible for election to the Executive Committee.

7. There should be a sub-divisional officer of the Jowai Sub-Division whose power and authority should be defined by legislation.

8. There should be a supreme court of the Khasi-Jaintia Federated State. The judges should be appointed by the Executive Committee and should hold office until they reach the age of 60 years. This judiciary should be independent of the national council and of the Executive Committee.

9. The supreme court should be the highest court of appeals from all decisions of the courts of the units forming the Khasi-Jaintia Federated State. It should also have original jurisdiction to try all cases not otherwise triable by the courts of the units and power to transfer cases to itself.

10. As the Khasi-Jaintia Federated State is connected with Assam the Government of Assam should give services to the Khasis.

11. Special consideration and weightage should be given to Shillong and to the Khasi-Jaintia Federated State in sending representatives to the Assam Legislative Assembly. One such elected representative should be a Minister of the Government of Assam.

12. Assam should not be included in Pakistan or be grouped with Bengal.

13. The seat of the Government of Assam should be in Shillong.

14. We support the plan of the Hon'ble Rev. J. J. M. Nichols-Roy for the administration of the district of Khasi and Jaintia Hills.

APPENDIX "F"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE FOR ASSAM MINORITIES OF THE CONSTITUENT ASSEMBLY OF INDIA.

By **U. Sorsingh Khonglah and His Group** Representing the Slopes of **Jaintia Hills.**

These friends and myself are here before you to express our desire to be governed in the New Constitution of India. Rev. S. R. Manners is unwell and is unable to come before you. I have come in his place.

Our desires are :—

1. That the whole district of Khasi and Jaintia Hills should be under one administration. The 25 Khasi States, the 31 British Sardarships in the Khasi Hills, the 20 Dolloiships and the 2 Sardarships in the Jowai Sub-division should be the units forming one State which should be named the "KHASI-JAINTIA FEDERATED STATE".

2. There should be a National Council of the Khasi-Jaintia Federated State whose composition should be—

(a) 25 members elected from 25 constituencies into which the Khasi Jaintia Federated State should be divided.

(b) 4 women-members to be elected by the women of the Khasi-Jaintia Federated State.

(c) 4 other members who may be co-opted by the National Council in exceptional circumstances.

3. The members of the National Council should elect three to five members from among themselves or from members of the Khasi-Jaintia Federated State to be members of an Executive Committee which should be the Government of the Khasi-Jaintia Federated State.

The Executive Committee should elect one from among themselves to be the President of the Khasi-Jaintia Federated State.

4. The Khasi-Jaintia Federated State should be connected with the province of Assam in subjects like education, trade, provincial communications, public health, medical and such other subjects as the National Council may negotiate with the province of Assam. The Khasi-Jaintia Federated State should also be in Hindustan and connected with India in subjects in which Assam is connected.

5. In other subjects, the internal administration of the Khasi-Jaintia Federated State should be autonomous and independent of the province of Assam.

6. The various units of the Khasi-Jaintia Federated State should exercise powers they now have under the local rules and orders. All other powers including legislation on the protection of land should be vested in the National Council.

7. The National Council should have powers to raise tax from the different units under it for the administration of this state.

8. There should also be a Judiciary which should be the highest Court of this State and be independent of the Executive Committee

or the National Council. The judges should be appointed by the Executive Committee.

9. All authorities, executive, legislative and judicial should be derived from the people of this state.

10. The National Council should encourage reforms in the units to meet popular demand.

11. The Khasi-Jaintia Federated State should be given special weightage and be entitled to send 4 representatives to the Provincial Legislative Assembly, if the basis of election is one member for one lakh population.

12. The town of Shillong where the capital of Assam should always remain, should be specially considered and be entitled to send 3 representatives (including a woman member) to the Assam Legislative Assembly.

13. The Jowai sub-division should remain a sub-division under the Khasi-Jaintia Federated State with the present boundary and also the area around Jaintiapur Bazaar.

14. Assam should not be connected with Bengal or any part of Assam that may be connected with Bengal or be included in Pakistan.

15. The hills-people of Assam should be given services by the Government of Assam in proportion to their population and according to result of competition among themselves.

16. The hills-people should also be given one-third representation in the Provincial Ministry and one of them should be a Khasi.

17. We support the principles of the plan enunciated in the draft constitution of the Hon'ble Rev. J. J. M. Nichols-Roy.

APPENDIX "G"

MEMORANDUM SUBMITTED TO THE SUB-COMMITTEE OF
THE CONSTITUENT ASSEMBLY FOR MINORITIES OF
ASSAM.

By U. Josaiah Myntri Representing Maharam, Mawiang, Nongspung
and Langrin States.

About a year ago the Hon'ble Rev. J. J. M. Nichols-Roy came to Maharam State and in a big meeting in which people of our State and of adjoining States attended, he informed us of the constitutional changes that was to come in India and our district. He told us what he thought should be the administration of our district in the future constitution of India. The Khasi-Jaintia Federated State National Conference published the plan in the Khasi language and thereafter we had various meetings and discussions. The plan was modified according to the wishes of the people. The people of our areas wish that the future governance of our district should be according to the principles of that plan.

Our desires are :—

1. As we the people of Khasi and Jaintia Hills belong to the same tribe with the same custom and tradition we should be united into one administration. The present division of the district into State and British Areas should be abolished.

2. The whole district should form a State to be termed the "Khasi-Jaintia Federated State".

3. The internal administration of the Khasi-Jaintia Federated State should be independent of the province and should be according to the laws to be passed by the National Council.

4. For the purpose of election the Khasi-Jaintia Federated State should be divided into 25 wards, each ward having a population of 10,000 or more.

There should also be reserved 4 seats for women and the National Council may co-opt four members.

5. The members of the Executive Council should be elected, by members of the National Council.

6. The National Council should have powers to make laws for the protection of the land from outsiders and to legislate on other subjects not being subjects within the jurisdiction of the units under the Khasi-Jaintia Federated State.

7. The Khasi-Jaintia Federated State should be connected with Assam in common subjects such as Education, Imports and Exports, etc.

8. The Provincial Government should help the Khasi-Jaintia Federated State to maintain law and order.

9. The Khasis should be given services in the Government of Assam as at present.

10. As the population of the Khasi-Jaintia Federated State exceeds 5 lakhs and having special consideration to the development of these hills, 4 seats may be reserved for the Khasi-Jaintia Federated State in the Provincial Legislature for areas outside the town of Shillong.

11. A Khasi should be in the Ministry to watch the interests of all communities in general and of the hills-people in particular.

12. We do not wish to be grouped with Bengal.

APPENDIX "H"

MEMORANDUM SUBMITTED TO THE SUB-COMMITTEE OF THE ADVISORY COMMITTEE FOR MINORITIES OF THE CONSTITUENT ASSEMBLY.

By the Khasi-Jaintia Federated State National Conference

This National Conference of the people of the Khasi and Jaintia Hills is composed of the people of the British Areas and of the people of the Khasi States who are subjects thereof.

The whole district of the Khasi and Jaintia Hills is one territorial Area with defined boundaries and is inhabited by one tribe of people called the "Khasis". Among themselves they are known by different local names according to the areas in which they live—as "Khyrniam"; "Synteng", "Pnar", "War", "Nongphlang," etc., but outside the Khasi and Jaintia Hills they are known as Khasis. They all understand the Khasi language.

The area of the whole district is 6,145 square miles with a population of 332,251 according to the census of 1941.

Before the British came, the district had many Syiems. The biggest were the "Syiem Khadsawphra" (or Syiem Nongkhlaw), "Syiem Shillong" (Khyrim) and "Syiem Synteng" (known as Jaintia Raja). The Syiem Synteng (Synteng Raja) ruled over a portion of the Sylhet district named Jaintia Pargannah and had his capital at Jaintiapur in the plains. His large income was from the Jaintia Pargannah being a conquered territory. The inhabitants of the Jaintia Pargannah are of the Bengalee stock speaking a Bengalee dialect or what is known as a Sylheti dialect. The people inhabiting the hill portions are Khasis who are locally called "Pnars" by themselves and "Syntengs" by the Khasi inhabiting the Khasi Hills. Afterwards, when the Synteng Raja ruled over the Jaintia Pargannah and had his capital at Jaintiapur, the hills were named "Jaintia Hills" after the name of the capital and he was called Jaintia Raja.

The Raja had Bengalee Hindu Officers and afterwards he adopted Hinduism and was initiated as a Kshatriya.

BRITISH CONQUEST

A short history of how the British came to the Khasi and Jaintia Hills is quoted from Aitchison's Treaties, Engagements and Sanads, Volume XII, page 74, 75 and 76.

"When the Ahom Power began to decay in 1794 the Chiefs or Syiems of the Khasi Hills States established themselves in the plains of Kamrup in the tracts known as the "Durs" paying only a nominal allegiance to the Kings of Assam. On the acquisition of Assam by the East India Company in 1826, it became an object with Mr. Scott to establish communication through the Hills with Sylhet; and while the new administration of Kamrup refused to recognise the rights of the Khasi rulers, Mr. Scott was able to induce Tirot Singh, Syiem of Nongkhlaw, to allow a road to be made through the Hills, *via* Cherrapoonjee, Mawphlang and Nongkhlaw to Gauhati.

For this purpose agreements (No. VIII) were concluded in November 1826, with the Chiefs of Nongkhlaw and Khyrim.

"In 1829 a British Survey Party in the Khasi Hills was attacked at the village of Nongkhlaw when 3 Englishmen and about 50 or 60 Indians were massacred. This was followed by a general confederacy of most of the neighbouring Chiefs against the British and by a long and harrasing war, which was not brought to a final conclusion until Tirof Singh of Nongkhlaw submitted in 1833.

"The State of Jaintia was annexed in 1835 as the result of an outrage in 1832 when under the orders of the her- apparent Rajendra Singh, four British subjects were seized by the Chief of Gobha and 3 of them were sacrificed to Kali, the tutelary goddess of the Raja's family. The fourth escaped and gave information of the outrage whereupon the British Government demanded the surrender of the culprits. Negotiations continued for two years without result, but when in 1832 the Raja died and was succeeded by Rajendra Singh, it was resolved to punish him by dispossessing him of his possession in the plains. On the 15th March 1835, the plains territory was annexed by proclamation, and in April the district of Gobha was also annexed. Rajendra Singh declared himself unwilling to continue in possession of the hill territory over which he had little control and this was also included in the Company's dominions".

THE PRESENT POSITION

There are now 31 villages in the Khasi Hills which are called British villages. These are interspersed among the Khasi States and most of them came under the British not by means of conquest but by their willing allegiance to the British administration as they were not in good terms with their ruling Khasi Chiefs. One of these British villages or areas named Nongpoh Sirdarship was brought under British control by an unfortunate circumstance. It was before under a Syiem (Raja), but at the time when all the Syiems were called to appear before the British Authorities, the Syiem of Nongpoh absented himself. It was later brought under the British administration and the ruler was styled Sirdar and is still elected from the clan of the old Syiem family.

The present position is that there are today in this district 25 small Khasi States having a population (including the part of Shillong which is in the Myllem State area) of about 212,000, and 31 British villages interspersed among these States and having a population of about 29,048, and also the Jaintia Hills which is now known as the Jowai sub-division with a population of over 85,000.

THE DESIRE OF THE PEOPLE

The people in this district, as they are one people, want to be united into one administration. They all belong to one Khasi tribe. They do not want to have two separate administrations as at present. The 25 Khasi States, the Jowai Sub-division and the 31 British villages should be brought into one administration and be joined to one another.

THE ADMINISTRATION

At present, whether in the British areas or the States areas, there are village darbars. Each village has its own elected headman. The headmen have some power to decide cases in the village with a Darbar (as Council) of male adults of the village. This should be continued. But women also should now have part in the elections and the Darbar.

The Sirdars of all British villages or cluster of villages are also elected by male adults but now female adults also should get the right to vote and stand as candidates.

The Syiems of the Khasi Hills States are practically elected either by popular election, or in some cases by an electoral college consisting of Myntris, each Myntri being elected by a separate Myntri clan or in other cases, by an electoral college consisting of electors composed of Myntris together with electors elected by the adults of a village or cluster of villages. These Syiems or Chiefs are not Zamindars having any authority over the land of their States. The land in these States are either private lands belonging to a person or a family or a clan or a village or commune. The Syiems in a Darbar composing of myntries and others decide cases of dispute over such lands in an open Darbar.

All civil cases from British villages go to the elected Sirdar and his Darbar. Appeals go to the Deputy Commissioner, Khasi and Jaintia Hills, thence to the Commissioner and finally to the Governor. Small criminal cases valued at Rs. 50 are dealt with by the Sirdar and his Darbar, and appeals against his decision go to the same authorities as in civil cases.

In the Khasi States, the headmen or Sirdar of villages deal with civil cases. Against the decision of the village authorities in some States an appeal goes to the head of a "Raid" which is composed of several villages and thence to the Syiem and his Darbar, who decide cases in an open Darbar. Revisions against the Syiem's decision go to the Political Officer, and thence to the Commissioner and finally to the Governor.

THE DEMAND OF THE PEOPLE

The Khasi people of the Khasi and Jaintia Hills are one people. They want that their institutions should be *protected* and *united* and that they should have autonomy in administrative and judicial matters and to preserve their authority over their lands. They want that their connection with Assam should be in the following manner :—

(1) The present institutions in the villages and in the States should be left as they are with a few reformative changes here and there.

(2) The land of the people should be protected by law. The land law of the communes should be kept intact. According to that no one should sell their lands to the people outside without the consent of the Darbar of the community.

(3) Administration of the Khasi and Jaintia Hills in the New India should be as follows :—

(a) The whole district should be united into one and be termed "Khasi-Jaintia Federated State."

- (b) There should be a National Council of about 29 members who should be elected from the whole district of Khasi and Jaintia Hills, four of these should be women. For the purpose of this election the whole district should be divided into 25 constituencies. Each constituency should elect one member by adult franchise of males and females. The election of four women members should be by women adults and there should be four constituencies for these women members of the whole district. This Council should have power, among others, to impose subscription, cess or tax upon the whole Federated State and to legislate regarding protection of land, etc.
- (c) There should be an Executive Council of 3 members to be elected by the National Council from among the members of the National Council and from others who are not members thereof. This Executive Council should have administrative power and should also have powers to maintain an armed or unarmed Police Force for keeping law and order within this Federated State.
- (d) There should be a Judiciary which shall be the High Court for all civil and criminal cases. This Judiciary may be elected by the National Council or be appointed by the Executive Council.
- (e) All the 25 Khasi States and the 31 British Sirdarships and the Doloiships in Jaintia Hills should be separate units inside the Federated State having its own local self-government with powers not in any way less than what they possess at the present time.
- (f) This Khasi-Jaintia Federated State should be connected with the Provincial Legislature in certain subjects only, namely (1) Higher Education, (2) All Technical Education in schools and colleges, such as Agriculture, Medical, Engineering, etc., (3) Medical and Public Health, (4) Provincial Communication, etc.
- (g) This Federated State should give some contribution to the Provincial Exchequer.
- (h) There should be at least 4 seats given to this Khasi-Jaintia Federated State in the Provincial Legislature besides the seats for the town of Shillong which is under the administration of the Municipal Board of Shillong and the woman seat. There should be two seats in the Provincial Legislature from the town of Shillong, one to be reserved for a Khasi and the other should be a general seat. There should also be a woman seat reserved in the Provincial Legislature to be elected by women of the town of Shillong, by adult franchise of women dwelling in the areas of the town of Shillong administered by the Shillong Municipal Board, which lie within the Mylliem State and also within the portion which is now known as the British
- area.

THE KHASI NONGWAH VILLAGES

There are also some 40 villages in the Kamrup district which up to sometime before 1897 was a part of Khasi Hills, and was a State by itself ruled over by a Khasi Chief named Dolip Singh. The people of this State, which was known as Nongwah are linguistically and culturally of pure Khasi stock. For some obscure reasons the villages were incorporated within the Kamrup district and the Chief was reduced to the status of a Sirdar although the incumbent is still chosen from the clan of the former Chief and elected according to customs and usages prevailing at the time prior to the incorporation within Kamrup district.

The people of these villages have repeatedly approached the authorities concerned for their re-incorporation within their parent district of Khasi and Jaintia Hills, and a petition to that effect is lying with His Excellency the Governor of Assam.

They are contiguous to the Khasi Hills. The people want to be included in the Khasi and Jaintia Hills district.

This National Conference strongly urge that these villages and their territories should again be included in the Khasi and Jaintia Hills District.

MINISTERS FOR HILL DISTRICTS

In the new constitution of Assam one-third of the strength of the ministry should be reserved for the hill people of Assam to look after the interests of the hills people. Of these one Minister should be a Khasi for the following reasons amongst others:—

- (i) The capital being in the Myllem State a great deal of complication may and will arise which will need a very close examination by the Ministry or the Government.
- (ii) As the Khasi States which have had their autonomy are also joining, their interests which they have had should be closely watched by a representative inside the Government.
- (iii) As there are mineral wealth and hydro-electric possibilities in the district, there should be a representative who should watch over the interest of the district in these matters.
- (iv) As the district is between the two plains areas, and as they are in danger of exploitation by the non-Khasis in the town and in the two valleys, there should be a member in the Government who will take care of the interests of the people.
- (v) The population is over three lakhs and is much bigger than any one single hill unit.
- (vi) The educational position and progress of the Khasis is also an additional ground for special considerations. The member in the Government from this district will be able to look after the interest of other less developed hill areas as well.

- (vii) The people of the district are not affected by communal bias and are, besides, accustomed to democratic systems of Government all along. A Khasi in the ministry will be helpful to all communities and not only to the hill units.

PROPOSAL TO GROUP ASSAM WITH BENGAL

Our Khasi-Jaintia Federated State National Conference is strongly against the proposal of grouping Assam with Bengal and are also strongly against any proposal to join the Khasi and Jaintia Hills or the Khasi States with Sylhet in any kind of division or sub-division.

APPENDIX "J"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE OF THE CONSTITUENT ASSEMBLY

By Mr. Joab Solomon and a Group of Leaders from the Khasi States of Myllem, Manphlang and Nonglwai

I am 91 years old and perhaps I am the oldest man among the Khasis living in Shillong. I am a Khasi from Cherra State and a retired Government servant and used to work in Shillong and in Jowai. I have toured extensively in all parts of this district and also in India. I am also connected with political, religious and social activities; for example, I was the Secretary of the Khasi National Darbar for about 20 years and in that and other capacities I have had much experience and have known a great deal about the Khasis and their habits of life. I can, therefore, speak with confidence and experience about the wishes of the Khasis.

These friends have come with me to give evidence before you. They are representative-people of Myllem, Mawphlang, Cherra, Nonglwai and other States.

The Khasis inhabiting this district of Khasi and Jaintia Hills are one people following the same customs and habits of life.

We do not wish our district to be divided as at present into States and British portions. We want to form a State for the whole district to be called the "Khasi-Jaintia Federated State". We wish to be protected and to be autonomous in internal matters and to be connected with Assam in certain subjects such as Education, Medical and Public Health, etc. In the New Constitution provision should be made that, except for common subjects, the Khasis should govern themselves. We want to have a Council of our own consisting of elected representatives from the Khasis and that all powers of Government and all authority, executive and judicial are derived from the people. This Council will make laws and regulations for the internal administration of this district; and no laws passed by the Provincial Legislature will be applicable to it unless the National Council adopts them as its laws.

The Khasi-Jaintia Federated State should consist of the 25 Khasi States, the Jowai Sub-division, the 31 British Sardarships and the Nongwah group of villages of about 400 houses (at present included in the Kamrup district).

The different units within the Khasi-Jaintia Federated State should be administered according to customary laws of these units under the supervision and guidance of the National Council. This Council should have 25 members who should be elected from 25 constituencies to be formed. The election should be by adult franchise of males and females of the age of 18 and above.

There should also be 4 seats specially reserved for women. Only women of the age of 18 and above should vote for these 4 seats.

Powers should be invested in the Council which may, in their discretion, nominate not more than 4 members to the Council, but this power should be rarely exercised.

REPRESENTATION TO THE PROVINCIAL LEGISLATURE

This should be considered under two heads.

1. The Town of Shillong where there is a mixed population of Khasis and non-Khasis and (2) The Khasi-Jaintia Federated State not including the portion of the town within Myllem State.

(1) **Shillong Town.**—One seat to be reserved for a woman. The election should be by adult franchise of the women of the town.

(2) One seat reserved for a Khasi to be elected by the people of the town.

(3) One general seat to be elected by the people of the town.

(4) **For the Khasi-Jaintia Federated State.**—As the State possesses a population exceeding 3 lakhs, the State should have a right to elect 4 members by adult franchise of males and females.

SERVICES

(1) 10 per cent. of all services in the province should be filled up by open competition of all people in the province.

(2) The people of the hills of Assam should have a reserved percentage according to their population. The people of the Hills should compete among themselves for the services the best man being selected.

JUDICIARY

The units in the State shall try civil and criminal cases according to powers vested in them as at present under the local rules and orders for the administration of civil and criminal justice.

There should be a High Court with 3 to 5 judges to be selected or appointed by the Executive Committee of the Khasi-Jaintia Federated State. The High Court should be the highest Court of Appeal from the decisions of the courts of the units. This High Court should also have original and extraordinary original jurisdictions and powers to transfer cases to itself.

CABINET REPRESENTATION

Considering the areas of the hills of Assam and their special claim to protection, we claim that the hills of Assam should have one-third representation in the Provincial Cabinet.

One Minister should be a Khasi because the Khasi States have agreed to join, the capital is in Shillong, they live in—between the two valleys, they are educationally advanced, they are used to govern themselves according to present-day conception of democratic governments, etc., etc.

We also claim that Shillong should remain the capital of Assam.

GROUPING

Our desire is to be linked with Assam only. We are strongly opposed to being grouped with Bengal or with any part that may be grouped with Bengal.

CONCLUSION

We endorse the proposed draft constitution prepared by the Hon'ble Rev. J. J. M. Nichols-Roy. For months we have read and discussed the plan and we confidently say that it is the only plan by which we can achieve our desire and develop ourselves according to our genius and ability.

APPENDIX "K"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE FOR THE ASSAM MINORITIES OF THE CONSTITUENT ASSEMBLY.

By Mr. O. S. Siemlieh, Pleader Shillong—District Court, and Member of Shillong Municipal Board

I come of a very ancient and respectable Syiem family and ruling Chief of Nongkhlaw State; one of the biggest States in Khasi Hills. I was also a candidate for the Siemship of Nongkhlaw State supported by the majority of the Myntries, who form the electorate and by majority of Sardars (headmen) of that state. But in spite of that, the Political Department selected as a Siem a Government pensioner who did not get even one vote.

These friends with me are from other States in Khasi Hills *viz.*, Nongkhlaw, Myriaw, Nobosohphoh, Nongluai, who are Siem Khyunahs, Lyngdohs, Myntries, Sardars (headmen) of the aforesaid different states and villages.

Our desire is—

(1) The whole district of Khasi and Jaintia Hills should be united under one administration to be called "KHASI-JAINTIA FEDERATED STATE" as they are one people and have the same traditions and customs.

(2) The Rulers, *viz.*, Siems, Lyngdohs, Sardars, Dolois and others should have the same power and jurisdiction as they have since times immemorial and these rulers should be appointed according to time honoured ancient custom.

(3) That a Ruler of any State appointed by the British Officers against the State's old time immemorial custom of election by an electorate should be dismissed and dethroned.

(4) Our land should be protected from outside exploitations.

(5) There shall be a Council to be called "National Council" and members of that Council shall be elected by adult franchise of both males and females from the Khasi themselves. For this purpose the whole Khasi and Jaintia Federated State shall be divided in constituencies, according to convenience.

(6) The Khasi-Jaintia Federated State shall be connected with Assam in certain subjects only *viz.*, Higher Education, All technical education in Schools and Colleges, Agriculture, Medical and Public Health, Engineering and in provincial communications, Trade, Defence, etc., and all other subjects should be left to the Khasi-Jaintia Federated State.

(7) The Khasi-Jaintia Federated State should give some contribution to the Assam Government.

(8) The Khasi-Jaintia Federated State should get services in the offices and administration of the Assam Province as it is now and should get representative in the Assam Legislature, but no Legislation of

the Provincial Legislature should apply directly to this State. It should go first to the State Executive Council and Legislative body.

(9) The Khasi-Jaintia Federated State should get 4 representatives or more to the Provincial Legislative Assembly.

(10) The Town of Shillong should send three representatives to the Provincial Legislative Assembly, one seat for a woman, one reserved seat for a Khasi and one general seat.

(11) The hills-people of Assam should get one-third representation in the Provincial Ministry and of this one should be a Khasi.

(12) A certain percentage of the services in the Government of Assam. There should be a reservation of offices for the hills-people of Assam according to the total population of the Hills. These posts should be filled up by competition among the hills-people.

(13) People should be freely allowed to worship God according to their own free will and to follow any religion they like.

(14) The seat of the Government of Assam should remain in Shillong.

GROUP LEADER.

Dated, Shillong,
The 11th June, 1947.

APPENDIX "L"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE OF THE CONSTITUENT ASSEMBLY

By **U. Jogidhon Roy, ex-Wadadar and others representing Shella, Mawlong Warding and other States.**

In the Shella Confederacy where I come from, the election of the Rulers is by adult male suffrage. The Ruler can hold office for 3 years but he is eligible for re-election. I have been elected a Ruler for 42 years. The Authorities used to consult me when important customs were involved. I have especially studied the Khasi custom and administration.

These friends are representatives of Shella, Mawlong, Mawsynram, Mawdon, Warding and other neighbouring States and villages. For more than a year we have been considering the position of our hills in the new constitution. We have read the draft constitution prepared by the Hon'ble Rev. J. J. M. Nichols-Roy. In a meeting at Phali where about 3,000 to 4,000 people from these areas attended, he explained the proposed constitution for the Khasi and Jaintia Hills. After meeting together and consulting our people, we whole-heartedly agree to his plan.

2. The people of Khasi and Jaintia Hills are one tribe following the patriarchal system and the same habits of life different from the other tribes and people of Assam. We therefore wish to be protected and united into one administration.

3. The whole of the district of Khasi and Jaintia Hills should constitute one Khasi-Jaintia Federated State.

4. This Khasi-Jaintia Federated State should be autonomous and be connected with Assam in certain subjects only such as Public Health, Education, etc., and with India in subjects in which Assam is connected.

5. There should be a National Council the representatives to which should be elected by adult franchise of males and females from constituencies into which the State should be divided, each constituency having a population of 10,000 or more. There should be 25 constituencies.

6. At least 4 seats should be reserved for women in the Council.

7. The National Council may co-opt 4 members.

8. The Council should elect an Executive Committee of at least three persons. The Executive Committee should elect a President from among its members.

9. The Council should have power to protect the land from exploitation by outsiders.

10. Non-members of the Council should be eligible to be elected to the Executive Committee provided they are Khasis.

11. The case of Shillong where there is a mixed population should be separately considered.

12. Shillong should have the right to elect three representatives to the Provincial Legislature as follows:—

(1) A woman elected by the women of Shillong.

(2) A General Seat elected by the people of Shillong.

(3) One reserved Seat for the Khasis to be elected by the people of Shillong.

13. The Khasi-Jaintia Federated State (except Shillong) should be entitled to send 4 representatives to the Provincial Assembly.

14. There should be a certain percentage of services under the Government of Assam to be opened to competition by all communities. Over and above this the hills people of Assam should be given services according to their population. These seats should be opened only to the hills people who will compete among themselves.

15. One-third of the strength of the Provincial Ministry should be reserved for the hills on account of the peculiar geographical and political position of the Khasi-Jaintia Federated State, the progress made by the Khasis, their non-communal outlook, etc., one Khasi should always be in the Ministry.

16. There should be a High Court selected or appointed by the Executive Committee.

17. This High Court should be independent of the Executive Committee.

18. The High Court should try all cases not triable by the States or Areas under the present system.

19. The High Court should be the final Court of Appeal from all civil and criminal cases decided by the units.

20. The Khasi-Jaintia Federated State should not be connected with Assam if Assam is grouped with Bengal nor should our Khasi-Jaintia Federated State be connected with any part of Assam that may be transferred to Bengal.

21. Assam should agree that the capital will remain in Shillong.

NIX "M"

Memorandum submitted by Mr. Welson Khongmen

We come from the Khyrim State. We are all members of the Khyrim State People's Conference. We are also members of the Khasi-Jaintia Federated States National Conference. Sovereignty of the people was the cornerstone of ancient Khasi democracy. Unfortunately that Sovereignty is fast disappearing today. We stand for the revival of that SOVEREIGNTY.

2. Our little country is now split up into innumerable tiny States. Although we belong to the same tribe of race, speak the same language, have the same culture and tradition and almost everything else in common, yet politically we have nothing in common save and except the common allegiance to the British Crown. We believe that the present political division of our country is most detrimental to the best interest of the people and we therefore wish that all the Khasi States, the British territory of the Jaintia Hills and all the British villages of the Khasi Hills should be unified under one democratic political administration. We believe that it is only the unification of the country that can help it to grow to its full stature.

3. We wish to have relations with Assam and with India in certain common subjects only as may be found necessary and essential for the common good of all. The common subjects may be such things as Defence, Foreign relations, Foreign trade, Public Health, Communications, Inter-Provincial Trade, Supply of essential goods, Higher Education, Services and some such things. For the administration of such common subjects we wish to have our representatives in the Assam Legislature and in the Indian Legislature if possible.

4. In other subjects we wish to be as autonomous as may be deemed practicable so that we may learn how to stand on our own legs.

5. We wish that our land, water and other resources should be left in our own hands and these should be safeguarded from outside interference. This we think is essential in order to enable us to make use of these resources to the best advantage of our people.

6. For the attainments of the above requirements, we propose—

- (i) that the existing States (i.e. The Siemships, Lyngdohships, Sardarships, and Doloiships) should be federalised in a democratic way. We wish that the Federal Government to be formed should have power over the component units while the latter for the time being, may be allowed a limited measure of autonomy,
- (ii) that the Government of Assam as well as the Government of India should not have any direct dealing with the component units but only through the Union of the Khasi and Jaintia Hills,
- (iii) that full responsible Governments should be introduced immediately in each of the component units, and
- (iv) that adult (male and female) franchise be introduced.

7. We claim for the re-inclusion within the Union of the Khasi and Jaintia Hills, the Nongwah group of Villages, now placed under the District of Kamrup, and part of the Jaintia Parganas, in the District of Sylhet, which formerly formed part of these Hills and some of which are up till now inhabited and occupied by Khasis. We also claim for the setting up of a boundary commission to determine these areas in the Plains which should be re-united to the Hills in order to enable the Hills to be self-sufficient at least in matters of food as in pre-British days. Jaintiapur, Chailakhal and others are some of these areas we claim back.

APPENDIX "N"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE OF MINORITIES FOR ASSAM OF THE CONSTITUENT ASSEMBLY.

By Mrs. B. Khongmen, M.L.A.

I am the only woman representative in the Assam Legislative Assembly. I am a Khasi and was elected by the women of all communities residing in Shillong. I hold the position of Deputy Speaker in the Assembly.

These ladies who have come with me are from various States and Areas of the district of Khasi and Jaintia Hills.

[Ever since the last provincial election we had been thinking seriously what should be the administration that is best suited to our people in the New Constitution of India. The Hon'ble Rev J. J. M. Nichols-Roy formulated a plan and circulated it for public opinion. With modification here and there the plan received the approval of the Khasis.]

DEMANDS

1. Except in Shillong the district of Khasi and Jaintia Hills is inhabited by a people belonging to the same tribe known as "Khasis". From times out of memory the people elect their Rulers and govern themselves according to democratic principles. Any administrative changes or important affairs of the State is referred to a State Darbar where all the male adults of the State can attend and vote. Their language, culture and customary law of inheritance are different from the other people living in Assam.

2. The whole district should form a State to be termed the "Khasi-Jaintia Federated State".

3. The Nongwah group of villages (at present in Kamrup district) and the area around the Jaintiapur Bazaar (at present in Sylhet district where the majority of people are Khasis) should also be re-incorporated in the Khasi-Jaintia Hills district.

3. There should be one Legislative House for this Khasi-Jaintia Federated State to be called the 'National Council'.

4. The members of the National Council should be elected by adult franchise of men and women of the age of 18 years and above. The age and qualification of members should be prescribed by rules.

5. For the purpose of election, the whole district should be divided into 25 constituencies, each constituency having a population of 10,000 or more.

6. The members of the National Council should compose of—

(a) 25 members to be elected by males and females.

(b) 4 women to be elected by the female voters of the whole country.

The National Council should also have the power to co-opt, if necessary, members to the National Council not exceeding four in number.

7. There should be an Executive Committee of not less than three and not more than five members to be elected by the National Council. The members of the Executive Committee may be members of the National Council or may be Khasis outside thereof.

8. The members of the Executive Committee should elect one of them as the President of the Khasi-Jaintia Federated State.

9. The Khasi-Jaintia Federated State should be linked with Assam in subjects like Trade, (Exports and Imports), Education, Public Health, Provincial Communications, etc., and with the Union of India in the subjects in which Assam is linked.

10. In other subjects, the Khasi-Jaintia Federated State should have complete autonomy and be independent of the Province.

11. The National Council should have power to protect lands from outside exploitation and to raise tax etc.

12. The Rulers of the Khasi States, the Sardars and Dollois of the British Areas should have the same power as they have at present. All other powers exercised by the Political Officer, the Deputy Commissioner, the Governor, and the Agent to the Crown Representative should be exercised by the National Council.

13. The laws passed by the National Council should receive the assent of the President in consultation with the Executive Committee before being enforced.

14. The President should have power to return to the Council any legislation which he and the Executive Committee consider unsuitable.

15. There should be a highest Court of the Khasi-Jaintia Federated State, the members of which should be appointed by the Executive Committee. The number and qualification of the judges should be prescribed by rules to be made by the National Council.

16. Assuming that the representation to the Provincial Assembly is on the basis of one lakh population, the Khasi-Jaintia Federated State with a population exceeding three lakhs should be given a little weightage and should have 4 seats.

17. The case of the Town of Shillong where people of all communities live should be specially considered and should be entitled to send one woman elected by the women of Shillong as at present, one general seat and one reserved seat for a Khasi to be elected by joint electorates.

18. Services reserved for women in the Province should be by open competition among all the communities.

19. The hills-people of Assam should have a one-third representation in the Cabinet; in this one Khasi should always be included. The claim of the Khasis to a seat in the Ministry is justified by the consideration of the fact that the Khasi-Jaintia Federated State includes

25 States, the capital of the Province is in one of these States; the freedom of the Khasis from communal prejudices; their progress and education as compared with other hill areas; their democratic institutions and the possibilities of minerals and electricity in this State, etc., etc.

20. Shillong should be the Capital of Assam.

21. The Khasi-Jaintia Federated State will be connected with Assam only if Assam is not grouped with Bengal or included in Pakistan.

APPENDIX "O"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE OF MINORITIES FOR ASSAM OF THE CONSTITUENT ASSEMBLY.

By Mrs. L. Shullai, B.A.

The people inhabiting this district of Khasi and Jaintia Hills locally known as Pnars, Jaintia, Bhoi, War, Khasi, etc., are one tribe and call themselves Khasis.

We have a matriarchal system and custom, culture and language peculiarly our own. In higher female education we are second in India.

I come from Cherra State and these friends with me are from other States and areas of this district.

We wish:—

1. The whole district to be united into one administration under a State to be called 'Khasi-Jaintia Federated State'.

2. A large measure of autonomy should be given to the Khasi-Jaintia Federated State.

3. Except in the subjects within the jurisdiction of the Union of India and in subjects like Education, Public Health, Provincial Communications, Trade, etc., in which we should be connected with Assam, all other internal matters should be left to the Khasi-Jaintia Federated State.

4. Our lands should be protected from exploitation. The Khasi-Jaintia Federated State should have power to legislate on lands.

5. The powers of the Syiems, the Lyngdohs, the Dollois and the Sardars should be as at present.

6. There should be one Legislative House in the Khasi-Jaintia Federated State to be called the "Khasi-Jaintia National Council". The members to the Council should be elected by adult franchise of males and females over 18 years of age. Powers may be reserved to the Council to co-opt not more than 4 members.

7. At least four seats should be reserved for women in the National Council.

8. Reforms in the administration of the units of the Khasi-Jaintia Federated State should be encouraged. The Council should legislate reforms initiated by the units under it.

9. No laws passed by the Province of Assam should be enforced in the Khasi-Jaintia Federated State unless the National Council adopts them.

10. Services under the Government of Assam reserved for women should be opened to competition by all communities.

11. The Town of Shillong should be specially considered. The Town should be entitled to send 3 representatives to the Provincial Assembly, one general seat for women, one general and one reserved seat for Khasis.

12. One Minister in the Provincial Government should be a Khasi who will watch the interest of the Khasi-Jaintia Federated State and the interest of the hills-people as well.

13. We prefer to remain outside Assam if Assam groups with Bengal for any reason whatsoever.

14. The Capital of Assam should be in Shillong.

15. All other points have been dealt with in the plan of the Hon'ble Rev. J. J. M. Nichols-Roy. We fully support that plan.

APPENDIX "P".

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE FOR ASSAM MINORITIES OF THE CONSTITUENT ASSEMBLY.

By U. Harrison Myntri of Cherra State and other representatives of Cherra State.

We are from Cherra State which holds Zamindari lands in Sylhet District. Legislative, Executive and Judicial powers as well as the land in Cherra State belong to the people of the State. According to immemorial custom the Syiem is elected by an electoral college which is elected by the people and he is a mere figure-head who cannot decide or carry on any important affairs of the state without the consent of his electors and of the people of the state. Against that background of Khasi Constitutional customary law, it is pertinent for us to observe that any new changes cannot be done unless it is founded upon the goodwill and co-operation of the people of the state. This constitutional aspect of Khasi Society is shared by all the people inhabiting the District of the Khasi and Jaintia Hills who are locally known by different names as Khasis, Jaintias, Bhois, Wars, etc., but are in fact Khasis. This tribe known as Khasis follow the matriarchal system of inheritance and have a language and ways of life different from other tribes and people of Assam. They govern themselves according to democratic system of Government and have no prejudice against any other religion or other people. For this reason, many people coming from the Plains have settled down in these hills and have formed important clans (e.g. the jaid Dkhar, the Kharkongor) in Khasi political administrations.

It is therefore only fair and proper for the Khasis to express their desire to live in New India according to their ideas and wishes.

We therefore claim:—

1. That the whole district of Khasi and Jaintia Hills should be formed into a State to be called the "Khasi-Jaintia Federated State" composing of the States and British Areas. These States and British Areas should henceforth be called units of the Khasi-Jaintia Federated State.

2. The legislative authority of this State should be vested in a National Council consisting of (1) the elected representatives of the people of the Khasi-Jaintia Federated State from the 25 constituencies to be formed for this purpose, (2) 4 women representatives to be elected by the women of this State, (3) 4 other members who may be co-opted by the National Council, if necessary.

3. The executive authority should vest in an Executive Committee consisting of about 5 members to be elected by the National Council from members and/or non-members of the National Council. This Executive Committee should be the government of this state.

4. The judicial authority of this state should be vested in a High Court which should have final jurisdictions in civil, criminal and revenue matters.
5. This National Council should be independent of the Province of Assam except in certain common subjects like Trade, Provincial Communication, law and order, Education, etc.
6. This national council should have power to make laws for the protection of the land and its mineral resources from exploitation; to impose taxes, cesses and all other acts that may be necessary for the administration of this state but not to impose a constitution upon its unit or units without its or their consent.
7. This National Council should be formed at the earliest possible time to enable it to take over the administration in the coming constitutional changes.
8. The units of the Khasi-Jaintia Federated State should be encouraged to introduce reforms in the light of Public demands but no reforms should be enforced unless the National Council approves of the same.
9. All financial arrangements should be subject to the vote of the National Council.
10. The Khasi-Jaintia Federated State should be entitled to send 4 representatives to the Provincial Government if the principle is that one member should represent 1 lakh population.
11. Shillong should remain the capital of Assam, and should be entitled to be represented in the Assam Legislative Assembly by one woman, one Khasi and one general seat.
12. Khasis should be given services in and by the Government of Assam. These services should be reserved for the hills-people of Assam according to their areas and population. The hills-people should compete among themselves for these services.
13. The hills-people of Assam should be given one-third representation in the Provincial Government and of this at least one Minister should be a Khasi.
14. We support the principles of the plan prepared by Rev. J. J. M. Nichols-Roy.

APPENDIX "Q"

A MEMORANDUM ON BEHALF OF THE MIKIR-PEOPLE
RESIDING IN THE KHASI AND JAINTIA HILLS OF
ASSAM SUBMITTED TO THE SUB-COMMITTEE OF
ASSAM OF THE ADVISORY COMMITTEE OF CONSTITU-
ENT ASSEMBLY.

(Dated Shillong the 12th June, 1947.)

We the Mikir people of the district of Khasi and Jaintia Hills beg to place the following safeguards in the future constitution.

Introduction :

The Mikir Tribe residing in the District of Khasi and Jaintia Hills will number near about 50,000 though the number in the British administered portion is 23,372. Unlike the Khasi people, the Mikir people of the District are economically very poor, educationally very backward and socially much neglected. In the Primary Schools Mikirs children are taught in Khasi Vernacular though it is not their mother tongue. Much of the social benefits such as the distribution of cloth and yarn at control rates were denied to them for a long time. Rich Khasi landholders and businessmen taking the opportunity of their poverty are exploiting them in every way possible. If we are to live in the same way in the future free Assam our race will surely extinct in this hills. We therefore beg to state as follows :—

Safeguards proposed :

(1) We have heard that there is going to be a new district formed for the Mikirs comprising the area now called the Mikir Hills partially excluded Area. The area in the Khasi and Jaintia Hills where we reside is contiguous to that above area and quite compact with natural boundaries. It is our desire therefore that the area in the Khasi and Jaintia Hills should also form a part of the district newly formed for the Mikirs.

(2) In all other respect the Mikir people of Khasi and Jaintia Hills should have the same safeguards as in the other parts of Mikir Hills area.

(3) All the lands occupied by Mikirs either inside or outside the Mikir district should be inalienable.

(4) Instructions in the Primary stage should be given in the Mikir Vernacular.

(5) The internal affairs of the Mikir Hills district should be dealt by a body called Local Council to which every 5,000 will send one representative.

(6) In all other respects we agree with the proposals submitted to the sub-committee by the Mikirs of Nowgong and Golaghat at Lumding and Dimapur respectively through the KARBI-A-DARBAR which is the only representative organisation of the Mikirs and in which we Mikirs of Khasi and Jaintia Hills place full confidence.

Copy forwarded to Hon'ble R. N. Brahma, for favour of kind perusal and disposal.

We remain,

Sir,

Signed by :—

- (1) Rasing Teron, Umpanai Jowai Sub-Div.
- (2) Andress Durong, Marjong, Jowai Sub-Div.
- (3) Sing Doloi, Jowai Sub-Div.
- (4) Lindok Teron, Jowai Sub-Div.
- (5) Sarthe Engti, Jowai Sub-Div.
- (6) Muiari Teron, Jowai Sub-Div.

APPENDIX "R"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE OF THE CONSTITUENT ASSEMBLY OF INDIA.

By Mr. Rostanwell War Sirdar of Sohbar and other Sirdars and Representatives from British Villages

The demands of our people with regard to the future administration of our district after British authority in India is transferred to Indian hands are as follows :—

1. That the whole district of Khasi and Jaintia Hills be united under one administration under the name 'THE KHASI-JAINTIA FEDERATED STATE'.

2. There are 25 Khasi States, 31 British Sirdarships and 20 Dolloiships in Khasi and Jaintia Hills District. Each of these shall form a unit within the Khasi-Jaintia Federated State. Each unit shall have its own internal administration as at present.

3. No unit or area under this Federated State should be forced to amalgamate with another unit except by the will of the majority.

4. Any proposal for important reform should be initiated in a unit and brought to the National Council, if the majority of that unit so desire.

5. That special safeguards for the protection of our land be provided in the constitution of India to protect our land from exploitation by outsiders.

6. That our rights and social customs be kept intact as they are up till now so that we can develop ourselves according to our own genius and culture.

7. That there should be a Khasi-Jaintia Federated State Durbar which shall be called the National Council of the Federated State which shall have all power :—

(a) To consider and decide all matters relating to the internal administration of the Federated State.

(b) To consider and decide all matters relating to the subjects in which the Federated State is connected with the Government of Assam.

(c) The Khasi-Jaintia Federated State National Council should be composed of Representatives elected by adult franchise of both men and women from each constituency with the population of between 5,000 and 6,000 so that the National Council may be well represented. And for this purpose the whole district should be so divided into constituencies that each constituency should contain the population not less than 5,000 and not more than 6,000.

8. The National Council should be independent of Provincial Legislature. There should be an Executive Council of the Federated State to be composed of 5 members whose term of office should be

5 years. The Executive Council shall function according to the powers given by the National Council.

9. The Federated State shall have its High Court. This should be the court of appeal for civil and criminal cases from the Units of the Federated State.

10. The Federated State shall be connected with the Government of Assam in some subjects only, such as Higher Education, Communications, public Health, Agriculture, Industries and Commerce.

11. The Federated State shall pay certain sum of money to the Government of Assam as shall be agreed upon between the National Council and the Government of Assam for expenditures in the subjects in which the Federated State is connected with the Government of Assam.

12. The Federated State should be given 5 seats for the Provincial Legislature.

13. Shillong should remain the seat of the Government of Assam and should be treated as a separate Constituency which shall be entitled to elect its Representatives according to the needs and circumstances of the Town.

14. The people of the Federated State should be provided with services in the Government of Assam by way of Representation and also by general competition.

15. The Ministry of Assam should be so constituted that at least some seats be reserved for the Hills People who shall be mainly connected with the subjects in which the Hills Districts are connected with Assam, one of which should be for Khasi-Jaintia Hills.

16. We all support the General principles of the plan made by Hon'ble Rev. J. J. M. Nichols-Roy but we propose that the details in the plan should be brought to the National Council for consideration and approval.

Dated, Shillong, the 12th June 1947.

APPENDIX "S"

MEMORANDUM SUBMITTED TO THE SUB-ADVISORY
COMMITTEE OF THE CONSTITUENT ASSEMBLY OF
INDIA.

By Mr. Owenton Roy Thangkhiew, B.A., General Secretary, Raid Nongkseh and Sawshnong Phrashnong of Myllem State (with a Membership of 5,000).

I and these friends who have come along with me are Khasis of the Myllem State—a premier State in the Khasi and Jaintia Hills holding jurisdiction over portions of the town of Sbillong in addition to a big area outside it. We feel proud that India is getting independence. We also wish to live and grow in Free India according to our wishes and genius.

CLAIMS

1. The Khasis living in the Khasi and Jaintia Hills district are one people with the same customs, culture, habits and laws of inheritance. We want therefore that we should be united and be under one administration.

2. At present we have the Khasi States, the Jowai Sub-division and the British villages in our district. The British territories in Khasi Hills are mostly areas carved out from the various Khasi States and placed under the protection of the British Government at the time of the occupation of Assam and afterwards. These villages were never ceded to the British Crown but joined it for better administration only. They are in fact British Protectorates and not British conquered territories. The territories which prefer to remain outside their parental States as they are now may do so and each one of them will then constitute a unit in the district. All the Khasi States, the Jowai Sub-division and the Nongwah villages (now within the district of Kamrup) should then be grouped together and form a State to be named the "Khasi-Jaintia Federated State". The units under the Khasi-Jaintia Federated State should remain as they are but provisions should be made for reforms.

3. We should be protected from all aggression and exploitation from outside and be autonomous in internal affairs. We should have connection with the Government of Assam in certain subjects such as Education, Provincial Communications, Public Health, Trade and Commerce and with the whole of India in subjects in which Assam is connected. Provisions should be made in the New Constitution that we should have a National Council consisting of 25 members to be elected from 25 constituencies into which the whole Khasi-Jaintia Federated State should be divided for the purpose.

4. The Council should form a link of all the units forming the Khasi-Jaintia Federated State. It should make laws and regulations

for the common interests of all the units. Laws enacted by the Provincial Legislature should not be applicable to the Khasi-Jaintia Federated State unless they are accepted by the National Council.

5. The election of members to the National Council should be by adult franchise of both males and females of over 18 years of age. There should also be four seats reserved for women in the National Council. The National Council should also have powers to co-opt 4 members but such powers should be rarely exercised. There should be an executive committee of about 5 persons to be elected by the National Council from members and non-members of the National Council. This Executive Committee should be the Government of the Khasi-Jaintia Federated State. The Executive Committee should elect a President from among themselves.

6. There should be a Federal Court selected by the Executive which should be the highest Court of Appeal and hear cases not triable by the units. This Court should be independent of the Executive Committee.

7. Seats in the Provincial Legislature.

(a) **Shillong Town.**—Shillong Town with a mixed population deserves special considerations. There should be 3 seats in the Provincial Legislature as follows:—

1. A woman elected by the women of the town.
2. A general seat elected by the people of Shillong.
3. A reserved seat for a Khasi to be elected by the people of the town.

(b) **The Khasi-Jaintia Federated State.**—The State has a population of over 3 lakhs. We should have 4 members in the Provincial Legislature to be elected by adult franchise of males and females.

8. **Provincial Cabinet Representation.**—In view of the areas and claims to protection the hills-areas should have a one-third representation in the Cabinet. At least one Provincial Minister should be a Khasi for the effective guidance and service to this State in particular and to the province and the hills-areas in general.

9. Some major provincial services should be filled in by open competition of all the people of the province. A certain percentage should be reserved for the hills-people who should compete among themselves.

10. We oppose grouping of Assam with Bengal or with any other part of the province that may be included in Pakistan.

11. **Conclusion.**—The Khasis are well-known for their democratic forms of Government from very early times. The democratic feelings of the people has been much enhanced through education and the impact of cultures in Shillong inspite of 130 years of repression of British Rules in these hills. It is therefore fair that the capital of the province should remain in Shillong. We also support the draft constitution for the Khasi and Jaintia Hills prepared by the Hon'ble Rev. J. J. M. Nichols-Roy who is our recognised popular leader.

12. According to clause 5 of Aitchison's Treaty No. XVI, page 131, Vol. XII, the Siem of Myllem (at that time Myllem and Khyrim were one state) relinquished his claim to the boundary of Desh-Doomaroah on condition that Sonapur market be given to him. That promise has not been fulfilled as yet. We, therefore, claim Sonapur market within Raid Nongkseh of Myllem State.

Dated Shillong the 12th June 1947.

APPENDIX "T"

MEMORANDUM SUBMITTED TO THE ADVISORY SUB-COMMITTEE OF THE CONSTITUENT ASSEMBLY OF INDIA.

By Mr. C. D. Khyllab and Representatives from British Villages.

The demands of our people with regard to the future administration of our district after British authority in India is transferred to Indian hands are as follows :—

1. That the whole district of Khasi and Jaintia Hills be united under one administration under the name 'THE KHASI-JAINTIA FEDERATED STATE'.

2. There are 25 Khasi States and 31 British Sirdarships in Khasi Hills, 20 Dolloiships and 2 Sirdarships in Jaintia Hills and also a group of 40 villages of Nongwah State in Kamrup District. Each of these shall form a unit within the Khasi-Jaintia Federated State. Each unit shall have its own internal administration as at present.

3. No unit or area under this Federated State should be forced to amalgamate with another unit except by the will of the majority.

4. Any proposal for important reform should be initiated in a unit and brought to the National Council, if the majority of that unit so desire.

5. That special safe-guards for the protection of our land be provided in the future constitution to protect our land from exploitation by outsiders.

6. That our rights and social customs be kept intact as they are up till now so that we can develop ourselves according to our own genius and culture.

7. That there should be a Khasi-Jaintia Federated State Durbar which shall be called the National Council of the Federated State which shall have all power—

(a) To consider and decide all matters relating to the internal administration of the Federated State.

(b) To consider and decide all matters relating to the subjects in which the Federated State is connected with the Government of Assam.

(c) The Khasi-Jaintia Federated State National Council should be composed of Representatives elected by adult franchise of both men and women from each constituency with the population of between 5,000 and 6,000 so that the National Council may be well represented. And for this purpose the whole district should be so divided into constituencies that such constituency should contain the population not less than 5,000 and not more than 6,000.

8. The National Council should be independent of Provincial Legislature. There should be an Executive Council of the Federated State to be composed of 5 members whose term of office should be 5 years.

The Executive Council shall function according to the powers given by the National Council.

9. The Federated State shall have its High Court. This should be the court of appeal for civil and criminal cases from the Units of the Federated State.

10. The Federated State shall be connected with the Government of Assam in some subjects only, such as Higher Education, Communications, Public Health, Agriculture, Industries and Commerce.

11. The Federated State shall pay certain sum of money to the Government of Assam as shall be agreed upon between the National Council and the Government of Assam for expenditures in the subjects in which the Federated State is connected with the Government of Assam.

12. The Federated State should be given 5 seats for the Provincial Legislature.

13. Shillong should remain the seat of the Government of Assam and should be treated as a separate Constituency which shall be entitled to elect its Representatives according to the needs and circumstances of the Town.

14. The people of the Federated State should be provided with services in the Government of Assam by way of Representation and also by general competition.

15. The Ministry of Assam should be so constituted that at least some seats be reserved for the Hills people who shall be mainly connected with the subjects in which the Hills Districts are connected with Assam, one of which should be for Khasi-Jaintia Hills.

16. Plans which have been now submitted to the Sub-Committee of the Advisory Committee of the Constituent Assembly for the future administration of the Federated State should be brought to the National Council for consideration and approval.

Dated, Shillong, the 12th June 1947.

APPENDIX "Z"

MEMORANDUM OF STATEMENT OF THE CASE OF THE HILL TRIBES OF ASSAM, PARTICULARLY THE KHASIS OF THE KHASI AND JAINTIA HILLS.

1. H.M.G.'s proposals as announced by the Viceroy on 3rd June is to divide India according to the homelands of Hindus and Muslims and the Sikhs.

From the broadcast on the same date by Pandit Jawaharlal Nehru for the Hindus and Sardar Baldev Singh on behalf of the Sikhs, it is apparent that they have admitted this principle of having self-government for their people in their respective areas.

Mr. Jinnah, on behalf of the Muslim League was more cautious and stated that it is for the Council of the All-India Muslim League to decide whether to accept H.M.G.'s proposal—but he hoped the Council of the Muslim League would accept the proposal as it consists Pakistan as the homeland of the Muslims to be governed by the Muslims themselves.

According to the same policy and on stronger grounds we the Hill people demand self-government—for our home-lands which are practically populated by the Hill Tribes.

Speaking for the people of the Khasi-Jaintia Hills, we claim self-government or autonomy for these homelands of the Khasi and Jaintia people.

2. We said "stronger grounds" than the people of the plains for—
 - (a) the Hill people are of entirely different stock than the people of the plains;
 - (b) they had no social contact with the people of the plains; no inter-marriage; no inter-dining, and no linguistic affinity with the people of the plains—who despise the hill people as being uncivilised and barbarous, while the Hill people regard the people of the plains as crooked and conceited;
 - (c) there is no cultural affinity between the two; we have a civilisation and culture of our own and we are wedded to the principle of democracy as against the autocracy and theocracy of the Hindus and Muslims respectively.
3. Our democratic ideal is apparent from the following facts:—
 - (i) Lands of the Hills belong to the community and not to any Raj. Every hill people have the right to occupy any land in their respective areas without paying any revenue or tax to the Government.
 - (ii) Even the Heads of their native States are elected by their people and can be dismissed at the instance of the people for misrule. This democratic principle is recognised by the foreign and political department of the Government of India and embodied in the Sanads of the Heads of the Khasi States.

- (iii) We have no coded Laws, but practically every tribe has got their own customary laws and the present British Government of India had accepted our policy and had not in the past interfered in the Administration of these customary Laws by the Heads of the States and their Durbars.
- (iv) Our social life represents the idea of democracy, for we recognise the matriarchal system of succession and inheritance.
- (v) From the foregoing paragraph it is absolutely clear that the mode of life of the individual as well as the community and our system of government by the Heads of States and their Durbars are poles asunder from those of the people of the plains, and we believe if such numerous communities like the Hindus and Muslims and Sikhs are allowed the right of self-determination, the Hill people have better reason to claim autonomy in their ordinary day to day government for their homelands. Although we are numerically smaller, our culture and system of government and mode of life are unique. Such a people should not be compelled to join either the Hindu or Muslim majority but their individualism should be preserved as in the past.
- (vi) The Khasi Hills abound in small independent States presided over by Heads known as Siems, Lyngdohs, Sirdars and Wahadadars. The quota number of States, big and small, are 25. These Khasi States have constituted themselves into a Federation called "FEDERATION OF KHASI STATES" and this Federation has been recognised by the Chamber of Princes, the State Negotiating Committee of the Cabinet Plan, and also the Political Department of the Government of India.

Out of a total population of the Khasi and Jaintia Hills, over 3,00,000, are Hill People and a very small fraction are people of the plains. These non-Khasis are concentrated in the town of Shillong, being the Head Quarters of the Assam Government. In the interior of the district there are no plain people at all. The total number of the plains people in the non-British portions of the Khasi and Jaintia Hills, is very small. The Khasis residing in the British areas who are a fraction of the Khasi people are willing and eager to join their brethren of the Khasi States, and we claim autonomy on behalf of these confederation of both the Hill people of the British area and the States.

4. In the matter of governance in the autonomous Khasi States, there will be no difficulty. They have already a system of democratic administration in their States, which has worked quite smoothly and satisfactorily all along.

In the matter of finance too there will be no difficulty. The district abounds in potential mineral resources: already limestone, coal and clay suitable for cement manufacture have been worked. Silimanite and corundum are being quarried. We have sal forests with hardwood having a big market.

The upper regions of the district abounds in indigenous pine which meets all our softwood.

Royalties from all the sources will bring in considerable revenue.

We grow about 12 lakh maunds of very good potato, 3/4th of which are exported to the plains as also outside the Province of Assam.

First class orange grown yield sufficient crop to export daily at least one million oranges for 5 months in the year.

Moreover, we have others like betel nut, betel leaves, lac and peepul which are exported in large quantities annually.

A small export duty on these commodities can bring sufficient revenue for the needs of the autonomous Khasi States.

Even now the present Assam Government, by a system of Permit fee on Motor Vehicles plying on the Gauhati-Shillong and the Shillong-Sylhet Roads, 3/4th of which lie within the district of Khasi and Jaintia Hills, derive a big revenue.

This or a proportion according to the mile-age running within the area of the Khasi and Jaintia Hills will be a welcome addition to the resource of the proposed Khasi State.

We have another untapped resource of hydro-electric power from our many water falls which, when developed and extended outside is sure to bring in a substantial revenue to our State.

So even in the score of finance also, the proposed Self-government State will be more than self-sufficient.

5. In matters relating to communication with the outside world, and in education, &c., necessary arrangement by treaties and agreements with the neighbouring governments can be made.

Our numbers are small, but there are in India, Native States and British Administered areas like Coorg and Ajmer-Merwara in British India, not to speak of principalities like Monaco and Monte Carlo in Europe, which are even smaller.

We earnestly urge this Sub-Committee of the Advisory Committee of the Constituent Assembly to recommend independent and autonomous government by the Hill People in their homeland, and specially for the Khasi and Jaintia Hills who, on account of the location of the seat of the Assam Government in their midst, enjoying amenities and facilities denied to other parts of the Province of Assam, are far advanced in Education, Civilisation, Standard of Living and General outlook.

GENERAL.

The Assam Excluded and Partially Excluded Areas Sub Committee met at 9.30 A.M. on the 13th June 1947 in the Assembly Chamber, Shillong, the Hon'ble Mr. Bardoloi in the chair.

Mr. A. G. Roy Chowdhury, General Secretary, Assam Jatiya Mahasabha as presented to the Committee.

MR. ROY CHOUDHURY: The Jatiya Mahasabha is an organisation differing from the Congress, although it follows in the lines of the Congress policy. It is in existence since 1935. The basic creed of this Association is Assam for the Assamese, that is, Assamese means all indigenous people of Assam and outsiders who have cast their lot with the good and bad of the Assamese people or those who have identified themselves with the interests of the people of Assam. The Association do not recognise any domiciled party. If a person does not identify himself with the interest of the province, we do not recognise him. When I said the province of Assam I meant with the exclusion of Sylhet. I will consider the people of the Hills as Assamese. I would be prepared to extend the same position which I would give to the people of the valley also to the people of the hills. I would be prepared to bear the expenditure of some of the Abor tribes in the hill area. Even if the hill districts are deficit I would be prepared to meet from our exchequer their expenditure, because they are my own people.

MR. CHAIRMAN: It may involve even more expenditure. Will you be prepared to do that?

A. Certainly. Even at the cost of some sacrifice to the people of the valley. I consider the hill people as my own people. I am ready to go so far and I am ready to hand over to the people of the hills as they are the original owners.

MR. CHAIRMAN: You know that at the present moment under the existing 1935 Act there are certain areas called as excluded areas and partially excluded areas distinguished from tribal areas. The excluded and partially excluded areas you may know are administered by the Provincial Governor. The tribal areas are also administered by the Governor as an agent of the British Crown for the purpose of defence. The question now is with reference to the excluded and partially excluded areas. What do you think the relationship between the partially excluded and excluded areas should be with the Provincial Government?

A. I like that full autonomy in those areas be given to them and their representatives should come to the Assembly and that those areas should be administered by the Provincial Government. The Naga Hills or the Khasi Hills are autonomous units in respect of their language, manners and custom and also land and they are administered by themselves. They will be in contact with the Provincial Government.

MR. CHAIRMAN: Why should they when they are completely autonomous?

A. I am not speaking in that sense that they will be completely independent of Assam. I do not mean that.

MR. CHAIRMAN: Your idea is that they will be autonomous parts of Assam and in what matters do you want that the relationship of those parts should be with the province.?

A. In law and order, commerce, university, higher education, provincial communications: and they should have representation in the legislature. All the partially excluded areas have of course representation now, but I want that the excluded areas which now go as excluded areas should also be included within the jurisdiction of the Provincial legislature. I would like that they should have some representation in the Cabinet also, subject of course to

efficiency. I would also like to pay special attention to these areas and for that purpose like to show in the budget separately some provision for their upliftment. There should be a separate provision in the provincial budget in order to bring them on a par with the plains people.

MR. CHAIRMAN : Regarding the administration of tribal areas you know that there are two divisions, excluded and partially excluded areas and beyond that near about the borders of the provincial boundary there are other areas and these areas are also inhabited by some of the people who live in the excluded area. What do you think your treatment should be in reference to those people and how would you like these areas to be administered? They are in the provincial boundaries and some of these tribes are also tribes in the excluded areas. Secondly what policy would you like to pursue in reference to these tribes?

A. The same policy should be pursued; but my aim is to bring all the backward people to the standard of the plains people and with that end in view whatever is necessary must be done.

MR. CHAIRMAN : Those areas could not be administered directly by the Provincial Government, in view of the fact that they are areas which will be more or less necessary from the Defence and External Affairs Department's point of view and in which the Provincial Government will be acting as agents of the Government of India. The frontier will be under the administration of the Central Government. That also must be agreed to. It will involve a broad policy in which the whole of India will be concerned.

A. In respect of their administration the Provincial Government should act as agents.

MR. CHAIRMAN : Would you like to bring some parts of the areas under the provincial legislature as you would bring the Naga Hills and the Lushai Hills also?

A. If they come to the standard of the Nagas, Lushais and the Khasis then they must be brought under the provincial legislature.

MR. CHAIRMAN : When we went to meet the Abors some of them want to have representation also in the Assam legislature. But they are in the tribal areas. Would you advocate treating them together for representation in the Assam legislature?

A. If they are efficient and if they have got proper men to represent them in the assembly they should be allowed to do so. In the meantime the Provincial Government must try its best to bring them to the level of the plains people and also do uplift work.

MR. CHAIRMAN : Supposing there are certain areas which may not, according to your standard, be brought within the legislative sphere of the Provincial Government, what kind of governmental machinery as agent of the Government of India will you suggest?

A. Is there any such area?

MR. CHAIRMAN : At present there are 30,000 square miles, I think nearly half of the actual area of Assam including Sylhet. There are certain areas and certain people there and you want to follow a policy of progressive civilization in these areas. At the same time you realize that it is the Government of India who are directly responsible. As against that we have said that it is the Provincial Government that should act as agents of the Central Government. Then what kind of machinery this Government should take in order that they might meet your point of view in the matter of uplift as also maintaining the policy of the Central Government

A. Progressively they will come under the legislature. These areas may be administered by a Political Agent and the Political Agent should be under the Provincial Government.

MR. JOSINGH RYNJA : Although the expenditure of the Government there will be borne by the Central Government, you think that the Central Government should administer them through the Provincial Government ?

A. Yes.

MR. CHAIRMAN What would you suggest as to how that agency is to be carried out? You cannot have their representation in the legislature to safeguard their interests. It is quite clear and yet you want that some progressive policy should be pursued. How do you want that policy to be pursued ?

A. The Provincial Government will see to that.

MR. CHAIRMAN : Have you any concrete opinion to offer on this point ? If not would you like the establishment of a sort of an advisory committee ?

A. Yes. It should be an advisory committee among themselves and some people representing the Government of India and some people representing the Government of Assam. That may be done.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Would you like to have a Special Minister to attend to them ?

A. Yes ; a special portfolio may be created for that purpose.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Any area which can conveniently be brought under the Assam legislature should be allowed to come under the legislature wherever there is possibility to get the representatives of the people ? There may be different degrees of education among the people. Would you advocate that such areas as are possible to be brought under the Assam Legislature should be brought into it ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Those areas which the Government of India will have to administer from the stand point of defence, should be administered by the Government of Assam as agent of the Government of India, but the expenditure should be borne by the Central Government ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Therefore, the areas that should fall under the Central Government for defence purposes should be as little as possible and a larger area should be brought directly, if possible with financial help of the Government of India, within the provincial sphere ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS ROY : In those areas in which you are directly connected, you want to treat them in the same way for development as the plains people ?

A. Yes. There are also tribal people in the plains. They are also entitled to protection and safeguards. We are prepared to give them the same concessions and advantages to these people, but not in the line of separate electorates.

They should be given seats in the legislature according to their population. The tribal people in the plains are being ousted by outsiders. They want special protection.

MR. CHAIRMAN : This is not within the scope of the enquiry. We may make a note of that.

The Committee then took up the examination of Mr. S. C. Basumatary.

Mr. BASUMATURY : I am the General Secretary of the Plains Tribal League. We have not got any fixed headquarters. At present it is in the same place as the Secretary lives, in my house, in Dhubri Sub Division. I represent the Kacharis, Boro, Moch and Dimasa. The Rabhas have got a Branch organisation of the Tribal League. The Lalungs, Miris, Dewris, have also separate branch organisations, under us. Mikirs, Garos in the plains, Hajongs in the plains, Morons and Motoks, all the tribals who are found in the plains, have branch organisations under us.

Including the Ex-Tea Garden tribes, the population is 17 lakhs. Ex-Tea Garden tribes are not included in our association. But they have agreed to work together with the plains tribal people.

Mr. CHAIRMAN : The main purpose of our enquiry, as it may be known to you is to discuss how the administration of the tribes in the Hills could be conducted by the future Government of Assam. The Government of Assam that is functioning now and will be functioning in future represents the people and you as a section of the people of the plains are requested to give your views as to what that relationship should be.

You know that the present Government of Assam has Excluded Areas and Partially Excluded Areas within its administration. You also know that the Partially Excluded Areas send representatives to the Assam Legislature. How do you like the future government of these tracts should be ?

A. Certain Hills are more advanced than others. Therefore the Government should pay special attention for the improvement of these areas like the Sadiya frontier, Balipara frontier, the Mikir Hills, etc., by administering them directly and at the same time giving them local autonomy. I feel that the people from these areas should also be represented in the legislature. Wherever it is necessary to sacrifice revenues from the province for their uplift, we must be prepared to do it as we are one people, because they are our own people -- Assamese people. The Naga Hills and Lushai Hills, etc. should also be with in the administration of the province of Assam. We should also be prepared to bear the expenditure for their advancement, just as the areas I have already mentioned. They should also get representation in the legislature. I want to give them autonomy in respect of all their internal affairs. This autonomy should extend to the following spheres :

(i) for the protection of land ;

(ii) for the preservation of their customs and manners and their institutions ;

(iii) for the preservation of their culture, language and on all other matters referring to their internal autonomy.

Mr. CHAIRMAN : Your opinion given so far has been with reference to the Excluded and Partially Excluded Areas only. You may know that there are other areas which are called Frontier Areas and the jurisdiction for the administration of these areas will come to the Central Government. Have you any suggestion to make in reference to the administration of these areas ?

A. My own opinion is that the administration of these areas should be brought under the province of Assam. I would like to pursue the same policy in reference to these people as the one I have suggested for the people of the Partially Excluded and Fully Excluded Areas.

Mr. CHAIRMAN : The question is ; it may be that due to these areas being frontier areas and the Government of India being concerned with the defence of India as a whole, and secondly, due to the fact that the maintenance of these areas may also be connected with foreign relations and the Government of India wanting to exercise authority over them, would you suggest any other alternative scheme according to which the administration of these areas will be more or less according to your wishes ?

A. The policy that the Centre would like to pursue should be done through the provincial Government.

We can not leave the thing to the Centre altogether. I want that the Provincial Government should have control in the matter because of the fact that the pursuit of any policy might affect the Province of Assam as a whole. It would serve my purpose if it is administered by a common machinery. If they could be brought into the Legislature surely I would advocate it. If not, then the Assam Government should take such measures as they think best for the good of these people as well as for the administration of these areas. Now, I want to say something about the Tribes in the plains.

MR. CHAIRMAN: It does not fall within the scope of this enquiry and Mr. Brahma is already in this Committee to present your case.

WITNESS: The Committee may not submit any recommendation but you may make a note. We require certain protection for lands, education, etc.

MR. CHAIRMAN: I want to know whether it will serve your purpose if there is some provision made in the Constitution Act by which certain areas could be declared as areas which will require special protection, areas predominantly inhabited by backward people.

WITNESS: It will serve our purpose to some extent provided the areas are compactly inhabited by the tribal people. There are certain such areas like Southern Nowgong, Golpara District, Southern Golpara, Southern-Kamrup, Northern Kamrup, Northern Darrang, North Lakimpore, some areas in Dibrugarh and some areas in Shibsagar and some areas in Kachar.

The Assam Plains Tribal League organisation is a separate organisation from the Congress. It has always co-operated with the Congress but we don't want to merge our Association.

The interview ended.

The Sub-Committee then examined Mr. C. Goldsmith.

MR. GOLDSMITH: I have here a Memorandum which is very explanatory. I shall leave my statement with the Committee.

MR. CHAIRMAN: We thought that as the future set up will be entirely democratic it is necessary that the people of the province and other parts of the hills should also give their opinion in respect of how they would like to be related to the plains people. After all the Assam Government is composed not merely of the hills people, but also of the plains people and in any scheme of things in which the plains people will be concerned financially and administratively it should be the duty of the Committee to know that from people who are supposed to be representatives of various sections of people. Therefore we thought it desirable that we should be concentrating our attention to a particular aspect of this question and getting your opinion.

MR. GOLDSMITH: The letter that came from your Committee to me was addressed as President, Assam Indian Christian Association. There is no such organization as such with that name. It is the Civic Rights Committee of the Assam Christian Association which deals with the subject. This time there is a new President. I know much of these people (Christians).

MR. CHAIRMAN: You were also a member of the legislature for the last 8 or 10 years.

A. I have travelled much in the hills and I have got intimate contact as a Christian. There is no association like the Assam Christian Association.

The present president of the Assam Christian Council is Mr. Lyngdoh, a Khasi gentleman.

THE HON'BLE REV. J.J.M. NICHOLS ROY: There is a different problem altogether about the Christians in the plains area and the Christians in the hills area. The former have a separate electorate but the latter are included as tribals. So we have no separate electorate at all and we do not want any. But the question which is put to you is not in regard to those matters but in reference to the matters as whether you, the Christians of the plains, are ready or not to bear the expenditure which may be incurred by the Assam Government for the hill areas, because the hill areas, most of them, are run on a deficit budget.

MR. CHAIRMAN: You are also an Assamese?

A. Yes.

MR. CHAIRMAN: You represent the Protestant Christians and possibly the Roman Catholics.

A. Yes. They are in a very small minority and I think whatever we say, they will agree. I cannot guarantee anything because I have not got contact with them personally. This is my own personal opinion as an Indian Christian.

MR. CHAIRMAN: It will not be on behalf of the Protestant Christian as a whole?

THE HON'BLE REV. J.J.M. NICHOLS ROY: You believe that your views will be accepted by all the other Assamese Christians?

A. I do believe so.

MR. CHAIRMAN: You know that we are conducting an inquiry regarding the administration of partial and fully excluded areas and also tribal areas. Partial and fully excluded areas form part of the administration of the Government of Assam may be by the Governor in his special responsibility, but the tribal areas being frontier areas I hope are administered by the Governor but as a representative of the Central Government. The British Government is going out of existence from the 15th of August. This Sub Committee was set up to enquire into the administration of these areas. I like to know from you how do you like the administration of these areas should be related particularly in reference to the administration of the province as a whole.

A. As I have said I have in my thesis made two distinct divisions, one being the plains and the other the hills divisions.

MR. CHAIRMAN: The Naga Hills, the Lushai Hills and North Cachar Hills are Excluded Areas. The Mikir Hills, the Garo Hills and Khasi Hills are Partially Excluded Areas. The question is, how to deal with these two areas.

A. I do not consider it is advisable to divide the areas into Excluded and Partially Excluded Areas. All the Hill Tribes should form part of the Assam Government. The Government has for some reason or other divided them into Excluded and Partially Excluded Areas, which in my opinion should not be done because I consider all these Tribes should be considered as one whole block.

The second point is how they should be governed. According to the announcement of the Viceroy and the settlement that has come, things have changed. I consider that since self determination has been the principle that has been adopted by all the leaders, these Hill areas, the whole block of the Hill tribes should be regarded as one block and they should be left alone to

administer their own country and to shape their own destiny because no country either the Government of Assam or Bengal or the Central Government, or the people in the plains have nothing to do with these Hill Tribes in the sense that they have a quite different language, they have a tract of land which is forbidden to other people, a different language and their own customs and culture and also because the plains people have done nothing for these people in the past.

MR. CHAIRMAN: The plains people have spent a lot without getting anything back.

WITNESS: From all points of view, I think these people should have a chance now because they know themselves better than we do. Since I have come in contact with them, I know that they have something with them which if they develop, that will give them strength enough to look after themselves.

MR. CHAIRMAN: Do you mean to say that the Government of Assam should leave them to themselves entirely?

A. Yes, entirely, in the sense, let them choose for themselves. If they so decide, they may come and ask the Central Government or the Assam Government or the Pakistan Dominion or the Hindustan Dominion to be their guardian. My opinion is let them have a chance.

MR. CHAIRMAN: In other words, in the mean time you want that all relationship with these areas should be withdrawn?

A. Yes. We should withdraw everything.

MR. CHAIRMAN: The Assam Rifles are there. The help that the Assam Government are giving them financially and all other things will be withdrawn?

A. Yes, when an arrangement has been made.

MR. CHAIRMAN: Do you know that the Lushai Hills spend from the Government four lakhs annually in excess of what they get?

A. I do not know.

MR. CHAIRMAN: Do you know that the Naga Hills spend five lakhs more from the provincial exchequer beyond their income?

A. I do not know.

MR. CHAIRMAN: You know that head-hunting raids are yet going on?

A. I have heard.

MR. CHAIRMAN: Will you in the circumstances allow the Naga Hills complete severance from the provincial administration including expenditure on the maintenance of the Assam Rifles? You want that all that should be withdrawn in order that they may enjoy and think about themselves?

A. Tomorrow you cannot withdraw all these things. You continue with the present arrangement and when they are ready to take over, you may withdraw.

MR. CHAIRMAN: Do you mean to say that the Assam Government should rule them in the same way till they have been able to bring about an administration of their own?

A. Yes. As soon as they say we are ready, you may withdraw.

MR. CHAIRMAN: Till they are in a position to say that they are going to rule themselves, you like that we should stay there?

A. Yes.

MR. CHAIRMAN: Will it be enough if they merely say, or will you wait till actually they have shown their capacity to rule themselves?

A. Unless you give them an opportunity,

MR. CHAIRMAN: You originally stated that we should withdraw. You have modified that we should wait there till they are able to say that they can rule themselves. My third position is whether it is merely for them to say or for all of us to see whether they are actually fit to govern themselves.

A. I will depend on them. Let them say that they are able to rule themselves and not depend on you.

MR. CHAIRMAN: They have said already. Shall I withdraw today?

A. Yes. If they have said already, let them have it. If they have said so weighing all things, well, then withdraw.

MR. CHAIRMAN: There is no question of weighing and all that. They have said that they would like to have a State of their own. Shall I withdraw?

A. Yes. Withdraw.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Do you mean to say that the grant which the Government of Assam is giving to the Naga Hills which amounts to four lakhs of rupees for running their administration, apart from the expenditure on the Assam Rifles should be withdrawn when some of the Nagas say that they should be left alone? What do you mean by "they say", the whole people collectively saying or a few leaders saying that?

WITNESS: The Honourable Premier said 'they have said'.

MR. CHAIRMAN: Having seen the head-hunting that is going on, and the necessity for the Assam Rifles, would you advise the Assam Government should withdraw the whole thing? The whole thing will collapse and there will not be even an officer to work in those areas.

A. Yes, because they have said so.

MR. CHAIRMAN: You realise there are various tribes among the Nagas?

A. Yes.

MR. CHAIRMAN: You realise that one tribe has a different custom from another tribe?

A. Yes. There may be slight differences.

MR. CHAIRMAN: You realise they speak different languages?

A. Yes.

MR. CHAIRMAN: Could you rely on them when they say that they will form their Council?

A. Is not there a Council already?

THE HON'BLE REV. J. J. M. NICHOLS ROY: That is only a political council, that is not an administrative body.

MR. CHAIRMAN: In view of these differences and in view of the fact that there is not even a rudiment of a unified administrative machinery, would you advise they will be justified in what they say that they would be running a government for themselves? I am not talking of all the Hills, I am talking of the Naga Hills. When the process of unification has not even started, would you yet advise that whatever they say we shall rely upon and act as reasonable men? Or would you ask us to give it up when the unification takes place?

A. Even if it is not complete, some unification has taken place which will justify us to leave them alone, because that kind of unification has not come even in Assam, even in India.

THE HON'BLE REV. J. J. M. NICHOLS ROY : It will take some time to organise a machinery of Government.

A. People learn by experience. Let it take time.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you mean to say that the Government of Assam does not want to bear any expenditure upon them ?

A. I say that if the Government of Assam is not generous enough and does not want, they should not be compelled. My idea is that if the Nagas be left alone, they can get enough money from somewhere. I shall not say from where, now.

SECRETARY : Looking at the general picture, there is the question of administration of the country. Would you expect any Government to sit down and watch its borders which may be of strategic importance going to chaos ?

A. You know these Excluded Areas are under the direct supervision of the Governor and not the Government of Assam. Therefore, it stands to reason that Assam is not responsible ; it is the Governor's own responsibility. It is the function of the Central Government to look after them.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Some Government must look after them and not the Assam Government ?

A. The Assam Government should not because the Assam Government will have a Hindustan Dominion. Let them decide to remain in what dominion they like.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Would you advise them to join Pakistan or Hindustan ?

A. I would not say anything at all.

THE HON'BLE REV. J. J. M. NICHOLS ROY : What would you advise Assam ?

A. Because Assam is mostly a Hindu majority country, I would advise them to join the Hindustan Dominion. I have already stated that the Plains Tribals should be in Assam and they should not take a separatist attitude.

SECRETARY : You are inclined to agree that everything cannot be left in chaos, and the Nagas should have a voice or should have to decide for themselves how their internal administration should be carried on ?

A. Yes.

SECRETARY : You are not of the view that the country should be given to chaos ; nor do you think that it can remain isolated. I think what you are driving at is that the principle should be recognised that the unit should have some voice in its own administration.

A. Not only some voice, but complete voice to run its own administration. Grant them self-determination.

SECRETARY : Well, there is a certain measure of autonomy in certain matters. In certain other matters, the provinces associate themselves with other units and surrender a part of their autonomy.

A. My point is that let the Nagas tell what things they want to surrender, under what agreement to the Central Government. Let them do so. You and I are not to tell what they should do.

SECRETARY : If every unit takes up the same attitude, every unit must start as a sovereign independent State and then it must enter into negotiation with other States. It is obvious that in certain matters it is not necessary to have all this preliminary talk. A Union presupposes that certain matters such as defence and external affairs are willingly surrendered and handed over straightaway to the Central Government. Therefore, what we are suggesting to you is to cut short some of this preliminary talk and come down to brass tacks.

A. We know very well the relations of Assam with the Central Government and of the other provinces. These Excluded Areas and border tracts have no such relationship except through the Governor to the Viceroy. These are entirely separated from all the other provinces and we must regard them as such in the future.

SECRETARY : You have stretched the meaning of Excluded Areas. All that it implies is that the administration of that particular area is not the responsibility of the elected Ministers and it has been kept in the hands of one man, the Governor. That is all that it means. Otherwise it is just as much a part of the province. Under the constitution of 1935, it is not different from the other parts. It is just a part of the province as any other District. The only difference is that the administration of that area is kept the sole responsibility of one man, the position in which all the other districts were some time ago. In the last century, all the districts were in the same position in which the Naga Hills and the Lushai Hills district now are. In the case of some of those districts, the authority has devolved on the people of the area. In the case of the Naga and Lushai Hills, that has not been so. In other words, the other districts have forged ahead and the Naga Hills district has lagged behind. It is the only difference. You have given too much meaning to the term Excluded Area that you have interpreted it as outside India.

A. Since that difference exists and also they have now thought that such difference ought to exist in the future, I have taken that attitude.

SECRETARY : The difference which ought to exist may be in this way. We are all prepared to agree that in certain matters, the position in the Hills and Excluded Areas is different from that of the plains. They have not had the same contact with what you might call sophistication. In other words, they have not had the same contact with non-agricultural professions and businesses and trade and moneylending including the corruption arising out of it, cheating. They have been kept apart from all that. At the same time, they have got certain special customs of their own, special tribal councils of their own and certain other peculiarities. In that way, everybody will concede that they are different. There are certain things in which they ought to be allowed to carry on maintaining these differences, such good features of those differences, as should be carried on. What we now really have to think out is how, when the discretion of the Governor is taken away, the interests of these people should be protected, how they should be allowed to continue as far as possible the good features of their ways of life, how their education and development should be advanced in such a way that they can attain an equal status with any other part of the country.

A. I have already stated that I want to take the whole of the Hill tribes together. Let me explain. I take the whole Hill tribes as one block. I had in my mind that this whole block of the Hill tribes will be contiguous to three Provinces, Eastern Bengal Pakistan Dominion, Assam of the Hindustan Dominion and Burma. It is not the business of the Assam Government alone to think of what their future will be. The other contiguous Provinces will have the same right to think about these people.

MR. CHAIRMAN : My whole point is what would you want us to do in the meanwhile? Whether they develop or not is a contingency of the future. Expression of a wish is a contingency of the future. How would you like the administration to be in the meanwhile?

A. In the meanwhile, let the administration go on as it is.

SECRETARY : You want the administration to go on as it is. You consider that under the provincial constitution a certain amount of provision has to be made for their ways of life to be protected, for their interests to be protected. Now, this is supposed to be done by the Governor. We have to think in making the change that the Governor will no longer have these powers in the sense that he will be an individual who can act apart from the constituted Ministry. Therefore, we have to think of a scheme in which more or less the same kind of things will continue and if possible consider if certain matters may be made over straightaway to them. So what we are now aiming at is to build a mechanism which will take the place of the Governor by providing automatically for the administration of these areas to be continued without interference in matters essential to the well-being of the tribes in their own way, maintenance of their ways of life. At the same time, we will have to see if the tribes are sufficiently developed, and if they can exercise franchise and also mechanism to run the local administration by themselves. These are the matters on which we have to concentrate.

WITNESS : You have just said (addressing the Secretary) that there will be a change from the Governor.

MR. CHAIRMAN : The change comes in the nature of things. They are under the Governor at present. Since the Governor will go, therefore what should be done for the administration?

A. Supposing there is a Governor, let him carry on.

Q. Do you want that in the process of building up, some help should be rendered by the Province, and if so to that extent the Province and the unit should be co-operating for the purpose of developing the tribes?

A. My opinion is let them continue for the present so that something will develop among themselves. You can help if you like. As a Christian tax payer, I would like some money to be spent on their development. They are our neighbours and I would like our money to be spent on their development.

Q. Would you like your money to be spent in Japan?

A. No, but if there is famine in Japan, I may contribute something.

Q. The main question is whether you are willing or not to bear the expenditure which may be incurred for these hill areas for their development where there is necessity for development.

A. If the tribes want we should help them. I will submit a memorandum later.

MR. CHAIRMAN : If you consider it necessary you may submit one but we have got what we wanted from you.

The interview ended.

The Committee then began to examine the witness from the Hindu Mahasabha—Mr. D. Dey, Shillong District.

Q. Is there a Provincial organization and do you know whether they have received any intimation?

A. There is a Provincial organization and I don't know whether they received any intimation. I don't belong to the Provincial organization I am from Bengal, I am not a Provincial tax-payer but a Municipal tax-payer from Shillong.

MR. CHAIRMAN : We have nothing to ask from you.

The interview came to a close.

The Assam Excluded and Partially Excluded Area Sub-Committee re-assembled at 3 P.M. on the 13th June 1947 at the Assembly Chambers, Shillong, the Hon'ble Mr. Bardoloi in the Chair.

Examination of the Hon'ble Mr. B. Medhi, Finance Minister, Assam.

MR. CHAIRMAN : Before I ask certain questions regarding finances, I will put one or two general questions. You generally find that the revenues some of the Khasi Hills Excluded and Partially Excluded Areas are not enough to run the present-day administration. As a representative of the people of the Province what would you recommend as to whether the general revenue of the Province should be spent for these areas as now ?

THE HON'BLE MR. B. MEDHI : No. As a matter of fact if these Excluded and Partially Excluded Areas form part of the Province it will be our duty as a Province to develop those areas. But the injustice that is done to Assam by the Centre in not giving a share of the revenue that is being taken from the Province for things produced here as for instance

MR. CHAIRMAN : That does not fall under the scope of the enquiry. That is a position which the Province should take in its relationship with the Centre. But here you are concerned with the relationship of this part of the Province with the Province itself and whether we should do our best to get as much money as we can get from the Centre cannot be any ground in itself. Non-receipt of money itself cannot be any ground for our not giving consideration to the administration of these areas.

A. It will be our duty to see to the development of these undeveloped areas and we must make our efforts to see our way to improve these areas, otherwise the entire progress of the Province will be retarded. That is why I am pressing that it is also the duty of the Central Government to see that the undeveloped areas have a proper chance of development.

MR. CHAIRMAN : Then get more money from the Central Government.

THE HON'BLE MR. RUPNATH BRAHMA : Do these areas form part of the Province ?

A. The Excluded Area is practically isolated from the administrative portion of the Province. We were not allowed so long to have free access to these places, to come in contact with those areas.

THE HON'BLE REV. J. J. M. NICHOLS ROY : They are part of the Province and in a way they are administered by the Governor and not by the Ministry.

A. As a matter of fact they are practically isolated by a policy which we do not support.

MR. CHAIRMAN : With regard to the relationship broadly between these areas which are governed by the Governor in his special responsibility what do you think the relationship should be in the future set up ?

A. The excluded area is practically under the control of the Central Government and the Provincial Government acts as the agent.

MR. CHAIRMAN : The question is how would you like that this relationship in future should be, knowing full well that the Governor's special responsibility in a certain amount of this area is bound to go in the coming constitutional change?

A. We would like to take the entire responsibility of the whole Province. The peoples' representatives must be responsible.

MR. CHAIRMAN: Do you visualise that we should allow the representatives of these areas also taking their place in the legislature for looking into their interests and also joint action for the good of the Province as a whole?

A. Yes. I quite agree.

MR. CHAIRMAN: Are you prepared to give them internal autonomy in affairs that concern those people?

A. Yes, to a certain limited extent. I think they should have free scope of their institutions, that is for the benefit of those people of that area. They may have any panchayat system or some sort of local improvement.

MR. CHAIRMAN: Would you also advocate the preservation of the manners, customs and mode of cultivation and many other things according to their genius and according to their mode of thinking?

A. As regards cultivation and other developments they should be allowed to have their modern method of improvement so that they may have the opportunity of growing more than they are doing at present. As for land system, it should continue and should be for the protection of those tribal areas. Their apprehension is that if people are allowed to come and occupy all lands there will be no land left for them as a minority party and as they are a backward area we must assure them that the land will be for their benefit. The present land tenure may be allowed to remain just as they are now.

MR. CHAIRMAN: They have to carry on *jhum* cultivation and *jhum* cultivation means practically giving an area of land four times as much as you would give to an ordinary person and in one area they cannot grow the crop and they have got to allow three years to get natural manure in order that it may be utilised for cultivation or they want more land and that is one of the reasons why they are jealous about occupation of land and that is the method that obtains in these Hills.

A. There is the question of soil erosion also.

MR. CHAIRMAN: Sometimes it is impossible to have any other thing than *jhum* cultivation.

A. My idea is that in suitable places improved cultivation should be started so that they may on their own motion when they find that this is more profitable they will come in and give up the *jhum* cultivation. This should not be done abruptly. They should be allowed to do this themselves. They should be trained to do that.

MR. CHAIRMAN: Beyond the scope of this tenure which they will exercise you agree of course that there must be some subjects in which the whole people of the Province will be concerned. Benefits of higher education, communication, defence in these areas and defence also of the country as a whole; in regard to these matters do you think these should be administered by the Province?

A. The Province is the best I think. By the legislature of the Province.

MR. CHAIRMAN: Would you not like to give any special responsibility to the Governor in discharge of these responsibilities beyond what the legislatures may do for them?

A. I do not think there is any necessity to depend on an individual. Instead of depending on the discretion of the individual it is better to leave the matter to the discretion of the legislature. There will be statutory provision in regard to certain matters only in those subjects in which there will be joint responsibility. A list of subjects should be kept for such and for the protection of these people.

MR. CHAIRMAN : Regarding other matters in which the matter concerns the entire Province beyond what is given to the tribes in the nature of autonomy that should come in the provincial sphere in which the representatives of the tribes also participate ?

A. Yes. They should be given protection in these matters.

MR. CHAIRMAN : Would you like to have the special responsibility of the Governor for protecting them ?

A. Instead of giving the right to the Governor I would like to give them statutory protection so that it can be enforced by any individual subject of that area.

MR. CHAIRMAN : In their area which could be described as more or less frontier tracts and which is now directly administered by the Government of India, the Governor of course acts as agent as regards the tribal areas and naturally it is connected with the question of defence of India as a whole and possibly also foreign relations. Therefore the Government of India is exercising at present administration directly through the Governor. In the future set up would you like the same thing to continue or would you like that the Provincial Government should have a larger share than what has been given now ?

A. No. I want that the Provincial Government should have a larger share, if possible the entire share, and in the matter of defence the Centre will have the right.

MR. CHAIRMAN : When you talk of defence, it is connected with also defence of a territory. If those territories are inhabited by the people of these areas, what do you say to that ?

A. As regards defence, the preparation of the defence measures may be taken by the Centre.

MR. CHAIRMAN : If that is to be taken then defence cannot be an independent part from the areas where the defence arrangements have to be set up, for example in order to defend the frontier of Assam from the side of China we shall have to have certain arrangements made within these areas. In such circumstances would you want or not the whole thing to be done by the Government of India.

A. In a matter of this kind also I would want the Province to do it.

MR. CHAIRMAN : This will be of course administered directly and all that you can say is that the Province can act as agent as before. In view of the fact that you do not provide the money for the administration of these areas you cannot actually administer them directly. In view of this do you wish that this change about which you are speaking should be confined to the Governor himself or to some kind of organization different from the Governor ?

A. As regards those areas instead of leaving the matter to the Governor, the better way would be that the Governor will act on the advice of the Ministers on those matters also. Instead of leaving the matter entirely to the Governor himself, I would leave the matter to the Governor as well as his Ministers. The Governor will act on the advice of the Ministers and it is very difficult for the Government of India to administer these matters from a distant place.

MR. CHAIRMAN : That principle is more or less accepted. Should it be entirely the responsibility of the Governor himself or what other method would you like to employ in order that the administration may be effective on the one hand and also consistent with the policy that the Province should like to pursue.

A. I would like to leave the entire matter to the Governor in Council.

SECRETARY : There are certain areas over which the administration has been established and other areas over which there is no administration and even the territory has not been fully explored. Would you consider that the province should have jurisdiction over those areas where administration is established and other areas over which there is no administration which really means looking into matters of external affairs and defence—the Central Government should deal with those as the only subjects of administration of those areas, after which it should become the provincial field ?

A. Before it is properly brought under the administrative sphere it should not come directly to the people of the legislature.

MR. CHAIRMAN : There are large areas now as much as, I suppose, 30,000 square miles of territory or near about that. These have got to be protected for several reasons. Would you allow the tribes to ally themselves with some foreign power or would you follow a policy by which you will alienate those tribes and throw them into the hands of your enemies ? In view of the interest of the Government of India administering those areas you say that it should not be within the sole responsibility of the Governor who might act as agent of the Central Government. On the other hand you say you wish that you will want the Governor to act on the advice of ministers. What kind of authority shall the Governor have on such matters ? The final authority will rest with the Governor in view of the fact that he is going to be elected. Do you or do you not like the responsibility to be given to the Governor ? The Governor wherever there is a dispute will override. I hope there will be no difference, but would you or would you not like the Governor acting as the agent of the Government of India ?

A. I would agree to give the Governor the power to override the unanimous advice of the ministers. It will be better.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing the ministry are divided then the Governor will be advised probably by the minister who is in charge of that portfolio.

A. By the majority of the ministers, but of course this cannot go to the legislature.

MR. CHAIRMAN : No. It cannot because it is not brought under the administration at all. Regarding the people themselves your policy will be one of the same kind as that which you have proposed for the excluded and partially excluded areas.

A. I think there will be difference also. You will have to give them facilities some sort of development, medical, education and other facilities must be given to them and they must be attracted.

MR. CHAIRMAN : You propose to give the same thing to the partially excluded areas also or you would like to follow any other policy.

A. I do feel that we must create a belief in the minds of those people that we are their friends and want them to improve. That should be the underlying idea. That should be the policy of the Government of India as if they administer it.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You have said the budget for these areas which are now partially excluded and excluded areas should be before the legislature as a voted item.

A. Yes and not non-voted as it is at present.

THE HON'BLE REV. J. J. M. NICHOLS ROY : How do you think that it may not be possible for these items to be passed in the legislature in view of the fact that every part of the province will demand its own share and the ministry will be forced by the majority group in the legislature.

A. My idea is that if the party has a programme definitely for the development of the backward areas, the party must as a rule carry that out, otherwise they will go out.

Q. You are prepared to make a statutory provision for the protection of the land as well as for its development. That development means a certain amount of money, educational facilities and everything that must be taken from the provincial exchequer. The legislature might think that requires only Rs. 10/- while the real need will perhaps be Rs. 100/- ; and how are you going to solve that problem because it is a fact that the undeveloped areas will require more money than the developed ones ?

A. Of course that will be a short-sighted policy if we neglect the undeveloped areas. Then the progress of the whole country will be retarded unless we make the backward areas develop.

Q. Sometimes you know by experience in the legislature that is not in practice the fact. Mikir Hills which is a partially excluded area has been totally neglected for so many years.

A. That is not the reason. There was no responsible party to take charge of the Government charged with the development of this area.

Q. Will you then in such circumstances advise that there should be a minister who will be in charge of those areas and be responsible for their development and see that they are developed.

A. I do not think a separate minister is necessary.

Q. If there is no budget who will be in charge and particularly for the development of that area. The duty of everyone is the duty of none. Recently there was a proposal for the appointment of a tribal officer for the purpose of finding out land for the tribal people. But it was not practicable for that officer himself to travel and move about and find out the land and so the matter was left to the Sub Deputy Collectors to find out that land which will be suitable for the tribal people and to form the tribal belt.

A. If there is a Minister for development of the whole province, it will be his duty to see that these backward areas are developed. It is his responsibility to do so.

Q. If you do not see that there is any need for a special Minister, exclusively for these areas, will you advise the creation of a special portfolio for the development of these areas ?

A. For the development of the entire province there should be one Minister and he must see that the province cannot be developed unless the undeveloped areas are developed.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you realise that the Minister will be in the hands of the majority group who will demand certain things and the Minister will have to be influenced by them ?

A. If he has the intention of developing the backward areas, and if he cannot carry the legislature with him, the only alternative for him will be to resign.

THE HON'BLE REV. J. J. M. NICHOLS ROY : The majority party will carry the day and the minority will be thrown out.

A. When there is a party programme for development of backward areas, that must be given effect to.

THE HON'BLE REV. J. J. M. NICHOLS ROY : That is the very thing that the minority people are afraid of.

MR. CHAIRMAN : You cannot create a meal outlook There is suspicion. The subject is too big for one Minister for the entire province to be giving attention to these extensive areas. Would you not suggest the creation of a special portfolio for development ?

A. For convenience of administration, it is quite a different thing.

MR. CHAIRMAN: If you find efficient people from these areas, would you not think it better to entrust their development to such a person?

A. If they are equally efficient, why not? There should be no bar whatsoever. We should welcome and encourage that.

THE HON'BLE REV. J. J. M. NICHOLS ROY: In your experience in the legislature, you have found that the people who shout most are able to get the most, actually at least 80%. The people who cannot shout most are the tribal people and the Hills people probably will not shout very much and they may not get anything. Therefore, the Ministers are more or less influenced by the voice of the people. In that case, the interests of these tribal areas may suffer. You realise there is a possibility of that.

A. Yes. Even if there is a Minister, if he cannot carry the legislature, he cannot do it.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Therefore, there must be some way to protect and therefore you have to consider whether some power should not be given either to the Governor advised by the Minister, or make a special portfolio to ensure this or have a kind of non-voted amount to be allotted by the Minister in charge of this portfolio for the undeveloped areas.

A. In that case, I would like to create a mental revolution in the mind of the people that they are all one and that the progress of one is retarded by the other unless the other portion is developed.

MR. CHAIRMAN: In order to disarm suspicions, would you not, subject of course to efficiency, like to have some kind of, it need not be a provision in the Act, instrument of instructions for the Governor to see that some representative from these areas is taken in the Executive Government?

A. There is no harm in that.

SECRETARY: Would you perhaps leave it to the discretion of the Head of the State if he finds it necessary to appoint a Special Minister?

A. I would not leave it to one individual. I would like to leave it to the Ministers as a body and the Governor.

MR. CHAIRMAN: Would you not leave to the Governor the formation of the Executive, if you maintain at all the head of the province? Would you not like that there should be some kind of direction to him that in the choice of Ministers, he does not overlook the interests of these areas?

A. That instruction should be there. I said that the Premier of the province should be given the direction instead of the Governor, that in the matter of these areas a representative is appointed.

THE HON'BLE REV. J. J. M. NICHOLS ROY: The Premier of the province is subject to the order of a party; but the Governor is not subject to the order of a party. He is above party feeling.

A. In view of the rules that are being framed, I think he is also removable, by a vote of no confidence.

MR. CHAIRMAN: It is also proposed that he should be a man who will be elected by adult franchise whereas the Premier will be from a particular constituency. In view of that, could you not trust the Head of the Executive to form the Ministry, enjoying the confidence of the House, but with a certain reservation that so far as these backward areas are concerned he will see to the special interests of the people?

A. Yes, for some time to come it may be done, till the suspicion is removed.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Till the people's mind has been educated enough to think in an idealistic way.

SECRETARY : Regarding the provision of finances for these areas, with the best of will in the world, it is quite likely that the needs of these areas may be overlooked at times. In order to bring them up prominently and perhaps expose them to the criticism of the legislature and the public, would you have any objection to show in the annual budget statement the revenue and expenditure of Hill areas separately, and to make provision by statute for showing such expenditure or revenue separately ?

A. We have no objection to showing separately for development of backward areas. That would be much better I think also.

SECRETARY : Do you do it now ?

A. Yes, in regard to non-voted amount for the Excluded Areas, but not for the Partially Excluded Areas. The total of the expenditure on the Excluded Areas is shown separately.

SECRETARY : Then there is the question of the local self-governing councils. Certain subjects, as has been explained, will probably be delegate to the local self-governing council and they may perhaps have more power than an ordinary local board. Could you possibly suggest what financial powers should they have over and above what the local boards have.

A. I think they will have powers regarding the development of roads, water supply and other things.

SECRETARY : In addition, they will probably have certain other administrative powers like the running of their own tribal courts. They may like to have their own collection staff and so on, village administration and village management. They may like to have a separate system which will be run by them purely.

A. That will have to be examined. The financial powers of these local self government councils will have to be defined.

SECRETARY : I was wondering whether you could not suggest anything off hand what powers of taxation may be made over to them.

A. It is quite difficult to say.

SECRETARY : Even certain taxes which exist now could perhaps be made over to them to levy and impose ?

A. There is no difficulty in handing over collection to these people.

SECRETARY : Not merely the handing over the collection. They collect the tax, credit it to the provincial exchequer and then draw from it to spend on what expenditure they have to incur. Perhaps, that could be simplified so that they credit it direct to their own funds and draw direct upon it. That would probably be more satisfactory from their point of view rather than receiving it as a dole from the provincial Government.

A. The difficulty is that Poll tax that is in vogue in some places is being resented by the people themselves.

SECRETARY : It will be left to them. If they do not pay house tax or poll tax, they will have to pay land revenue. They will have to pay some form of tax. What will be liked by them, it will be difficult to say.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Let us leave it to the local council which may be called the National Council or the District Council to do this. That will be again the highest kind of autonomy that they can possibly exercise.

SECRETARY : I believe certain revenues from the tribal areas and frontier tracts are credited to provincial revenues like forest revenues ?

A. It is not included in the budget at all.

SECRETARY : There is a technical difficulty. The whole frontier tract technically is Excluded Area. It is treated in practice as a Tribal area. The Political Officer's pay and certain expenditure are borne by the Central Government. I want to know what the position is in regard to the revenue from these areas.

A. A portion of the revenue from Excluded Areas is credited to the province. In the last year's budget a sum of Rs. 6,075,000 was provided for the Excluded areas. We will collect the figures for income and send you separately. Approximate income figure can be obtained from the Comptroller.

In this connection, I want to press this point on the Central Government that they should see that the undeveloped and backward areas are developed properly and that is why we claim that 80% of the excise duties on Tea, petrol and kerosene and other things should be made over to us. This Committee should recommend that this amount should come to us to help us to develop them.

MR. CHAIRMAN : We can say that the provincial Government should be sufficiently helped. It also connected with the foreign policy and defence of the country as a whole.

WITNESS : In the last three years, about three crores per annum have been taken from our excise duty. If we get two crores, we can develop the province as well as the backward areas.

MR. JOSING HRYNJA : It will pay in the end.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Have you any idea of the amount of money received from the Khasi States and placed in the Khasi deposit account ?

A. The Governor's Secretary has these figures.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You have no idea of how much that deposit is and how it is spent ?

A. They keep their own account.

THE HON'BLE REV. J. J. M. NICHOLS ROY : For all the services rendered by the officers of the provincial Government, the Khasi States has to pay a percentage.

A. The income derived from the Amusement taxes in the Race course is sufficient to cover the entire cost of these Khasi States now-a-days.

THE HON'BLE REV. J. J. M. NICHOLS ROY : It comes to about 3½ lakhs. A sum of Rs. 60,000 only was spent. I asked the Governor's Secretary how the other amount has been spent. I have not received any reply.

A. You can examine the Governor's Secretary with regard to this matter. He will be able to give figures.

The Committee then began to examine the witness from the Ahom Association—Mr. P. Gogoi, who submitted a Memorandum—See Appendix A.

MR. CHAIRMAN : You know that the Partially Excluded areas and the Excluded areas are administered by the Government of Assam and that the Government are incurring considerable expenditure beyond the income they are receiving from these areas for the administration of these areas. What would you like in the future set up? would you like that you should continue to bear the expenditure or more for the administration or would you like to cut off all connection and cease to make the additional payments ?

A. We support that the money should be spent for their uplift. The Hills may or may not be in the United India but it is a different question.

THE HON. BLE REV. J. J. M. NICHOLS. ROY : The Hills are already in Assam.

MR. CHAIRMAN: The areas beyond these Excluded areas are now directly administered by the G. of I. and possibly in order to maintain their foreign policy and also for defence, they might like to continue to administer these areas. Have you anything to suggest whether the Province should directly or indirectly have something to do with the administration of these Hills ?

A. The Provincial Government with the free consent of the people of the Tribals should take a hand in the administration of these areas and the influences should be brought to bear upon these areas through the Excluded areas who have already some kind of tribal council and self governing institutions existing in these areas. What the future relations will be may be left for the future. We have certain views regarding the interim period and they are covered in paras. 1—14 of our Memorandum.

(The interview came to an end) .

It was decided to discuss the proposals on the 14th afternoon after the examination of witnesses is over. The Co-opted members should be invited to attend Shillong on the 28th for discussion of the actual proposals to be made. Thereafter the final meeting of the Sub-Committee would be held at Delhi to send up the final report after consultation with Sir B. N. Rau, either before or after the Session of the Constituent Assembly or if possible, during it.

NOTE.—It was decided subsequently by the Chairman to call the meeting for the 4th July 1947.

The Assam Excluded and Partially Excluded Areas Sub-Committee met at 9-30 A.M. on the 14th June 1947 at the Assembly Chamber, Shillong, the Hon'ble **MR. Bardoloi** in the Chair.

Examination of **Mr. Siddanath Sarma**, General Secretary of the Assam Provincial Congress Committee.

MR. CHAIRMAN: You have actually no organizational work being done in the Hill district.

A. We have work in the partially excluded areas of Khasi Hills and Garo Hills also.

MR. CHAIRMAN: In the Excluded areas you have not been able to do anything because of the policy of exclusion ?

A. Yes.

MR. CHAIRMAN: Do you think that you can speak on behalf of the people of Assam ?

A. Yes.

MR. CHAIRMAN: Can I take it that the views you express will generally be the view of the people, at any rate, the Congress people of the province?

A. I think so. I represent the Provincial Congress Committee.

MR. CHAIRMAN: There are certain questions which we decided that we should ask the representatives of the people with a view to know their views in this matter so that the Committee may be in a position to submit recommendations accordingly. We have the opinion of the people of the hills and in order that we may accommodate also the views of the people of the plains in submitting our recommendations we have decided to meet you. You of course know that the scope and the function of our Inquiry is to enquire as to what should be the future administration in the excluded or partially excluded areas in the new scheme and also in what are called the Tribal Areas. You

know that the excluded and partially excluded areas do form part of the Provincial Government although the administration of these areas is directly done by the Governor under his special responsibility. In respect of the tribal areas it is administered by the Government of India, but the Governor acts more or less as the agent of the Government of India. I think that is due to the fact that these areas have got to be considered from the point of defence and also from the point of view of foreign relations. Now we propose to confine our questions in the first place to excluded and partially excluded areas. The people of these areas have given a certain opinion which if carried into effect would involve considerable expenditure from the revenues of the province. Even at present we are bearing a fair portion of expenditure of the province apart from the income which we derive from these areas. What would be your view in this matter? Would you like that your provincial revenues should be utilised for the purpose of the development of these areas and also for the cultural uplift of these people.

A. They should form in the first place part of this province.

MR. CHAIRMAN: We assume they do form a part of the province.

A. There should be no discrimination about the excluded areas and partially excluded area. They should form part of the province as usual in other provinces. They are backward people and the general policy of the Congress is to improve the condition of the backward people and backward areas. We should follow that policy. Assam is a poor province. So for defence it is practically surrounded on all sides by Pakistan areas and other foreign areas.

MR. CHAIRMAN: We shall ask questions regarding that later on.

A. We will have to spend money for their improvement and development.

MR. CHAIRMAN: Will you be prepared to allow them their customs and manners and also their land. Are you prepared to look sympathetically on their own aspirations and their own self-government?

A. Certainly.

MR. CHAIRMAN: Are you prepared to give them some local autonomy? And to what extent that autonomy should be exercised?

A. I am for the Gandhian plan. In villages at least I am for that plan. According to that plan the autonomy is given to most of the villages.

MR. CHAIRMAN: Some tribes may also combine and form a kind of council and consider their internal affairs. Why not?

THE HON'BLE MR. RUPNATH BRAHMA: They have got their own social customs.

A. They will have to preserve them.

MR. CHAIRMAN: There must be subjects which being provincial subjects will apply to these areas also. Cases of higher education, provincial communication, technical education, finances etc. which should remain with the province.

A. Yes.

MR. CHAIRMAN: That is the general picture about the excluded areas and partially excluded areas. Beyond these there are certain areas which at present go in the name of Tribal Areas and for your information I can tell you that these areas are inhabited by some of the tribes in the Excluded Areas, for example, there are the Naga people in the Excluded areas of Naga Hills as well as beyond the Excluded area between the boundary of Burma and Assam. What policy would you like to pursue in respect of these?

A. They should also form part of the province and their administration should be through the province.

MR. CHAIRMAN: You mean through the agency appointed by the ministers or on the advice of the ministers. Then do you like to separate defence of Assam from the general question of defence of India?

A. You said you will talk about defence separately. Here Assam is surrounded by foreign countries in that case. And the Government of India should deal with defence, I think. Defence will be a Central subject.

MR. CHAIRMAN: Then the province by itself cannot exercise full jurisdiction in regard to the matter of the tribes. That must follow. You do not want isolation.

A. We want to be in the Indian Union. Defence as a whole must be with the Central Government, with the Union. That does not mean we will have no control over our areas. Ordinary control we will have.

MR. CHAIRMAN: For defence purposes, for the manoeuvre of troops, the Assam Rifles from place to place, will not the jurisdiction you are thinking for the province be inconsistent with such activities of the Central Government? You may say that the Provincial Government should act as the agent of the Government of India in respect of that administration? Is that the idea?

A. Yes.

MR. CHAIRMAN: Why should you not leave it entirely to the Centre? What are the reasons?

A. First thing, local knowledge. The province will be able to deal with the matter better. They are in the know of things.

MR. CHAIRMAN: Do you also think that the pursuit of a policy without consideration of the peace of the neighbouring areas, of these tribal areas, may not be to the best interests of the people of the neighbouring areas themselves. If a policy of violence and intimidation is pursued by the Government of India, it may have repercussions on the neighbouring areas also. Therefore your opinion is that while the administration will rest with the Government of India, it should be through the agency of the Government of Assam?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: These people who are living in the border will gradually have to be assimilated with the province of Assam?

A. I have already stated that they should form part of Assam.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Gradually brought into the legislature of Assam?

A. Yes. As far as possible it should be done now.

THE HON'BLE SHRI RUP NATH BRAHMA: You are prepared to give financial help to these areas?

A. Certainly. We shall have to help these areas also.

MR. CHAIRMAN: That is a very difficult proposition. It is a huge area of 30,000 sq. miles.

A. Without any subvention from the Central Government, we cannot even improve Assam.

MR. CHAIRMAN: It will be a direct administration through the agency of the Provincial Government?

A. Yes.

MR. CHAIRMAN : How do you like to have that agency constituted ? Will it be the Governor who will act directly without responsibility to the Ministry or how should it be done ?

A. It should be done through the Ministry.

MR. CHAIRMAN : At the same time, you will agree that this cannot be put before the legislature. This would be an expenditure which the provincial revenues do not pay. The question of defence is at issue here. The question of foreign relations is at issue here. Therefore, this cannot properly be a subject of the Provincial Government. At the same time you want the Provincial Government to act as agent. How should the agent function, directly by the Governor without any responsibility or with some kind of responsibility to the Ministry ?

A. With full responsibility to the Ministry.

MR. CHAIRMAN : At the same time, the Ministry could not be responsible to the legislature to the fullest extent, because these are Central subjects. You may say that some kind of Advisory body should be set up with say the Prime Minister, and there will be somebody from the Government of India in the Advisory Body. The legislature will be represented by the Minister. Of course, the Governor will be there. You can suggest any other method if you like. You do not pay the money. The policy also will be the Government of India policy. We shall only implement the policy. The provincial representatives will be there in the Dominion legislature. After all, it must be the policy of the Government of India. Therefore, you cannot directly control that by a vote of the legislature. Therefore, you will have to devise some means by which the wishes of the people are also carried to the council of the administration without impairing the authority of the Government of India in the matter of administration.

SECRETARY : The main point is that in certain areas there is no administration as such.

MR. D. K. BARUVA : There should be extension of the administration. My idea was to draw a line between the civil administration and military administration. These areas for the time being may be directly under the control of military administration.

MR. CHAIRMAN : Where military administration is no longer necessary of political administration is no longer necessary ?

A. They should come under the Government of Assam rather than under the Government of India. That is my position.

Why should there be any area under the Government of India ?

SECRETARY : The actual difficulty is as follows :

Statutorily the areas beyond the Naga Hills District are not at present part of India or Assam. They are called tribal areas in which the tribes are existing in a kind of almost complete independence. In certain portions, nobody knows what tribes live. In Northern Balipara, certain parts have been completely unexplored. There are other complications also.

In this state of affairs, until our position is established beyond doubt and dispute, the question of administration does not arise at all. After it is established, the regular administration of the province can be extended. The question is how these areas should be administered.

A. There, it is a question for the Central Government. For some time it is only the military strength that will keep these areas.

MR. CHAIRMAN : It may be connected with foreign relations,

MR. BARUVA : In one place, they owe allegiance to some Monastery in Lhasa. Although they are at present under the British line, their loyalty is to the Tibetan Government rather than to the Government of India.

MR. CHAIRMAN : We are not recognising that.

A. These frontier areas have to be under the Government of India, perhaps under the Political Department.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Your point is that those areas which can conveniently be brought under the Government of Assam should be brought in and administration extended to them and a share given to them in the legislature of Assam?

A. As far as possible, they should be brought in.

MR. CHAIRMAN : Supposing you extend up to the maximum limit of MacMohan Line and some line in the Burma border which will be settled, I suppose between the Burma Government and the Government of India, would not there be still something left for the Government of India to function ?

A. Yes. Defence of India being a central subject even all over the country, even in cities like Calcutta and Delhi, it will be under the Government of India.

MR. CHAIRMAN : In those areas which you say should be brought under the administrative control of the Provincial Government, what policy would you like to pursue in the Tribal areas which are just now statutorily beyond the Excluded Areas ?

A. I am for bringing them within the administration. We must develop those areas, open communications, schools and hospitals and they must be brought to some standard of cultural level and I suppose after some time, after a decade or so, it may be possible to get them into the administration of Assam.

I think the officers should be Assamese. There may be tribals also. The reason is, these people will be connected with Assam and will have to live with the Assamese. They will be akin to us. The Tribals would be less suspicious of Assamese than other people. By Assamese, I mean Hill people also. We will be familiar with the local conditions.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Your point is that as far as possible these areas should be brought under the Assam legislature ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : And give them representative when it is possible to get representatives ?

A. Yes.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : You are also agreeable, of course, that they will have a larger share of self-government, as far as they are able to carry on themselves.

A. Yes. It should be local self-government and should be just like the local boards. Certain subjects will be connected with Assam and others will be completely theirs. Village administration, general tribal administration, etc., will be theirs.

THE HON'BLE SHRI RUP NATH BRAHMA : In time, you are prepared to give them representation in the local provincial legislature ?

A. We have to prepare them to become full citizens of India and give representation.

The Committee reassembled at 3 P.M. with the Hon'ble Sjt. Gopinath Bardoloi in the Chair.

MR. Mills, Adviser to the Governor of Assam for Tribal Areas and States, described to the Committee the position in the frontier tracts and in the Naga Tribal area. The Committee then questioned him further.

Q. What would you advise this Committee should be the relations of the Province with these areas ?

A. A more progressive association of the people of Assam with these hills. The hills people are afraid. They want to protect their land and tribal customs.

MR. CHAIRMAN: We have to respect their susceptibilities.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: The Abors seem to be very alive to their administration. Some of them even want to be represented in the Assam Legislature.

A. They have been running the administration themselves for hundreds of years and they have no idea of any other organization. They don't want to be disturbed and the big chiefs they have got to administer. They also use Assamese words.

MR. CHAIRMAN: I found even Nansang people speaking Assamese as good as I am. In view of that the control that you propose to exercise would be to bring them closer in matters of trade and try to remove trade barriers in the way ?

A. That is one of the main parts of our policy. We want to remove the trade blocks so that anybody could come and purchase anything from the plains.

Q. The Government of India which is administering now shall have to administer these areas in view of the policy of Defence and Foreign relations. How do you like to adjust the right of the Government of India to governing them directly with associating them also with the people of the Province ?

A. The two things are not antagonistic. The Government of India will certainly provide a great deal of the money, if not all the money, and they should have a great deal of say in the matter, if they are to provide the money.

Q. Would it not be advisable for the Ministers to carry on with officers who are more known in these areas ?

A. As our Ministers are very busy and would not want every file to go to their office, I should have thought that the Governor in consultation with his Ministers should be the agent of the Central Government. I think it would be smooth working. You can bring the Minister also into the picture.

Q. Do you think it would be a good idea if a portfolio is created for these hills and one of the Ministers may advise the Governor specially to look after these areas ?

A. I would personally prefer, say if it is an educational matter, the Government consults the Minister concerned; if it is a P.W.D. matter, the Governor consults the P.W.D. Minister. I would prefer that. If you had one Minister for Tribal Areas he would again have to consult his colleagues on departmental questions. The day to day affairs can be done by H.E.'s Advisers. The Central Government can issue directives on certain matters if they want, bearing the policy in mind. I don't think the interests of the Central Government and Provincial Government will clash in any way.

Q. The Hills problems will not get attention from the Ministers if there is not a special man who will be all the time thinking about these areas.

A. You will have an Adviser and Governor who could think about them. I have engineering, medical and other matters. I have my engineering staff; still I have to consult the C.E. I have got Forest Adviser; still I have to consult often the Conservator. If one man alone is to do, he will be a busy man. You have got to have an Adviser very different from the Minister. You must have somebody who will have time to go to these places and speak to them and understand their problems. If you have an Adviser he can go to these places.

The Committee then began to examine Mr. P. F. Adams.

Q. You are now the Governor's Secretary? What are your duties?

A. I am Governor's Secretary and my duty is to act as the Agent between the District Officers and the Excluded Areas and H.E. All correspondence from District Officers and Excluded Areas comes first to the Governor's Secretary and then to H.E. All matters pertaining to the Tribal areas go to the Advisor. I have to deal with Partially Excluded areas only in certain cases where H.E.'s concurrence is necessary. Before this I was in the Naga Hills from 1939.

Q. You have the general budget of the Excluded areas? Can you give us any idea of the expenditure of these areas as a whole and for the districts?

A. I cannot say without looking up the figures. I can get the figures. There is no separate budget for the Hills but we get grants from the various Ministers.

Q. Even for these areas, it is very difficult for us to obtain the figures or have any idea of income or expenditure in matters which are common to other areas and the Excluded areas.

A. I can obtain them for you and will send them to the Secretariat if you wish.

Q. In view of your experience in the Naga Hills, what would you advise should be our relationship with those areas in the future set up, taking into consideration that the special responsibility of the Governor to the Central Government and the Central Government as the agent of the Secretary of State would cease in the new set up?

A. The Hills I think have their own particular needs and problems which are definitely distinct ones and from that point of view, it would be best to give them local autonomy in matters with which they are capable of dealing. The subjects vary from district to district. While in the Sadiya tract they are not capable of any administration, in the Naga and Lushai Hills it is possible and they require different treatment. In the Naga Hills they are capable of running a considerable part of the administration while in Sadya and Balipara they are capable of running nothing except local village Government. Each case will have to be examined on its merits. Personally I don't think the hill districts are capable of having independent administration on the higher level and they will undoubtedly need the aid and guidance of the province for some time to come.

Q. How would you like the subjects in which they think they are capable of administering should be administered?

A. In the case of the more advanced districts like Naga Hills and Lushai Hills, the hill people are worried about three things—

1. Alienation of land.
2. Immigration.
3. Maintenance of their own customary laws and usages.

The hills, the representatives of the hills, should be given autonomy in these matters and they should be left to handle them and the District Officer should act as their agent in those matters which are in their hands. In matters that are not in their hands, then the District Officer should, as now, be the agent of the Government. That seems the simplest way without upsetting the present arrangements.

Q. Would you like to give to the Provincial Government itself—because it will be more or less more representative than even now particularly with reference to the Excluded areas and Partially Excluded areas—would you recommend that some people from these hills should be represented in the Provincial legislatures?

A. Yes. There should be some agreement as to what they would govern and what the province would govern.

Q. I suppose you have studied the problems of the Naga Hills more closely than anybody else. Don't you think that to build up the Naga National Council for the purpose of administration it would take time before this cohesion and joint action is possible among them?

A. I don't think so. They have already got their own democratic institution, the Tribal Councils which are already doing work of their own. They hold their meetings, collect money and build bridges etc. They have aided schools, roads, etc, and they have already got some experience of raising money and spending it. I think they could take up the administration quite easily.

MR. CHAIRMAN: Do you think there is any chance of a rivalry between one tribe and another?

A. That is why the Central Council should develop at the same time as the Tribal Council. If the tribal councils develop independently there is always the danger that local feeling will endanger unity between them. Therefore it is necessary with the development of tribal councils the representative council should also be developed.

MR. CHAIRMAN: Would you like the tribal councils themselves to retain more or less the powers which they have now without any reference to the central organisation?

A. They have no delegated power from Government at all. It is all a matter of consent and they work outside the administration.

MR. CHAIRMAN: Do you think you could do away with the advice of the local officer altogether the present council substituting the functions which have been done by the district officers?

A. Not entirely. They can be taken over when the tribal council will be in a position to take charge of the administration without the aid of anybody from outside. But it is very difficult to say.

MR. CHAIRMAN: You would like to see the development and the progressiveness of these councils before you would like to take away the authority of the district officer.

A. I can only suggest at the moment that certain of the powers and duties of the district officer could be entrusted to the local councils, but I do not mean all of them, and as they prove more capable and efficient so fresh powers can be added or if they prove inefficient they could be removed.

MR. CHAIRMAN: Do you like to reserve certain powers to the Provincial Government. In case they feel they fail to discharge the responsibilities there should have to be some interference on the part of the Provincial Government, may be in the nature of giving them guidance or advice?

A. If they patently fail to administer law and order, there will have to be someone who can say "Unless you do this properly, unless you maintain law and order, this power will have to be taken away."

MR. CHAIRMAN: In other words, the powers these units enjoy will be power derived from Government?

A. Yes.

THE HON'BLE Rev. J. J. M. NICHOLS ROY: Would you leave the management of their forests also to the district councils?

A. It largely depends on whether they are capable of doing it. I personally view all these measures of local autonomy from two points of view. One is what they are anxious to maintain for their own integrity and safeguards and the other is what they can efficiently do. For instance they cannot obviously maintain the Manipur-Imphal road, they have not sufficient engineering skill and so the Nagas have to be told "You want to run that but you are not in

position to do so. You have not the engineers and the mechanical knowledge. Therefore I am afraid this cannot be done." And similarly with the forests it is largely a matter of what they are capable of doing and what they are incapable of doing that counts.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you not think that if these forests are under their own management they will feel that their lands are really protected. Otherwise if it is given in the hands of the Provincial Government they will feel that the Provincial Government is not protecting them at all? Especially officers from other areas will come there and probably do all kinds of things which will make them feel that their own interests have been exploited?

A. There are two points of view. One is if they want the forests and if they form a part of their land and they want to have their say in the control and management and the other is whether they are capable of looking after them. If they are not it should not be impossible to work out some arrangement by which the province provides principally the technical management and the hill tribes have some say in how the general policy should be worked out.

MR. CHAIRMAN : There are two kinds of forests, the reserved forests which may be called State forests and there is the unclassed and other forests. I suppose you agree to leave these reserved forests to the administration of the province ?

A. If the reserved forests fall within the areas of the hills and if the development policy of the forests is going to hurt the areas, then they may have some say in it, but not necessarily in the technical management, but in the policy if it is going to affect their common lives and position.

THE HON'BLE REV. J. J. M. NICHOLS ROY : If it is the desire of the Provincial Government to help these tribal areas to develop their own forests, don't you think that it would be best for them to train these men from their own areas to look after them.

A. That would be a very helpful thing and I think that in the forest areas the staff should as far as possible be from the people of that area.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You realize then that if some other arrangement is made and people of other areas who are not of that locality are sent there and they do something which may affect their interest they will consider that the Provincial Government is exploiting them ?

A. That is always the case. If individual people do harm to the people they always regard the Government as responsible. It is difficult to have a clear cut line, but the staff so far as possible might well be recruited from the people of the area and if any officer is posted there and does things in the way that anger the people or exploit them then on a representation from the Council I think Government would be justified to transfer that officer. I think it would not be difficult to work out some arrangement on those lines.

SECRETARY : The members of these areas in the Provincial legislature themselves would be able to look after these areas.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You know very well the difficulties in removing an officer from one place to another especially when they are in the same cadre in the same service. Many times officers who serve in a certain area cannot be removed as the Provincial Government has to think not of one area but the whole province. Therefore in that respect do you not think that it will be more reasonable to orderly develop these tribal areas that the Provincial Government should make a special effort to train the men within the areas to look after these areas themselves ?

A. I think the whole thing really will be local autonomy and that is why I suggested that powers should be delegated to this tribal council and representative councils of the area. Without power they become more or less debating societies. To get experience one must have responsibility and without that responsibility it is useless to blame them.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Supposing the reserved forests in these areas are in the hands of the Provincial Government and the National Council is given that power to say and they object to any man coming there it will be the duty of the Provincial Government to see that such men are removed at once and also train up men of the locality itself. The tribal people in these areas are very jealous of their rights which they have had so long. It is not a matter of the provincial Government giving them the rights, these are the rights which they have enjoyed for generations.

A. If the Council of the area complain that a particular officer is not suitable and suggest that he may be removed I think it would be a wise thing both from the local people's point of view and the Provincial Government to have him transferred, as otherwise that officer would bring the Government a bad name and also antagonise the local people.

SECRETARY: When these autonomous councils are formed would you consider it necessary to provide that in the event of gross mismanagement or any act which may be prejudicial to the safety of the country the Governor of the province should have power to dissolve the council and for some period agreed upon by the legislature, or some such body, to take over the administration?

A. I think that if power is delegated and exercised, there must obviously be some residuary power with the Government, because if a council is mismanaging its powers, after holding an enquiry, the Government could withdraw these powers.

The Hill people probably take the attitude that the Provincial Government's powers are derived from them rather than the other way round.

SECRETARY: Even assuming that powers are delegated by the hill people, would you not consider it safer taking all circumstances into account to specify the subjects in which they should have power of autonomy, rather than specify the powers delegated to the Provincial Government?

A. I think on the whole in present circumstances it will be necessary to specify the subjects because they themselves know that with more and more development other things would be coming for example, increased trade and things of that nature.

SECRETARY: Would you consider that a mandatory statutory provision for a separate financial statement showing separately the revenue and expenditure on the Hill areas would be of assistance and possibly ensure that they get sufficient attention in the matter of development and progress. At least a separate portion of the provincial budget could show the individual hill areas, their revenue and expenditure in the different departments.

A. I would like to think about it.

SECRETARY: If such a thing is available, the legislatures and possibly the public will be able to know what is the revenue and how much is provided for a particular purpose and be able to criticise it. In any case it can be brought to public notice prominently, which may be one way of seeing that the needs of these areas get adequate attention.

A. I have not really thought over that point particularly.

SECRETARY : Have you any other suggestions to make as to how the interests of the hill areas can be protected from the financial point of view. I think you realize that the crux of the matter will be finance really. How can the interests of the hill people be safeguarded so that their development is ensured and if it cannot be done by a separate financial statement, can you suggest taking any other step.

A. I do not know that a separate financial statement would necessarily form a particular safeguard. The total amount could be known just as easily and the only safeguard surely will be to say that so much money is spent on development which is a certain proportion of the total budget of the province.

SECRETARY : Would you fix the proportion on the area of the tribes which are vast or on the population which is small ?

A. You cannot take that as a criteria and you could not judge it by its area or by its people. It is not practicable to think of any simple ratio which could be incorporated in the law. After considering all the factors the population of the area and the country to be served the difference in expense in building schools, roads which vary in one factor or another, I think we could arrive at some simple ratio which could be fixed by statute and adhere to it. Obviously all matters such as population, expense in the area and provincial and other factors could be discussed and it should not be difficult to arrive at a compromise between them.

SECRETARY : I take it also that the factors will vary from year to year as the tract is developed and it seems to be more a case for providing flexibility.

A. I think the ratio might be a minimum ratio.

SECRETARY : The ratio would vary possibly from year to year.

A. Yes.

SECRETARY : You may have to spend a high ratio if the area is backward to begin with and the expenditure would taper off after a few years ? If you start with a minimum ratio, that may retard the rate of progress ?

A. If the province keeps strictly to the minimum there would be no difficulty. On the other hand there are advantages. For planning is more easy if you have a consolidated budget.

SECRETARY : Do you consider it desirable to empower the Governor to set up a Commission to report on the administration of the hills, their needs and the rate of progress and arrange for action to be taken on the report of such a commission ?

A. I think there should be such an arrangement in the administration. At the moment I do not think, personally again, that the administration is altogether completely satisfactory because in my particular case I am the Governor's secretary and a link between H.E. the Governor and district officers. From the nature of my work I am a non-touring officer having to do with a lot of ordinary administrative routine matter and it is impossible to plan a policy and to visit the officers to see that such and such a policy is being carried out, to advise, guide and see what is really taking place and therefore if we want to have the successful development of the hills and a successful policy, there must be one officer in charge of the hill policy who can tour and will have sufficient freedom from administrative routine to plan a policy ahead.

At the moment that is lacking. I think one such officer would be able to advise on high policy for the hill areas as a whole coordinate and carry decisions expeditiously.

EXAMINATION OF MR. PAWSEY.

MR. CHAIRMAN: We have many questions to ask you, but I did not meet you when I was in Kohima last.

A. I am very sorry. I had to go on a tour which had to be undertaken before the monsoon started.

MR. CHAIRMAN: The main question is what do you like the administration of the Naga Hills, for example, should be, if this scheme of the surrender of power is given effect to.

A. I think it must be one through the Naga National Council and through each tribe having its own tribal council for the internal administration.

MR. CHAIRMAN: And what are those subjects which would fall within that internal administration.

A. I think it would be everything except higher education. M.E. School education, I am not quite sure, of the hospitals, and high school education.

MR. CHAIRMAN: Do you want the high schools within their jurisdiction

A. I do not think it can be given to the Naga National Council. The educational sphere I think must be outside. My point of view at present is that there are not enough Naga graduates to provide their own school masters.

MR. CHAIRMAN: What other subjects are there in which you think the Naga National Council should not exercise their function?

A. The Indo-Burma road is the responsibility of the Government of India.

MR. CHAIRMAN: The Government of Assam is acting as their agent.

A. There is the difference between the prewar and postwar expenditure borne by the Government of India.

MR. CHAIRMAN: They are being done by the Assam officers.

A. There is the Assam Rifles for which Government of India used to pay 75 per cent. I do not know what it is now.

MR. CHAIRMAN: Very much the same. It has not changed. The whole thing is under examination now. We are maintaining only the existing things. There are many other things to ask. Would you give the entire judicial power and decisions to the Naga National Council?

A. Yes, I think. Capital punishment should, I think, go to the Government.

THE HON'BLE REV. J. J. M. NICHOLS ROY: Even if the Governor is an elected Governor?

A. Yes. To whom else could it go?

MR. CHAIRMAN: Should it not go to the provincial High Court?

A. No. My own idea is there should be a probationary period of ten years and some kind of apprenticeship of the Nagas.

MR. CHAIRMAN: Even in the highest spheres, say in murder cases?

A. Certainly not to the High Court. There is no question of murder case in the Naga Hills. The man who commits murder flies for pro-

tection, being chased by the relatives of the man murdered. It is a question of deciding whether it is culpable homicide or murder. The judicial system is entirely different. All judicial matters should be kept away from the High Court.

MR. CHAIRMAN : I agree there may be certain matters which may be settled by the Nagas among themselves. There may be a case where a Naga and another man is involved ?

A. At present the rule is that a case in which a Naga and a Non-Naga is concerned, is decided by the Magistrate.

MR. CHAIRMAN : Do you mean to say that you would like to retain the powers which the Naga courts have in respect of all disputes whether criminal or civil ?

A. Yes. The question of capital punishment should go to the Governor for confirmation. The present rule is I think anything over 7 years goes to the Commissioner automatically and everything over 10 years including capital punishments goes to the Governor.

MR. CHAIRMAN : Your point of view is that in the sphere of jurisdiction which they are exercising in reference to all matters at present powers should be retained in the hands of the Naga National Council ?

A. Yes, rather the Naga Courts. First of all at the bottom, you have the village Court. Then if the litigants come from different villages there is the Sub Tribal Court. Important cases go to the Tribal Court. Seven years and above will have to be referred to the Governor.

MR. CHAIRMAN : What will you say about the administration of the Forests for example? You know that there are Reserved Forests and other forests. Would you like to leave the administration of these forests to the Council or would you leave it to the province ?

A. Forest is a very debated-point. The general idea is the Naga Hills District is a deficit district. The only reason why it is deficit is because the forests which geographically are part of Naga Hills are administered from Sibsagar District and the revenue which should be credited to the Naga Hills District is credited to the Sibsagar District. Most of these forests were transferred in 1920 to the Sibsagar District.

MR. CHAIRMAN : I am not talking from the point of revenue because the expenditure is also borne by the Government. My point is for efficiency of administration, should it not remain a provincial subject ?

A. I think this may be left over till we come to some agreement with the N. N. C. We may leave it for the time being with the Forest Department. The point I am saying is that the Naga Hills District is not a deficit District if the Forests belonging to the Naga Hills are run by the D.F.O. in the Naga Hills. I cannot commit the Naga Council in this matter.

MR. CHAIRMAN : What is your personal opinion in this matter ? We are discussing these matters from the point of view of improving the conditions.

A. I am inclined to think that the Nagas are capable of running forests as soon as they get a man trained.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Would you have these Reserved Forests run by the N.N.C. itself ?

A. Yes. These are only my own private views. I cannot commit the Nagas to this view.

MR. CHAIRMAN : Of course, you visualise full autonomy. It will take some time, for example, in respect of autonomy, with reference to the forests you were just now talking. Do you think that the Nagas can do away with the District Officer immediately and substitute by their own President of the Council ?

A. I think there should be some kind of a probationary period for 10 years till they get more educated and can stand on their own feet. For about ten years, it should be the responsibility of the Governor as in the past.

MR. CHAIRMAN : In reference to those subjects in respect of which Nagas will require joint action with other people, I mean the province, would you or would you not allow this interest to be safeguarded by the Nagas in the provincial legislature by sending representatives of their own? You see whole thing is within the sphere of ministerial responsibility, the Governor acting more or less as a Constitutional Governor. In view of that, whether in reference to those subjects which must be administered in the province as a whole, let us take the P.W.D. and things of that kind, would you or would you not advise us at any rate whether we should or we should not have some representatives from the Nagas in the provincial legislature even for the purpose of safeguarding their interest. In the sphere of internal administration, they exercise autonomy to the fullest extent, to the extent they are capable of discharging.

A. It is very difficult to reply. I should not commit myself again.

MR. CHAIRMAN : That means you are not able now to advise according to your opinion whether the Nagas should have any representation in the legislature.

A. I should not like to commit myself just now. If you will give me another 6 weeks time or two months, I can give a reply.

MR. CHAIRMAN : You assume that the present administration is to continue. We send officers there, we have the administration of the forests just now and our present set up continues till you have been able to say something with regard to the whole situation ?

A. Yes. My present idea is, there must be a kind of interim period of 10 years during which the present set up should continue under the Governor. Regarding provincial legislature I would not like to commit myself. The Governor is shortly visiting Kohima. I want to see what happens to these talks.

THE HON'BLE REV. J. J. M. NICHOLS ROY : You are not prepared to give your personal opinion ?

A. I do not want to commit myself, thank you.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Do you visualise that the Governor in the future constitution will not be a Governor of the kind that is appointed from Delhi or from England, of course, you know that, he will be a Governor elected by the people of the province ?

A. That has not been exactly settled.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Under the new constitution, the Governors will be elected Governors ?

A. The New Constitution has not yet been framed for Hindustan.

THE HON'BLE REV. J. J. M. NICHOLS ROY : It will be framed.

A. When it is framed, then I will answer the question.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Supposing it is framed or in the way that I have stated ?

A. That is a hypothetical question to which I cannot give an answer.

The Committee began to examine Dr. Guha.

Mr. CHAIRMAN : There is a certain school of thought which considers that the tribes should be more or less secluded and kept from contact from outside. What is your view about it ?

A. I do not agree with this view because it is impossible in this world to keep anybody completely secluded and because seclusion means going down. Civilisation has been built up by contact and intermixture between different races and cultures. There is no instance either in the ancient or modern world of a single race or people having developed a high civilisation by itself. In our own country, what we call the Hindu civilisation is not the contribution of the Aryan-speaking invaders alone but a very large amount was taken by them from the conquered indigenous people whose relics we are now discovering in the Indus Valley. Civilisation and progress mean interaction and constant interchange of traits and ideas either voluntarily or even forcibly, but when a race of people is isolated and cut off from contact it not only makes no progress but deteriorates, as all incentives for progress are lost. Let me give an example. Several years back I led an expedition into Chitral Kaffiristan to study the Somatic and Social characteristics of what are popularly known as the Kaffir tribes. These are Aryan-speaking people—the Kati language which they speak is considered by Prof. Morgenstierne, the distinguished Norwegian authority as nearest to the Rig-Vedic Aryan tongue. These ancient people who used to occupy the mountainous valleys of the Hindu Kush between Afganistan and Chitral were forcibly converted to Islam but a portion crossed the mountains and took shelter in Chitral and for centuries have been living there isolated by high mountain barriers. Physically they are very sturdy white, with finely cut features and containing a fairly large number who are blond and very much like the Norwegian peasants according to Morgenstierne. But culturally they still live in primitive conditions and are extremely backward compared to their neighbours.

Here in Assam although the hill tribes follow their own cultures and are largely cut off from the people of the plains it is not entirely true that there has been no contact between the two or that they are completely alien in race and cultures. There has been a great deal of contact from very early times with the result that the tribes have in varying degrees been influenced by plains culture and even some amount of mixture of blood had taken place, and Assamese language is largely understood by the tribesmen now even in the interior. Interaction however has to be regulated and even controlled. Indiscriminate contact is not conducive to the welfare of the tribes. It may lead to disintegration if tribal authority and structure are suddenly disturbed. This is what happened in Australasia, Melanesia and North America where the tribes were unable to resist the superior forces of civilisation and could not adjust themselves to changing conditions with the result that many have disappeared and others who have survived are degenerate specimens of their erstwhile vigorous forefathers. It is essential therefore to preserve the tribal authority and social structure and adjustments made on the basis of their indigenous institutions. Take Shillong and the Khasi matriarchy. You cannot and must not attempt to strike at its roots even though you may not find many traits to your liking brought up under patriarchal institutions and ideas. Whatever progress you would want them to make must be on the basis of their existing political and cultural institutions which should be disturbed as little as possible. Their own internal autonomy and tribal structure must be maintained and no one can deny that there are many things in their life, such as the position of women and the republican form of government which the so-called progressive peoples of India have not got. Besides it must not be forgotten that civilisation, like domestication of animals, often leads to emasculation, and material and intellectual progress if it leads to physical deterioration and emasculation is not a substitute for a sturdy people. Attempts must therefore be made to avoid this

but at the same time there must be adjustments to changing conditions according to the genius of the tribes. Take for instance agriculture. Terracing has been a great success among the hill tribes of Burma and Assam because it not only suits the hilly tracts but can be done with the implements such as the digging stick, hoe, etc. with which they are used, but if ploughing is attempted to be introduced it will take a long time to succeed because these tribes are not cattle breeders and are unaccustomed to handle them.

Successful adjustments cannot be undertaken without understanding the tribal culture and life. In short the tribes must not be completely left to them selves but should be integrated to the general life of the province and the country at large, but there must not be any exploitation and the tribal life should be adjusted from within.

Q. Would you like that contacts should take place between the hill tribes and people from foreign countries or would you prefer that these should be done with the neighbouring people ?

A. Certainly with the neighbouring people but you cannot stop contact with others. Contacts should not however be artificially forced upon any tribe. For facilitating contact the most easily understandable language should be selected. Such as the Assamese language for the hill tribes of Assam. In addition it will be desirable to introduce at least among the more advanced section, a language that is most widely spoken in the country, *e.g.* Hindi which should form the medium of the tribes' contact with the rest of the country, otherwise they may be integrated to the life of the province but not to that of the country at large. Education to be successful among the tribes must have a wholly objective bias and attuned to the needs of the locality and the tribe. For instance where weaving already exists special stress should be laid on it. In places where wood carving, basket making or pottery is in vogue, children should be taught how to do it and if possible improvement in technique should be considered, which the tribes are in a condition to assimilate. It is necessary also to utilise the indigenous modes of tribal instruction, such as the Morung or Bachelors' Dormitories as the tribes will more readily take to it if imparted through their own institutions. While in the United States I spent a considerable time on behalf of the Smithsonian Institution in studying the Red Indian tribes at Colorado and New Mexico and getting myself familiar with the measures the American Government had introduced to bring them in line with the rest of the country. Ordinary education did not succeed at all but simple methods of agriculture were taught to the Navahos who were agricultural minded. In addition advantage was taken of the art of carpet making from raw wool to which they were used and greatly encouraged, with the result that the Navaho practise it widely and their carpets found good market throughout the States. The arts and industries of the people in other words should be developed according to their predisposition and in the light of their culture and there should not be any interference and attempt at imposition of institutions from outside.

Q. Do you hold the same view with regard to the tribal population living in the plains of Assam ?

A. Yes, but varying according to the conditions of the tribes. Where the tribe is inclined to preserve its own institutions, it should be given the same consideration as those living on the hills but where a great deal of acculturation has already taken place, *e.g.*, the Cacharis, there must be a special approach according to the needs of the tribe. But on no account exploitation of these simple people must be countenanced. In that way there should be protection but as a Scientist as explained more fully in the Report that I have submitted to the Committee, I am equally against isolation. In a country like ours having 400 millions people, you cannot expect a simple pattern. Even among the hills there may be several patterns of life. With increasing contact and interaction while basic similarities will unfold and lead to some uniformity, the differences

in the tribal life and habits should not be artificially smoothed over. I am just coming from a visit to Jaunswar-Bowar near the Simla Hills where the people physically are very much like the people of Kumaon, Western Nepal etc. but the social structure is altogether different. Although they are Hindus and divided into Brahmins, Rajputs and other castes, they practise Polyandry i.e. the brothers together have a common wife. The reason is that living is very difficult in these barren mountains and if the holdings are split up they are not enough to sustain a family. However much such a practice may shock our ideas it is based on a real requirement of the people and cannot be eradicated at a moment's notice by legislation. Its eradication must be through the same economic forces which brought it into being. We have to look at these things from the point of view, not of an absolute moralist, but that of a realist who recognises different values of life for different peoples.

Q. Have you worked among the tribes in Assam ?

A. Yes. I was born and brought up in Shillong and have been in close association with the tribal people from my boyhood. Besides I have carried out a great amount of investigations both on the physical characters and cultural institutions among several of them, specially the Syntengs, the Khasis, the Mikirs, the Rabhas, the Cacharis, the Garos and some of the Naga tribes.

Q. What are your views regarding head-hunting ?

A. Head hunting is not specially confined to the Naga tribes but is a widely distributed trait from Assam to Melanesia and is connected with a peculiar belief of the primitive people who think that there is such a thing as the "Soul force" on which not only the fertility of the soil, curing of diseases but the manly vigour of the tribe depends. This "soul force" can be increased and the sum total of the village "soul force" can be added to by raids and by bringing and preserving the skulls of their foes in the bachelors' dormitories or in the individual houses of the people. The idea is the same as the fertility cults of the Hindus among some of whom, human sacrifice, in the digging up of tank, etc. was formerly resorted to.

Q. How do you consider this practice should be eradicated without what you may call a too abrupt break in the tribal way of life ?

A. The practice of head-hunting can only be eradicated from within but not forcibly from without as all such attempts are not only doomed to failure but even if successfully enforced it is likely to lead to frustration and the loss of the will to live which has been in so many parts of the world led to decay and disappearance of primitive races. The triangular Expedition led by Dewar some years back into the Hukong Valley to stop human sacrifice, brought the skulls from the houses of the Naga Chiefs, and on which I was privileged to write a Scientific Report,—and thought, as these relics of human sacrifice were removed the practice would automatically die out. To the surprise of everybody it was found when the Hukong Valley was penetrated during the last war, that the practice was in full swing and skulls lost had all been replaced. It was forgotten by the planners of the ingenious scheme that by removing the skulls the practice could not be eradicated so long as the philosophy or the superstition behind it, namely the potency of the "soul force" residing in these skulls, was not destroyed. The Nagas of the Hukong Valley simply took to increasing their lost village quantum of the "soul force" by raiding, with the result that instead of stopping the practice it was a means to increase it ! Similarly the attempt by the Baptist Mission to substitute Buffalo hunting for head hunting in the Naga Hills dismally failed as the Buffalo's head did not contain the "soul force" necessary for the Naga conception of increasing fertility. Instead of the practice, the philosophy behind head hunting has to be attacked and until the Nagas are convinced that it was a mistaken notion they will resort to it openly when they are able or by surreptitious means. In my opinion one of the ways of meeting it would be by instituting model agricultural farms where the

efficacy of manuring and improved methods of cultivation can be taught and can flourish without the need of "soul force" In the same manner sickness can be shown to the Nagas to be curable more efficaciously by modern medicines than by human sacrifice.

THE HON'BLE REV. J. J. M. NICHOLS ROY : In that way the going of the missionary and preaching Christianity has been a wonderful force ?

A. I should not think so. In the Naga Hills the practice still goes on.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Their mode of thinking has been changed. A large area has now stopped that altogether.

A. As you know in some of the tracts the Nagas do not partake in head-hunting. But others do and these head-hunting Nagas, I hardly think, have given up the practice or convinced of its futility.

THE HON'BLE REV. J. J. M. NICHOLS ROY : Mayangnokcha who is a member of the Naga National Council said to me that his father was a leader and he had seven heads and he has changed now. I know many of them have changed.

Mr. CHAIRMAN : When a new philosophy takes root in the people that is likely to change them also.

A. It is true, but it is a very slow process and the ideas behind the practice are different in different people, e. g., the Abhors' philosophy is different. They consider the village as a defensive organisation and similar to the Nagas they stockade the villages. The Abhors do not partake in head-hunting. If a person goes from one village to another and immediately after that there is some sickness or other, they consider that that particular person gave the sickness to the village and they immediately raid the village. But behind their raids there is no idea of "soul force".

SECRETARY : What measures would you recommend for their future development and adequate attention by the Provincial Government ?

A. The tribes must be very closely associated with the Provincial Government because, it and the people forming it, are best able to understand them and their needs. It should form the connecting link between the tribal autonomous areas and the people of the province. At the same time there are other problems. The Provincial Government like Assam may not have the means to build roads and undertake other development measures and as most of the tribes inhabit tracts which have strategic positions in the defence of the country as a whole the Central Government cannot divest of its responsibilities for the administration of the tribes. It should provide the greater part of the money necessary for the administration of tribal areas as well as for adequate protection of strategically vital defensive positions. If the Central Government has an important hand in the matter, a co-ordinated and uniform policy may be followed towards the tribal people but this should be done in close collaboration with the Provincial Government. I would suggest as a very important factor in the implementation of this policy, the formation of a *Central Advisory Board for Tribal Affairs* on the lines of the Aboriginal Advisory Board formed by the United States during the war, which will be in a position to advise the Central Government as to the best method of discharging its responsibility and the advisability or otherwise of incurring expenditure on any developmental measure, the Board should have in it competent men who not only should be well acquainted with tribal life and customs but must have the paraphernalia of undertaking research on tribal problems. But I do not advocate separation of hill areas from the jurisdiction of the Provincial Government, they should be within it, but must be administered with the technical advice and funds of the Central Government.

Q. There is one uniform policy with regard to defence and tribal development. Would you recommend a Central Commission as well as a provincial Commission or an agency should be instituted ?

A. As stated already I recommend a Central Advisory Board to guide the tribal policy of the Central and Provincial Governments. Even if the Provincial Government finds money to set up a Board of its own the Central Government cannot divest itself of its responsibilities, and I think it is necessary to provide by *Statute* the responsibility of the Central Government for the tribal population. I envisage however close collaboration between the two Governments.

The Committee then took up the examination of Mr. Rabindranath Aditya.

MR. RABINDRANATH ADITYA: I have been working in the legislature for the last 10 years or 11 years. I have been the Chief Whip of the Congress Party. I represent the rate payers, at any rate the Surma Valley Congress men.

MR. CHAIRMAN: You know that the Tribal Sub-Committee has been set up for the purpose of submitting a report as to the future administration of these areas. You know that the province is divided into Excluded and Partially Excluded Areas and other areas. The Governor exercises responsibility for the administration of the Excluded Areas and Partially Excluded Areas in his individual judgment. So far as the other Tribal Areas are concerned, about which also we have to report, the Governor acts only as the Agent of the Government of India, possibly the British Government.

The question that we wanted to ask is, at present we are spending some money for the administration of these areas, much more than the revenues these areas bring in. It is quite possible that this expenditure will increase. The question arises whether you as representative of the rate payers will be prepared to continue that expenditure or spend more.

A. The question presupposes that we are not getting any subvention for these areas from the Centre.

MR. CHAIRMAN: We may get a subvention, but not specifically earmarked for that purpose.

A. If it is decided that these areas should form part of the province, and I hope it would be decided like that this province should share the burden of bringing these areas abreast with the rest of the province. It should not be that because some particular areas are deficit in revenues or in income, they should be made to suffer on that account. The entire province should be developed simultaneously. The lagging behind of one part will ultimately affect the growth of the province as a whole.

MR. CHAIRMAN: The question of their remaining does not arise in view of the fact that already they are within the province.

A. My answer is we should bear a share of the expenditure as much as is necessary and ultimately I am sure these Hill areas also would be able to give a better income. If the natural resources are developed, ultimately, that would not be a losing concern for the province but any way, that is no ground for denying them their legitimate share of modern amenities, etc.

Q. Will you be prepared to maintain or even increase if necessary their autonomy in local administration?

A. These hills have their own local administration and they are different from our own. Their local government should be developed in their own way so far as it does not affect the growth or it keeps pace with the rest of the Province.

Q. Are you prepared to protect their lands from outsiders? Would you like to give them autonomy in reference to the power of the land in the sense that it is they who should decide how the land for the cultivation is to be divided and distributed as they are doing now?

A. The system of Jhuming has been found out to be the most uneconomical way of cultivation and it has been the cause of flood in the province and consequent devastation. So in the interest of the Province as a whole we must try to stop this system of cultivation.

Q. In the Lushai Hills for instance you cannot have any other way of cultivation.

A. They should be allowed to develop in so far as it does not affect the interests of the province. We should try to give them lessons about the best method of cultivation or even improving upon their own system. Regarding education, primary and also secondary stage, you could leave it to their own administration but the general policy should be decided by the Province. Suppose we decide to have 100% literacy, we should have it even in the hills. The policy should be decided and dictated by the Province and the execution should be left to the local councils. So far as the administration of justice at lower level is concerned, we are not going to disturb them if they can do it efficiently, both civil and criminal justice, so long as they do not meet barbarous justice. For the spheres in the higher level, we are prepared to give them representation in the Legislature. I consider it desirable to have a special portfolio for the development of the hills and to specifically look to their interests. That can be done by an Instrument of Instruction to the Governor. The Minister for the Hills would look after all matters concerning hills and advice the Governor in such matters.

Q. Would you like to give special responsibility to the Governor apart from the Provincial Legislature ?

A. I don't think there is any need for special responsibility for the Governor. It should be the general responsibility of the Legislature itself. When that special responsibility question was mooted in 1935 it was supposed that the British Government is the only competent authority to look after the interest of these people and we the people of the Province are not so much interested in their welfare. From that aspect a special responsibility was thrust upon the Governor. Now that the outlook has changed, I don't think there is any necessity for investing any special responsibility for those areas with the Governor.

THE HON'BLE REV. J. J. M. NICHOLS-ROY: Do you not think that the Ministry will be very much influenced by the voice of the majority and the interests of the Hills may be neglected, in that case may it not be possible that the special responsibility be given to the Governor that he may protect their interests in case the Ministry does not look to their interests or the majority of the Legislature carries things against the interests of these Hills ?

A. In the Legislature you will have the representative of the Hills as well as a Minister in charge of the Hill problems. Then there is the Fundamental Rights of the Minorities and there are provisions for the safeguard of interests of the Minorities. Other minorities are also there and you may argue that for them a special responsibility should be attached to the Governor. I don't think we should accept that position.

THE HON'BLE REV. J. J. M. NICHOLS-ROY : Do you realize that the hills people feel that they are the owners of the lands ? Therefore it is not for the legislature or for the people of Assam to give them the rights but they already have the rights but they only surrender certain rights to the legislature or to the province of Assam for the sake of helping them to develop themselves according to their own ways. It is not like a minority who may be in the plains area who have always been at the mercy of Governor. The Hills say that they are coming together with us for the purpose of development as well as helping the general advance of the Province. Their case is quite different from that of minorities in the plains area.

A. For the development of Hills the Government will be spending. If the hills say that you give the money and we shall spend the money in our own way and we have nothing to do with you, that is an untenable position for the hills to take. Secondly if you find that for the development of the lands certain things are necessary for the administration of the lands, the discretion should be left with the Provincial Legislature. The Provincial Government should have the power to regulate the method of cultivation in so far as it affects the interest of the province as a whole. For instance if we are to put up dams in the Lushai Hills and Manipur Hills, we must have power to acquire lands and put up the dams. That power should be given to the Provincial Government in the interest of the Hills themselves as well as that of the Province. If we are to harness the rivers flowing from the hills, it is unnecessary that we must have the power over the lands in the Hills.

. THE HON'BLE REV. J. J. M. NICHOLS-ROY : In that case do you agree that these developments may be done but they should not in any way jeopardise the interests of the hills in their right of the lands.

A. No question of jeopardising their rights. We cannot confiscate their lands without compensation. We don't disturb their law of inheritance or the lands in their possession. These are normal things about which we shall have due regard. We don't want to disturb their land tenure system. I agree that their land also should be protected from exploitation from outside.

(The interview ended).

APPENDIX "A"

To
THE CHAIRMAN AND MEMBERS OF THE ASSAM EXCLUDED AND TRIBAL
AREAS SUB-COMMITTEE OF THE CONSTITUENT ASSEMBLY.

CAMP—SHILLONG.

Dated Shillong, Assam, 13th June 1947.

Sirs,

On behalf of the All Assam Ahom Association I place below the Association's view in regard to the future administration of the Excluded and Tribal Areas of Assam :—

In this connection I wish to refer to a very important resolution adopted at the inaugural session of the Assam Tribes and Races Federation held at Shillong in the Khasi National Durbar Hall under the presidency of Rev. Gatphoh in March 1945. The convener of this Conference was Ex-Minister Sj. Bhimbor Deuri, B.L., M.L.C., and the Chairman of the Reception Committee was Hon'ble Sj. Rupnath Brahma, now Member, Minorities Sub-Committee from Assam. All the Tribal Communities of Assam both of the Hills and the Plains without exception including the Ahoms and the Chutias were adequately represented in that grand convention of delegates. The Resolution mentioned above set out for the first time as the immediate goal of Assam the status of a sovereign state outside of Pakistan and Hindusthan when the British hand over power to Indians. The Resolution was unanimously passed in the convention.

Though the political situation in the country with its manifold developments has for the time being diverted the mind and energy of the people of this land the goal as defined above still holds behind all the passing phenomena of political events.

The Ahom Association, the sole organisation of the Ahom Community of Assam, loyally stands by that resolution. I have no doubt that all the indigenous communities of Assam would stand solidly together and fight for the achievement of that goal which alone will ensure their true freedom. The urge for such freedom is now so great among the masses of the great tea labour community, who have made Assam their home, that they have definitely made up their mind to cast their lot in this common fight for sovereignty. After latest British pronouncements this movement has drawn increasing support from all elements of Assam including Hindus and Muslims and is daily growing and gaining momentum.

We want to see Assam emerge out of the present complications of power-politics by her inherent strength as a sovereign democratic republic in which will be assured the democratic right of self-determination and autonomy to the various tribes and communities within her frontiers.

In this context the Ahom Association cannot at this critical moment contemplate anything that is likely to prejudice the future of the more or less free peoples of the so-called Excluded and Tribal Areas of Assam. I would suggest the principle of non-interference with the customs, institutions and aspirations of these peoples for the simple reason that they would not be able so quickly adapt themselves at our call to anything new and foreign to themselves at our call but on the other hand such interference would create suspicion in their mind inviting resistance. But much can be done initially to improve their moral and material standard so as to bring them up to a position to determine for themselves in due course their relations with politically advanced Assam or India or any other country or countries. This can be done by affording financial assistance for them and by organizing Tribal welfare works in those areas. This should be done as humanitarian measures without seeking to abridge their freedom by imposing any form of control over them.

But as an interim arrangement until the full picture of the constitutional structure of the Dominion is made ready by the Constituent Assembly I may suggest the following for the Excluded Areas :—

1. It must first be ascertained whether the people of these areas are satisfied with the representation that they are getting at the moment on the Constituent Assembly and its Committees and Sub-Committees. If not immediate steps should be taken to give them fuller and proper representation.

2. Any scheme or plan devised for the administration of these Areas must accord with the freely expressed will of the peoples of those Areas excluding the outsiders and foreigners.

3. Local Autonomous Administration should be set up with a Council of Representatives of the Area elected by the people, where necessary by the method of proportional representation, to deal with all those subjects not expressly ceded to the Government of the Province.

4. The Government of Assam or the Dominion Government, as the case may be, will generally deal with subjects like Defence, Foreign Relations, Communications, Higher Education, Vocational and Technical Education, more important Public Health measures and Medical facilities and such other subjects as the Local Council may agree to make over to it from time to time.

5. There should be a small Executive Committee chosen from among the Members of the Local Council and responsible to the latter to carry on the day-to-day Administration of the Area.

6. An Administrator should be appointed for the Area by the Provincial Government with the approval of the Local Council who would be invariably a member of the Tribe or Tribes inhabiting the area and would be the

ex officio president of the Executive Committee and would always abide by the decision of the majority of the Committee. The Administrator's salary shall be paid out of the revenue of the Provincial Government.

7. Assam Government service for employment in its affairs within the Excluded Areas must be out a separate branch of recruitment to which shall be confined to persons belonging to the Tribes inhabiting this and other Tracts and Area.

8. The Local Tribal Council shall make loss for all subjects within purview including the levy of taxes and revenue.

9. There shall be a separate public service under the control and direction of the Executive for the local administration.

10. The Local Council shall have power to alter the Constitution subject to a plebiscite of the people.

11. Foreigners and outsiders shall not as a matter of right have any claim to carry on or continue to carry on trade or own any permanent right over land or its resources.

12. These areas and tracts shall have an adequate number of seats reserved in the Assam Legislature to be filled up by the Representatives elected by the Local Council by the method of proportional representation.

13. The representatives from these areas and tracts shall together have a fixed quota of seats in the Assam Cabinet. The Administration of these areas and tracts in relation to ceded subjects shall be in charge of such ministers.

14. The right of these areas and tracts to secede from Assam or the Dominion or to alter their relationship with the latter in any manner shall be reserved to their peoples.

Tribal Areas

The aborigines of the Tribal Areas are free and independent.

It would not be possible at this stage to bring them under any form of control. Since they are occupying a perimeter contiguous to the Excluded Areas they may be left to be dealt with by the Local Councils of the Excluded Areas. Any form of help or necessities that need be afforded to them in order to give them in peace should be given in directly through the Local Councils. The task of educating these Tribal peoples and to bring them into contact with the civilizing influence of advanced society should be entrusted to the Local Councils.

Yours faithfully,

P. GOGOI,

Representative of the A. A. A. A.

A MEMORANDUM

On behalf of the Dimasa and other Plains Tribal Communities of the Non-Excluded portion of Cachar District for their safe-guards in the future constitution.

1. The Dimasas are the original inhabitants of the district of Cachar. They had been the independent ruling race of Cachar district till the year

1832 A.D., in which year Cachar passed into the hands of the British Government. They had also ruled in Assam Valley for hundreds of years. The remnants of their past glories may still be seen at Dimapur, Maibong, Khaspur and many other places.

2. The Dimasas of to-day are very backward politically, economically and educationally. The alien rule of little over a hundred years together with the exploitation by advanced communities are solely responsible for reducing this ancient race to its present status which completely negates the past glories of the Dimasas.

3. According to the census of 1941, the population strength of the Dimasas together with the other Plains Tribal Communities is 1,46,735 in the Non-Excluded portion of Cachar. Many of the Plains Tribal People of Cachar were left out and wrongly included in the number of other communities in the census of 1941. Besides there is natural increase of population after the census of 1941. Taking all these facts into consideration, it is certain that the number of Plain Tribal People in the Non-Excluded portion of Cachar will be nearly 2,00,000.

4. Now that the constitution of free India is going to be framed including that of the future constitutions of Assam, the Dimasas and the other Plains Tribal Communities of the Non-Excluded portion of Cachar demand as a backward minority people of the district the following safeguards over and above the fundamental rights enjoyed by all citizens in general:—

- (i) Reservation of two seats in the Assam Legislative Assembly for the Plains Tribal Community of that Non-Excluded portion of Cachar (*viz.* Silchar and Hailakandi Sub-Divisions);
- (ii) Reservation of six seats in the Silchar Local Board and two seats in the Hailakandi Local Board for the Plains Tribal Community.
- (iii) Due to their very backwardness and minority in the number of population, the Plains Tribal people of Cachar demand *Separate Electorate* system of electing their representatives for the proper safeguard of their interest;
- (iv) Cachar is the traditional homeland of the Dimasas who are historically and culturally related to the people of Assam Valley from time immemorial. Dimasas and the other Plains Tribal people are, therefore, deadly against the transfer of any portion of Cachar from Assam Province;
- (v) As the Plains Tribal people of the Non-Excluded portion of Cachar are quite separate geographically and administratively and also different in religion and culture from the hills tribes of North Cachar Hills and Lushai Hills, they are strongly opposed to the transfer of any portion of the present Non-Excluded portion of Cachar (*viz.* Silchar and Hailakandi Sub-Division or Lushai Hills District or to any other district.)

We, the signatories to this memorandum, which is an approved and reasonable memorandum of the Plains Tribal people of the Non-Excluded portion of Cachar, request the Members of the Constituent Assembly and the Members of the Advisory Committee to give a most sympathetic and careful consideration to the above demands of the Plains Tribal people of the Non-Excluded portion of Cachar and further request that sufficient safeguards are made by them in the future constitution of Assam so that the Dimasas and the other Plains Tribal people of the Non-Excluded portion of Cachar can feel secure and live a free and contented life.

SILCHAR :
The 1st June 1947.

(Sd.) ANIL KUMAR BARMAN,
Secretary,
Cachar Plains Tribal Association.

(Sd.) MOHESWAR BARMAN,
President,
Nikhil Dimasa Sangha, Silchar
and Hailakandi.

Copy forwarded to the Secretary, Assam Excluded and Tribal Areas Sub-Committee for necessary action.

(Sd.) A. K. BARMAN,
Secretary,
Cachar Plains Tribal Association,
P. O. Silchar,
Station Road,
Tarapur, District Cachar,
Assam.

MINUTES OF THE MEETING OF THE ASSAM TRIBAL AND EXCLUDED AREAS SUB-COMMITTEE AT SHILLONG ON THE 4TH, 5TH AND 7TH JULY 1947.

1. With the exception of Mr. S. S. Engti, Co-opted Member for the Mikir Hills, who was reported to be ill, and Mr. A. V. Thakkar, Member, all the other members and co-opted members were present throughout the meeting. Mr. Kezhol, Co-opted member for the Naga Hills District, attended the meeting on the 4th July, and on the 5th July up to 1 p.m.

2. After the Chairman had given a brief outline of its contents, the Draft Report prepared by the Secretary was considered paragraph by paragraph.

3. Paragraphs 1 to 3 of the Draft were read and approved.

In paragraph 4, it was decided that the word "Munda" referring to the family to which the Khasi language belongs, should be altered to "Mon-Khmer". It was also decided to bring out that there were a good number of Garo villages in Goalpara and Kamrup Districts of Assam and that the Khasi States contained predominantly Khasi population; also that the Siems are elected by an electorate of Myntries and clans in some States and in others by a joint electorate of Myntries elected by their clans and other electors elected by the people in general. A verbal alteration regarding the federation of Khasi States and British territory was also agreed to.

Paragraph 5.—This was approved subject to small verbal alterations which the Secretary undertook to make, and the inclusion of a reference to the weaving and tapestry work of the tribes. In connection with the Sadiya, Balipara and Tirap Frontier Tracts, it was agreed that the recommendation regarding bringing the portions round Sadiya, Charduar and the portions of the Tirap Frontier Tract inhabited by Fakials should be brought out with greater emphasis. The Chairman wanted the suggestion that the portion of the Sadiya Frontier Tract from Kobo to the Hkampti in the east would make a suitable sub-division expressed.

Paragraph 6.—It was decided that the portions referring to the appeals addressed by certain people to leaders of British Parties should be left out. It was also decided that it should be brought out that the "District Conference" of the Lushai Hills was not a really representative body. The Secretary said that the paragraph would be suitably redrafted.

Paragraph 7.—The portions relating to the Lushai Chiefs, the manner of settlement of disputes were discussed. The Lushai Co-opted members were concerned to point out that the District Conference of the Lushai Hills was not a representative body and this should be brought out. The Secretary noted the different points for the purpose of making the necessary alterations in the Draft after further examination.

Paragraph 8.—This was agreed to.

Paragraph 9.—This was generally approved.

Paragraph 10.—Approved subject to certain verbal alterations regarding assimilation, etc.

Paragraph 11.—This was approved subject to certain verbal alterations noted by the Secretary. The position regarding the land was discussed and the Secretary agreed to re-examine the position and modify the Draft as may be necessary to make the picture accurate. The Chairman suggested that it should be brought out that one of the reasons why the tribes consider if

necessary to protect their land is that for *jhum* cultivation the tribes want a large area of land and any reduction of its availability would be looked upon with great concern.

The position regarding acquisition of land for public purposes by the Provincial Government and the retention of forests reserved under the Assam Forest Regulation under the Provincial Government were discussed. It was agreed that the Government of Assam should have powers to acquire vacant land without payment of compensation for public purposes. The necessity for centralised control and administration of forests in the interests of the forests and forest revenue were discussed and it was pointed out that centralised management would not involve any concealment of revenue derived from particular forests. It was agreed that the control of forests reserved under the Assam Forest Regulations should be provincial in the interests of sound management. It was also agreed that a separate paragraph regarding the management of forests should be added to bring out the need for bearing the susceptibilities and legitimate desires and needs of the hill people in questions of actual management such as the appointment of forest staff and the granting of contracts and leases.

The Chairman suggested that the recommendation regarding the discouragement of *jhuming* should be made more emphatic.

Paragraph 12.—The Khasi Hills Members wanted it made clear that in such matters as money suits, which are dealt with at present by tribal courts, there should be no change irrespective of the amount involved. The Secretary suggested that the sentence relating to this should be redrafted to read "So also should cases involving such civil law as is not covered by the existing tribal law and is not tried by the tribal courts at present" and this was agreed to.

Paragraph 13.—The question of the North Cachar Hills and the Mikir Hills was discussed, and it was agreed that it should be provided that for a period of six years which was expected to be the period of two councils, the Sub-divisional Officer or the District Officer, as the case may be, should be the *ex-officio* President or Chairman of the council and that he should have powers, subject to the control of the Provincial Government, to accept or not to accept resolutions of the council and to issue such instructions as may be necessary for efficient management.

It was agreed that the discussion regarding the language in which primary education should be imparted should be omitted and that the need for the local councils to keep in view the linking up of primary and secondary education should be mentioned.

Paragraph 14.—It was agreed that on p. 27 the portion relating to the framing of suitable programme of development should be recast as follows:

"We would recommend as an additional safeguard that the framing of a suitable programme of development at the commencement of the new Constitution should be enjoined on the Government of Assam by statute."

In view of the doubt that the provincial revenues would be able to cope with all the needs of the hill districts, it was decided that a recommendation should be made that the Central fisc should go to the assistance of the province for the purpose of the development of the hill tracts.

The Lushai Hills representatives expressed an apprehension that the finances which could be raised in the hills even when augmented by the forest revenue may not be adequate to cover their needs. It was explained that the proposals as they stood in no way prevented the Provincial Government from making grants to the district councils. The Lushai members desired that this should be clarified in redrafting the paragraph concerned, and this was agreed to.

Paragraph 15.—It was decided that the local councils should have the powers of licensing moneylenders and professional dealers provided that the council by a majority of three-fourths of the members considered that such a course was necessary to maintain control upon persons following professions which contained the possibility of exploitation.

The question of granting prospecting and mining licences was discussed at length. The Chairman explained that the management of minerals like forests should be in the hands of the Provincial Government in the interests of sound management. Suitable persons for the grant of licences were not easy to find in the whole of Assam, not to speak of the hills. To lay down that the issue of licences or grant of leases should be subject to the consent of the local councils contained the possibility of obstruction which was harmful to the interests of the hills themselves. What they should be concerned with is the revenue accruing from the grant of licences and leases and not the question of actual management. So far as the revenues were concerned he would be perfectly willing to recommend a portion of it going to district councils. The actual share would be fixed in each case by negotiation. He was perfectly agreeable to the proposition that in granting such leases and licences the local councils should have the right of consultation, but he would not go as far as obtaining actual consent.

This was fully discussed and ultimately agreed upon but it was decided that for the time being no reference should be made in the actual Draft in view of the possibility of the Khasi States, with the representatives of whom discussions were going on, misunderstanding the position.

Paragraph 16.—This was generally approved. The question of rice beer was discussed at length. The Hon'ble Rev. Nichols-Roy desired that either distilled liquor should also be included in order to cover the position obtaining in the Khasi States or that for the present reference to rice beer should be dropped out altogether. The Chairman was opposed to the inclusion of distilled liquor. It was decided finally on the 7th July that the Draft should be left as it was since it did not prejudice in any way the entry of the States into the proposed federation of the Khasi Hills.

Paragraph 17.—This was discussed and generally approved except that it should be made clear that the Governor's powers in an emergency endangering the safety of the country included the dissolution of the council.

Paragraph 18.—This was generally approved subject to what has already been said regarding the plains portions of the Sadiya, Balipara and Tirap Frontier Tracts and also the addition of a recommendation that the policy of extending administration in the frontier tracts should be greatly accelerated and that the additional number of officers required for the purpose should be provided by the Central Government.

Paragraph 19.—This was generally agreed to subject to minor alterations including the omission of any question of rotation for the representative of the North Cachar Hills. As regards the eligibility of non-tribals for election even where they have been in residence for many years, it was decided that the right of standing for election should not be granted in view of the strong feeling against it.

The Lushaj Hills representatives stated that the system of franchise they had in mind was not adult franchise but house franchise and that there were difficulties in the way of adopting universal adult franchise in the Lushaj Hills. This was discussed and it was pointed out that in the Draft adult franchise was recommended if this was the system adopted throughout India. The question of franchise it was assumed would be discussed by the appropriate body or the Constituent Assembly separately. It was agreed that the need for examination of any difficulties in the way of adopting adult franchise in the

hills should be referred to and that this would serve the purpose. It was also decided that a suitable note regarding adult franchise should be added to clause B(1) of Appendix A.

The Naga members desired that so far as the Naga Hills District was concerned the Sub-committee should recommend the understanding (which they said was an agreement) said to have been reached between the Naga National Council and H. E. the Governor of Assam to the Constituent Assembly for acceptance in that exact form. They said that this was what the Naga National Council desired and that they had no authority to agree to anything else. They agreed that the proposals of the Sub-committee substantially covered the various points on which an understanding was said to have been reached. The draft of a new paragraph as follows was read out:—"25. We have referred earlier to the memorandum sent by the Naga National Council to the Government of India. It will be seen from the record of the evidence taken at Kohima that we could not obtain the views of the Naga National Council on a number of important points. Since our visit to Kohima, a question regarding the position of the N. E. Frontier Excluded Areas was asked in the House of Commons and it was answered by the Prime Minister Mr. Attlee to the effect that the areas were a part of Assam and that their future administration was under consideration by the Constituent Assembly. H. E. the Governor of Assam also visited Kohima and had discussions with Naga National Council. We find that the recommendations made by us cover in essence the measure of autonomy contemplated by the Nagas and go much further in some respects. The Nagas in particular expressed it as their will that there should be a review of the position at the end of ten years. We find that the original scheme contained in the State Paper of May 16th 1947 contemplated a review of the Constitution after ten years and recommend therefore that the demand of the Nagas may be provided for." It was pointed out that if this paragraph was accepted it would amount to a definite recommendation that the desire of the Nagas that a review of the whole position after a period of ten years should be accepted. Mr. Aliba Inti expressed his objections: (a) that the agreement itself was not acceptable to the committee as the basis of future relations with the Nagas; (b) that the proposals of the Sub-Committee treated the Naga Hills District as a part of Assam and not as an independent area; (c) that they contemplated representation of the Naga Hills District in the Provincial Legislature which the Naga National Council did not desire; (d) that the proposals empowered the Governor to dissolve the Naga Council in certain circumstances. Mr. Aliba said that he was prepared to discuss the matter further with the N. N. C. who would probably be willing even to send a delegation to Delhi for further discussions.

Mr. Khelhoshe, for his part, did not wish to express any views without further consultation with the N. N. C.

Paragraph 20.—It was decided that the recommendation regarding representation of the hill people in the Ministry should be made as follows:—"It is our considered view that this should be guaranteed by statutory provision if possible; if a statutory provision cannot be made, we are of the view that suitable instructions should be provided in the Instrument of Instructions which we assume that the Constituent Assembly will be framing for the Governors."

Paragraph 21.—The Chairman expressed strongly the view that the policy of appointing officials in the hills, as far as possible from the hill people themselves would in a great measure maintain the exclusion of the hill people from the rest of the province which it was undesirable to perpetuate. The district councils having got the power to appoint their own staff, it may be assumed that all their employees would be hill people. It was not desirable to add to this by providing that the officials of the Provincial Government also should be hill people. In every other sphere practically the councils had got separate powers and now the only possibility of growth with the rest of the province was that officials between the hills and the plains should be interchangeable. He had no objection to a

recommendation that a due proportion of appointments to the provincial services should go to the hill people. This was discussed and it was agreed that the paragraph should be redrafted as indicated by the Chairman.

Paragraph 22.—The Secretary pointed out that in the Draft as it stood the commission appointed by the Governor would be a standing commission for which there may be no real need. It was desirable therefore to widen the scope of the clause so as to enable the appointment of a commission *ad hoc* for any particular circumstance, occasion or area. This was agreed to.

Paragraph 23.—Drafting alterations to the effect that the case of the plains tribals should be considered by the Minorities Sub-committee and that the need for the protection of their land and other safeguards and the question of their representation in the legislature should be considered by the Minorities Sub-committee were agreed to.

Paragraph 24.—This was generally approved.

4. In discussing Appendix A it was pointed out that in framing rules for the constitution of the first district council to be set up provisionally by the Governor the idea was that he should consult existing tribal councils or other representative organisations and that this would be made clear in finalising the Draft. The Lushai Hills representatives expressed their concern that the decisions of the Governor might be influenced by the existing "District Conference". The Chairman agreed to keep this matter in mind.

5. The Hon'ble Rev. Nichols-Roy wished to add a special note to the Report to explain the position of the Khasi Hill States and the factors to be borne in mind regarding joining the federation of the Khasis.