The administration of Lushai Hills was a subject of discussion even before the end of the Chin-Lushai Expedition (1889-90). In May 1890, J.W. Wuinton, Chief Commissioner of Assam, submitted his draft proposal for the control of North Lushai Hills to the government of India. He observed that the mere occupation by a police force of certain points in the tract was far from sufficient to bring the chiefs under the influence of the government. The tract required closer control and more constant communication, through which alone the extension of British influence over the tribes could be established. This task was impossible for the Deputy Commissioner of Cachar, whose intercourse with the tribes was few and far between because of his pre-occupation. So an officer possessing both experience and judgement should be appointed with duties to win over the goodwill of the people and gradually accustom them to government control. He nominated Captain H.R. Browne then Personal Assistant to Chief Commissioner subject to the confirmation of the government of India.¹

The government of India accepted the proposal. H.R. Browne was appointed Political Officer with a salary of Rs.1000 a month. An Assistant Commandant of the Surma Valley Police Battalion should be appointed from the rank of a young military officer,

¹ AS., Pol & Judl, For A, August 1890, Nos.47-77; Suinton's 15 May 1890 to government of India.
who was to receive a staff allowance of Rs. 200 a month in addition to the military pay of his rank. An European medical officer, with the pay attached to a first class civil station, was also to be appointed. In addition to 300 members of the Frontier Police, a coolie corps of 100 men should be organised. Each one was to receive Rs. 10 a month with free rations, and the maintenance of a small reserve of boat carriage between Jhalnachherra and Changsil.

Browne arrived at Fort Aijal, his headquarters in May 1890. He was clearly instructed (i) to employ diplomatic skill in order to induce the chiefs to submit to the administration and to stop them from open raidings. No criminal administration was to be introduced under the existing circumstances. The tribes were to be given freedom to settle their own affairs as far as possible. An attempt should be made to open communication with the officers representing the Bengal and Burma government at Fort Lungleh, Fort Tregear, Haka and Fort White. Procuration of clear information regarding the numerical strength of the several tribes and their tribal customs and organisation was essential. (ii) The case of Lengpunga was to be taken up by enquiring into the question of his complicity in the Changri Valley raid, and then submit a full report on the subject to the Chief Commissioner. (iii) Revenue should be collected from the willing chiefs in money or in kind as tendered, but no attempt should be made, at present, to exact it from tribes unwilling to pay. Care was to be taken not to accept any obligations of a nature in return.

2. Ibid., The government of India's No. 1391, 3 July, 1890.
for the payment of revenue or tribute. Full report in regard to the willingness or otherwise of the tribes to pay revenue or tribute should be submitted. (iv) Changsil bazar was to be reopened. The country between it and Cachar frontier should be examined with a view to advice upon the alignment of the road to connect the latter with the former. (v) Browne was to exercise the Deputy Commissioner's power over the Police quartered within the tract. All correspondence must be made directly with the Secretary to the Chief Commissioner, to whom weekly diaries was to be submitted. The political establishment, hitherto attached to the office of the Deputy Commissioner, Cachar, was transferred to his office. 3

It was evident that the government of India was careful enough not to alienate the Lushais. It was fully realized that immediate switch over to a new system of administration, by setting aside their existing practices, would be too much for the tribes. Therefore, the government have preferred, for the time being, to adopt a policy of wait and see, and thereby slowly bringing them under their full control. For the present, the main concern was to stop them from raidings and to protect the lives of the officials and to punish those who injured them. The inhabitants or tribes were to settle their own affairs among themselves. No attempt was made to exact revenue or tribute from tribe unwilling to pay it.

SOUTH LUSHAI HILLS

As early as January 1890 while the Chin-Lushai expedition was in progress D.R. Lyall, Commissioner of Chittagong Division, sent proposals for the administration of Lushai Hills to the Bengal Government. He was of the view that the South Lushai Hills should not be amalgamated with the Chittagong Hill tracts, but it should remain a separate administrative unit under a special officer. That a post of Superintendent or Political Officer was to be created on a salary of Rs. 800 to Rs. 1000 a month. Mr. C. S. Murray, Assistant Political Officer, Lushai Expeditionary Force, was to be conferred the appointment of Superintendent. The Chittagong Hill Tracts Frontier Police should be transferred to the Lushai country, and the Civil Police of the tract should be increased. The district Superintendent of Police, R.F.H. Pugha, now in charge of the frontier force in Fort Lungleh, was to be appointed commandant of the force in the new district. Lyall recommended that "for the present the system of government through chiefs should be fully recognised". He drew up a set of orders which, he wished, should be issued to each chiefs. Accordingly, all raid should be prohibited, and any chief who did acts of raiding or to have his village destroyed by a paramount power was liable to be sentenced to death. There must be security of person and property, and free access into every village. Since communication from village to village was extremely

4. AS., Pol & Judl, For A, August 1890, Nos. 47-77; Bengal's No. 449-P.D, 6 November 1890.
necessary in order to control the people, each village and chief should be made responsible for the maintaining, improving, and if so ordered, the making of such roads. The villagers were to be paid for the labour at a low rate. The Superintendent was to be empowered toFine the violating chiefs, and to compel him and his people to do the work by force. Collecting and paying of the tax of each village should be the responsibility of the chiefs at the central post, and attendance at this was to be made compulsory by imposing fine on the absentees. The meeting was to be utilised for making decisions of all disputes between chiefs and villages. All the chiefs should be instructed that the Superintendent was the final arbitrator of all disputes, which they failed to settle among themselves, and that, force should not be used. The chiefs were to be allowed to bring forward their grievances at any time, and prompt action should be taken on the part of the Superintendent as far as possible.  

* As early as July 1872, Lewin recommended a similar gathering for his district. He also advised that the government should not interfere with the village administration of criminal, civil and social matters.

The government of India sanctioned the above proposals; Lungleh was selected to be the Headquarters of both the Superintendent and the Commandant of Police. Accordingly the South Lushai Hills was constituted from 1 April 1891, and Murray was appointed the Superintendent. He held the post of Superintendent for sixteen days when he was returned to his ordinary duties for reasons explained already. Shakespear was appointed Superintendent of the South Lushai Hills, who took over charge from Murray on the 16 April 1891. In the meantime peaceful condition had been prevailing throughout the hills and the villages were completely free from the constant dread of intertribal feuds which had been the order of the day in the past. He was certain that the villages, being free from feuds, would gradually break up into small hamlets. This presumption of his was not without any reasonable ground for the Lushais thought it more convenient to live in a smaller group as far as jhuming, water supply, and firewood supply. They did definitely break up into much smaller villages than those existed before. Indeed, the system rendered it more difficult to recover tribute and collect labour on the part of the government. To facilitate recovery of tribute and collection of labour, Shakespear advised constitution of the Circle system in the hills.

6. Ibid., Government of India's No.1104-E., 27 May 1891.
7. Ibid., Government of India's No.1104-E., 27 May 1891.
Each circle would consist of sufficient number of villages and certain chiefs being appointed as head of Circles who would be in charge of one circle each respectively. The Head circles were to receive a reasonable amount per month, and they should be responsible for tribute and labour for all hamlets within their circles, and for the disposal of all complaints.8 Forwarding the proposal to the government of India, Alexander Mackenzie, then Lieutenant Governor of Bengal, made a favourable comment. He fully concurred in the views of Shakespear and recognised the value of Shakespear’s final report which dealt thoroughly and clearly with all matters of importance.9 In the 1901-2, the new system of "Circle Administration" was introduced.10

Shakespear’s five years superintendence was really a significant in the history of South Lushai Hills administration. During which the country was not only pacified, but British rule was firmly established and the line of future administration was finally laid down.

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9. Ibid., Forwarding letter of Lieutenant Governor to the government of India.
10. Reid, R., History of the Frontier Areas etc., Shillong, 1942,p.44.
Since the British occupation of Chin-Lushai land, it was divided into three district administrative units. The division was on the basis of the area occupied by each invading column of military forces of Burma, Assam and Chittagong Hill Tract division. Eastern portion, known as Chin Hills and some parts of Arakan came under the Chief Commissionership of Burma, Southern and western areas came under the administration of the then Lieutenant Governor of Bengal, and the northern territory was put under the administrative unit of the then Chief Commissioner of Assam. The Governor General in Council was directly responsible for the administrative functions of the three units in his capacity as the crown representative. For sometime past, both the Government of India and the Secretary of State realized "that this tripartite division of authority was open to objections". A conference was held at Calcutta on 29 January 1892, "to discuss civil and military affairs connected with the control of the Lushai and Chin-Hills". The conference came to be known as the "Chin-Lushai Conference".

As a matter of fact even after the expedition of 1871-2, the local authority in the Chittagon Hill Tract were convinced of the inconvenience of controlling the Southern Lushai Hills. Richard Temple, then Lieutenant Governor of Bengal, after having an exchange of views with the local authorities issued a minute in this connection in February 1872.
He proposed the whole Kuki country to be united under one district and a Political Officer be in charge of the whole district. But the idea was strongly opposed by both the Chief Commissioner of Burma and Assam. Mr. Eden, then Chief Commissioner of Burma, objected to the idea of appointing a highly paid officer for the supervision of the frontier because there would be no sufficient work for him. From the administrative standpoint it was desirable for some years to come to appoint a highly paid officer having nothing to do but to control the frontier because he would be under strong temptations to constantly extend his jurisdictions and advance his posts. In connection with the control of Sukpilal's country from Chittagong side Colonel Keating, then Chief Commissioner of Assam, pointed out that neither politically, nor geographically, nor commercially the tract in question had any connection up-to-date with the Chittagong Hill Tracts. Its connection with Cachar and Sylhet was rather a natural one. Certain practical difficulties in controlling Sukpilal's country from Chittagong side were also pointed out. Sukpilal's people were constantly being brought into contact with the planters and other. In this respect the government of Assam had to tackle many cases. Reference of all such questions to Calcutta would unsettle the new establishment. Sukpilal, the most influential chief on the Cachar, Sylhet and Manipur border, could be controlled only from Cachar. After all...
consideration of the views of the government of Assam and Burma, the government of India concluded that "no change should be made at present in existing arrangement".  

The Chin-Lushai conference again recognised the tripartite division of Chin-Lushai land as open to objections and the main question laid before the conference was what remedies would be practicable. It was strongly felt "that the whole tract of country known as Chin-Lushai Hills should be brought under one administrative head as soon as this can be done". Accordingly, the Governor General in Council arrived at the final conclusion that "the whole of the Lushai country should be under the Chief Commissioner of Assam, and the transfer of the southern Lushais from Bengal to Assam should be made as early as possible". The northern Arakan Hill Tracts should be transferred from Burma to Assam, and the Chief Commissioners of Burma and Assam would settle the future position of the boundary between their respective administration.

12. BJP., November 1875, File No.32-7; Minute of Sir Richard Temple, the Lieutenant Governor of Bengal.
13. BPP., Pol A, April 1892, Nos.55-60; File L/36 Government of India's, Military Department, No.248-B, 21 January 1892.
14. Ibid.
The government of Bengal readily agreed to the proposal to cede the South Lushai Hills to the administration of Assam, but the government of Assam raised objection on the ground of finance. The latter was informed of the directive of the Viceroy that the Lushai expenditure must continue to be provincial. Assam would be given the present cost of administering the territory to be transferred by deducting from Bengal. The Chief Commissioner of Assam, being assured of liberal financial grant, intimated his consent on 19 March 1893 to the government of India. 15

SECOND CHIN-LUSHAI CONFERENCE: LUNGLEH, 1896

Four years have passed when the government of India again reviewed the Chin-Lushai problems. The government decided to come to a final decision and suggested the holding of a conference of superintendents of the Chin Hills, the North Lushai Hills and the South Lushai Hills. The conference was accordingly held between 14 and 18 December 1896, at Lungleh. The meeting revealed that they were unanimous on both political and financial grounds. They all considered that the transfer of South Lushai Hills to Assam was highly desirable, and this might effect an annual saving of two lakhs of rupees. 17

A copy of the report of the conference was submitted to the government of India by the government of

15. BPP., November, 1893, No. 99, File 241; Durand to the Chief Commissioner of Assam.
16. Ibid., November, 1893, No. 100; Chief Commissioner's telegram, 14 March, 1892.
17. BPP., Pol A, February, 1897, Nos. 10-73; Government of India letter No. 1564-E.B, 8 September, 1896.
Bengal in February 1897.  

To implement this recommendations in June 1897, the government of Assam submitted a number of recommendations to the government of India. They proposed Aijal to be the headquarters of the district, and Major Shakespear, then Political Officer of the North Lushai Hills, would be Superintendent and Political Officer over the whole of the amalgamated area. Since the territory under his control would consist of an area of 6,300 square miles, it was considered absolutely necessary that he should have under him, both at Aijal and Lungleh one or more Political Assistants. The government of Assam was of the opinion that the simplest and best course would be to continue to Officer the Lushai Hills in the same manner as they had been officered in the past viz. from the Bengal Police Department. In 1893, the government of India sanctioned one District Superintendent of Police for the commandantship of the South Lushai Hills Police and three Assistant Superintendents for the posts of Assistant Commandant. The separate post of

18. A.R., File No.7, 19.5.1897, No.391P., C.........., Chief Secretary to the government of Bengal, to the Secretary to the government of India, Foreign Department, dated Calcutta, 8 February 1897.

19. Ibid., No.671 AS, According to the reorganisation scheme of the staff of Superior Police Officers in Bengal and Assam, which was put forward by the government of India in the Home Department despatch No.23 dated the 18 January, 1893, the aforesaid police Officers' posts were sanctioned by Secretary of State, Government of India.
Commandant was, however, subsequently abolished under Sir Charles Elliott's orders, and the Chief Commissioner has recently applied to the government of India for the appointment of military officer as Assistant Commandant at Lunglei. But for the discharge of administrative and political duties, it was considered necessary that suitable staff be employed in the Lushai Hills. The officiating Secretary to the Chief Commissioner of Assam, therefore, requested the government of India that they might direct the three Assistant Superintendent of Police in the said Hills to be permanently transferred to the Assam Administration for employment in the amalgamated area. The Political Officer of the North Lushai Hills had also repeatedly applied for the appointment of an Assistant at Aijal, but the appointment could not be sanctioned until the South Lushai Hills was placed under his control. Now, the amalgamation was being effected, the Assam government also desired that an Assistant Political Officer should be permanently stationed at Aijal.  

The Chief Commissioner of Assam subsequently put the above project in a final form and submitted to the government of India the proposals for the future administration of the Lushai Hills. He proposed the formal transfer of the South Lushai Hills from the government of Bengal to the administration of Assam with effect from 1 October 1897.

20. Ibid., No.671 P.S.G; Officiating Secretary to Chief Commissioner of Assam, to government of India, Foreign Department, Shillong, 29 June, 1897.
and be placed under the immediate control of the
Political Officer of the North Lushai Hills. For
the appointment of Officers and the regulation of
their procedure, he felt it necessary that simple
rules should be laid down under section 6 of the
Scheduled Districts Act, XIV of 1874. He also
considered convenient to extend Regulation 11 of
1880 to the whole of Lushai area with effect from
1 October 1874. But section 1 of the regulation
required that the boundaries of the tract to which
it was extended should be specified. Since no
authorised specification of the boundaries of the
South Lushai Hills was available at present, it
was suggested that the spirit of the Regulation
would be sufficiently met by declaring that it was
extended to the tracts of country which had been
hitherto known as the North Lushai Hills and South
Lushai Hills, respectively. The Chief Commissioner
considered it absolutely essential for the future
administration of this tract under Assam, that
Demagiri* should continue to be part and parcel of
the South Lushai Hills even after the transfer of
the South Lushai Hills. Since Demagiri was the
headquarters of the South Lushai Hills Civil Police,
it should remain as the frontier post of the Lushai

* Demagiri was not situated within the present area
of South Lushai Hills. Topographically, it was
within the area of Chittagong Hill Tracts. But in
1892, under Sir Charles Elliot's order, it was
declared that Demagiri should be considered to be
part and parcel of the South Lushai Hills.
Hills. He recommended, for the sanction of the government of India, that the whole of substantive as well as the adjective law which was held to be in force in the Lushai Hills proprio vigore, with the exception of Indian Penal Code, might be barred under the provision of Section 2 of Regulation 11 of 1880, in that tract. He proposed to introduce the Scheduled District Act, XIV of 1874, into the Hills. This proposal was made to provide a machinery for extending to the tract enactments which were not already in force and to provide a legal basis for framing rules for the administration. He suggested to give to the Officer in charge of Lushai Hills, the style and designation of Superintendent but without changing his status or allowances as a member of the Assam Commission. The Chief Commissioner felt that the expression Political Officer was not very appropriate, as his duties were widely different from those of Political Officer employed under Foreign Department.

The government of India accepted the proposals of the Chief Commissioner of Assam. On 1 April 1898, the government of India, by a proclamation, placed the South Lushai Hills under the administration of Assam with Aijal as the Headquarters. With the amalgamation of North and South Lushai Hills, a new district, called Lushai Hills District, was born, and the Officer in charge of the district was given the designation of Superintendent. This development was really a significant in the history of the Lushai Hills.

The Superintendent: Powers and functions

Thus the administration of the Lushai Hills District was vested in the Chief Commissioner of Assam, the Superintendent and his Assistants. While the chiefs and headmen of villages were held responsible for the behaviour of their people, the Superintendent and his assistants were to uphold the authority of the chiefs. All litigation should be discouraged. In petty cases, appeals should not be admitted against the orders of the chiefs. The chiefs and headmen of villages must report to the Superintendent and his assistants all heinous crimes, violent death and serious accidents occurring within their jurisdiction.

For the maintenance of order or the apprehension of the offenders, all the inhabitants of the district were bound to give aid when required. The Superintendent was authorised to regulate the succession of villages of deceased chiefs and to appoint guardians to minor chiefs. He could also partition the existing villages and could form new ones. He could appoint chiefs or headmen and fix the number of houses in such villages. But this was subject to the general control of the Chief Commissioner, and due regard should be paid to Lushai custom and the hereditary rights of existing families of chiefs. The Superintendent was also empowered to determine the boundaries of lands occupied by chiefs, to settle disputes between them relating to such lands and to punish chiefs and headmen. Subject to confirmation by
the Chief Commissioner, the former could depose the latter for misconduct. Without the prior sanction of the Superintendent, the formation of new villages was forbidden. However, the powers of the Superintendent might be delegated to his Assistants with the sanction of the Superintendent. 22

**Police Administration**

Subject to Act V of 1861 and the Assam Military Police Regulation the Lushai Hills Police should consist of "Regular Police". The control of the police was vested in the Superintendent, and was assisted by such officers as might be from time to time appointed, acting under orders of the Chief Commissioner. The general supervision of the "Regular Police" was vested in the Inspector General of Police as regards discipline should, as far as they were applicable, be observed by the regular police. But only such crimes returns and registers as might be considered by the Chief Commissioner applicable should be maintained. The duty of the chiefs and headmen of villages was to report to the Superintendent all heinous crimes, violent deaths and serious accidents occurring within their jurisdiction. All the Inhabitants of the Lushai Hills were bound to help the regular police when required to do so. This was necessary for the maintenance of order or the apprehension of offenders. 23

22. A.R., File JS 13 August 1897, No.30; Draft rules for the administration of Justice and Police in the North Lushai Hills District.

23. Ibid.
Criminal justice should be administered by the Superintendent and his assistants. The Superintendent should be competent to pass sentence of death, or transportation or imprisonment up to the maximum amount provided for the offence, of whipping and fine up to any amount. But no sentence of death, or of transportation, or of imprisonment for a term of seven years or upwards, should be carried into effect without the approval of the Chief Commissioner. The proceedings should be submitted to him. Assistants to the Superintendent should exercise such powers as they might be invested with by the Chief Commissioner. But it should not exceed those of a Magistrate of the first class, as defined in the Criminal Procedure Code. An appeal, which must be preferred within thirty days, should lie to the Superintendent in all cases of imprisonment exceeding one month or of fine exceeding fifty rupees. The Chief Commissioner might increase any sentence passed by an officer. But no offence should be punished by a sentence that might be inflicted under the provisions of the Indian Penal Code. No appeal should lie from any sentence of the Superintendent of less than three years' imprisonment. But it should be competent for the Chief Commissioner to call for the record of any case whatever, and to modify or reverse the decision passed. All sentences of over three years' imprisonment were applicable to the Chief Commissioner within sixty days and his decision was final. But the Governor-General in Council
reserved to himself the prerogative of reviewing the proceedings of the Chief Commissioner and his subordinates. He could pass such orders on them as he might deem fit. As far as it was applicable to the circumstances of the Lushai Hills, the procedure of the Superintendents and his Assistants should follow the spirit of the Code of Criminal Procedure. The Superintendent and his Assistants must keep a note of the substance of all the proceedings in cases tried before them in the form prescribed by section 264, Act X of 1882. But in cases requiring a sentence exceeding three years, a full note of the evidence and proceedings must be kept. Examinations and proceedings should ordinarily be recorded in English only. Except with the special permission of the Superintendent, no professional pleader or mukhteer should be allowed to appear in any case. The Superintendent and his Assistants should keep such registers of criminal cases. They should also submit such returns as the Chief Commissioner should from time to time prescribe.24

Administration of Justice : Civil

The administration of Civil Justice in the Lushai Hills was entrusted to the Superintendent and his Assistants. They should take special cognizance of well established Lushai customs. No stamps

24. Ibid.
should be required in any suit brought before the Superintendent or his assistants, and the parties be put to no costs further than their own actual expenses. No mukhteers were to be allowed in any matter between villager and villager. In all cases where the chiefs were personally concerned, they were, as far as possible, to be personally dealt with. When the personal presence of the chief was inconvenient or impracticable, agents were only to be allowed. Except in cases where the Superintendent was satisfied that fraudulent disposal or concealment of property took place, there should be no imprisonment for debt. No appeal should lie, as a matter of right, to the Superintendent from the decision of his assistants, or from those of the Superintendent, except as hereinafter provided. But the Superintendent, if he saw fit, might call for the proceedings or any case decided by his assistants and revise them. Upon application made or otherwise, the Chief Commissioner might call for the proceedings or the Superintendent or his assistants and revise them. The Courts of the Superintendent and his assistants should be guided by the spirit of the Code of Civil Procedure so far as it was applicable to the circumstances of the Lushai Hills and consistent with these rules. Except with the special permission of the Superintendent, no processional pleader or mukhteer should be allowed to appear in any case before the Superintendent or his assistants. 25

25. Ibid.
The government of India readily accepted the rules of the Chief Commissioner of Assam. These rules, with periodical modifications, remained in force till the abolition of chiefship in the Lushai Hills in 1952. The social condition of the Lushai Hills was materially different from those of the plains district of Assam and Bengal. The complex judicial administrative system prevailed in the plains was not at all suitable for these hill areas. That was perhaps, the main reason why the government of India did never appoint a special set of Judicial Officers with criminal and other powers. In fact later the Lushai Hills administrative experience was of the South and North Lushai Hills District.