CHAPTER – II

Establishment of British Paramountacy
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ESTABLISHMENT OF BRITISH PARAMOUNTACY

The Britishers, who came to India as traders with the establishment of East India Company in 1600 A.D., slowly and gradually became a paramount power in India. The decline of Mughal power in Delhi made their imperial desires to get fulfilled. The break down of Mughal authority at the centre, led to political uncertainty in the hill states. Now they were in frequent warfare with each other to increase their area of influence. This situation in the hills was conducive for any strong authority to step in and establish its paramountacy. The opportunity was first grabbed by the Gurkhas and later on with the help of hill chiefs and their subjects by the British East India Company.

Three broad concerns got the British interested in the region of western Himalayas. It was a major policy concern of the British in India both to curtail the power of the independent rulers and to extend their sway to the natural limits of India as quickly as feasible. They had little knowledge about the trans-Himalayan tracts apart from the fact that some form of Chinese and possibly Russian influence existed there. This added to their fear about their vulnerability along these natural borders, which could eventually threaten their Indian possessions. They also wanted military and political control of the entire border with the Sikh territories as far as practicable. The British wanted to control and have direct access to trans-Himalayan trade. There were reports about trade in woolen products and other commodities that linked the regions under their control with Chinese and central Asian territories. The desire to

1 Papers Relating to Nepaul War, Enclosure (4) to 170, p. 406.
control this trade for larger strategic reasons, and also profit from it, was the second important reason for their intervention in the western Himalayas and Kotgarh being part of that.

Let's go into the details how this stage was set up for the Britishers to establish themselves in Simla Hill States and my area of study that is Ilaqa Kotgarh, which was made part of the British territory immediately after the expulsion of the Gurkhas. In Nepal during the eighteen sixties integrating work was started by the Gurkhas, a war like tribe, under the able leadership of Prithvi Narayan Sah. Nepal, then was parcelled out among a number of petty states, called ‘Baisi’ or twenty two and ‘chauvisi’ or twenty four states. Moving from their possessions in northern Nepal, Prithvi Narain Sah and his two immediate successors, conquered Katmandu and subdued many more surrounding states.  

Thus by 1804, Gurkha conquest of Kumaon and Garwal was complete. After annexing these states, Amar Singh Thapa and his son and Deputy, Ranjor Singh Thapa, started making preparations for the conquest of the Punjab Hill States. However in this region there expansionist designs clashed with those of Raja Sansar Chand Kotoch, ruler of Kangra. The Gurkha forces under Amar Singh Thapa, Rudra Bir and Nain Singh overran Nalagarh and crossed the Sutlej. They fought a pitched battle with Raja Sansar Chand at Mahal Mori in May 1806. The Raja was defeated; he first moved to Sujanpur Tira and then took refuge in Kangra fort along with his family. The garrison in the fort was reduced to straits and Raja Sansar Chand, in despair looked for an ally and found one in Maharaja Ranjit Singh. In May 1808, the Maharaja marched from Lahore with a large Army and attacked Gurkhas, who during their long stay had been decimated by disease and starvation. Further, by this time, the hill chiefs had

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4 Ibid.
deserted Amar Singh Thapa and were engaged in cutting off his supplies to compel his retirement.\(^5\) The Gurkhas after their ignominious defeat at the hands of the Sikh ruler, retired across the Sutlej after suffering dreadfully during the siege in the retreat. The Maharaja did not pursue them as he was busy in subduing the cis-Sutlej chiefs in the Punjab and his Negotiations with the British, which culminated into the treaty of Amritsar (April 15, 1809) were in progress.

In 1810, The Nepalese turned to Jubbal and Pundar, which they conquered without much difficulty, however the Thakur of Balsan, who had entrenched himself in the fort of Magana, repulsed the Gurkhas attacks and held out for some time.\(^6\) The Thakurs of Balsan, Kotgarh and Theog joined against the invaders and solicited help from their powerful neighbours, the Raja of Bushahr. The later foreseeing that the Gurkha attack on his state was imminent, dispatched a strong force under his Wazir to help the Thakurs. In May 1811, Amar Singh Thapa himself marched from Sabathu with a large Army. Amar Singh defeated the Thakurs and Bashahris, and marched towards Rampur, capital of the Bushahr state and established control over it.\(^7\) The Gurkhas because of the possession of superior weaponry were able to subdue certain areas in Simla hill states. They were better organized and disciplined than their adversaries from the hill states. The Gurkhas established themselves and captured the strategic forts of Baghi, Hattu and Shilajan. The local chiefs of the adjoining areas took help of the Bushahr Raja to counter the Gurkhas, but Gurkhas being more organized and disciplined defeated these forces.\(^8\) The main motive of the Gurkhas to have control over the ilaqa was its strategic

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location and the wool road passed through it, which was the economic concern. Thus before the coming of the Britishers, Gurkhas came into the limelight capturing many hill states, Kotgarh being part of it.

Soon after occupying the Kotgarh ilaqa, the Nepalese had taken steps to consolidate their position; they built a chain of forts and demolished others which were not of much use to them. The old families, who were attached to the ancient ruling houses, were either banished or removed from service. The consequences appointed those officers on different posts of trust, who were devoted to them and whose interest it was that the old dynasty should never be revived. The Gurkhas remained in occupation of the ilaqa for about a decade and proved hard and grinding masters. They adopted repressive measure to realize revenue and procure provisions. Similar measures were adopted for the transportation of the baggage which indeed was an arduous task in the hilly areas. Many families fled across the Sutlej on their approach and the tract exhibited the greatest marks of devastation and depopulation. They also destroyed the Archives and records of the ruling families of Bushahr and many hill states.

However the Gurkhas were not allowed to remain in control of the ilaqa for a long time. It was the East India Company which became the paramount power in this area after the Anglo-Nepalese War, 1815-1816, during the period of Governor General Lord Wellesley (1798-1805). The company occupied Delhi and its frontier extended upto the Yamuna in the North. In the next five years it extended its frontier west ward for about two hundred miles upto the banks of river Sutlej and cis-Sutlej states of Kaithal, Jind Nabha and Patiala came under its suzerainty. Almost all the chiefs of these states and their people helped the British. The Gurkhas were defeated and compelled to

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9 Papers relating to the Nepal War. Printed in Conformity to the Resolution of the Court of Proprietors of East India Stock of 3rd March 1824. p. 16.
11 Papers Relating to Nepaul War, Enclosure (4) to 170, p. 406.
return into their shell. The treaty of Sagauli was signed in March 1816 under which interalia, the Gurkhas renounced all claims to Kumaon, Garhwal and the Punjab Hills, which now passed under the control of the British. The hilly region, latter classified as Simla Hill States was of great advantage to the company. First its climate was salubrious and thus suited for the development of hill stations, where British affairs could take refuge from the scorching heat of plains. Secondly its possession provided direct access to west Tibet, which produced highly prized shawl wool, a lucrative article of trade. Finally from political and military point of view the area was quite important; its occupation created a wedge between the Gurkhas of Nepal in the east, and Maharaja Ranjit Singh's possessions in the West, thus acted and benefited the Britishers as a Buffer state. For expelling the Gurkhas, cooperation of the hill chiefs and their subjects was considered indispensable. From political viewpoint too, after the expulsion of the enemy, when strategically important posts were to garrisoned by the British force, such a help was considered quite necessary. Provisions for the Garrisons would be easily supplied by the inhabitants of the area, which otherwise would be difficult to carry from distant places.

The British were to retain such territory under their possession, as would be useful for the security of British frontier and commercial communications with the country, where shawl wool was produced. This object would require possession by the British government of a tract of territory quite close to the frontier of West Tibet.

Thus, the British after becoming paramount power, redrew the map of Cis-Sutlej Hill States; in place of the eighteenth century Bara Thakurias (twelve lordship) and their offshoots and feudatories, the Athara Thakurais (Eighteen Lordships), these states were formed,

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12 C.L. Datta, *Ladakh and Western Himalayan Politics* (New Delhi, 1973), Chapters V and VI.


14 Papers Relating to Nepaul War., p. 16.
which collectively came to be known as protected hill states of the Punjab. After the development of Simla, these states were christened as the Simla Hill States. In return for British protection from external aggression, the rulers of the Simla Hill States were expected to discharge certain obligations which were embodied in the sanads.\textsuperscript{15} These obligations were; to allow free passage to British merchants for their goods, to furnish a certain member of Begaris for constant attendance and to construct roads to the width of twelve feet in their territories.\textsuperscript{16} The Hill Chiefs also paid tribute which varied from state to state and from time to time; they were also to perform other feudal duty such as supplying war contingent in the event of being call upon to do so by the paramount power.\textsuperscript{17}

The Simla and Simla district, which was carved out of these states and which with the passage of time, became the focal point of this region. In order to have effective control over this hilly area, the British, retained a few separate localities situated many miles apart, from each other as military posts.\textsuperscript{18} In the upper hills Rawin along with Rawingarh fort, and the Kotgarh or Kotguru and also known as Sandoch, which contained forts of Hattu, Shilajan and Baghi were taken possession of immediately after the expulsion of the Gurkhas.\textsuperscript{19} Strategically important forts of this Ilaqa were garrisoned with Nasiri (Gurkha) battalions which were raised from amongst the defeated Gurkha troops. After the conclusion of peace, the latter were encouraged to remain in the hills and enter British service. In 1816, The British also retain a tract of land which belong to the Keonthal state; from Kalka this place was about fifty eight miles by cart road

\textsuperscript{16} Ibid.
\textsuperscript{17} Ibid.
and it was Simla,\textsuperscript{20} the future summer capital of the government of India.

The Simla district had an area of 101 square miles, and was perhaps, the smallest district in India. It was divided into two sub-tehsils, Simla-Cum-Bharauli and Kotkhai-cum-Kotgarh; each tehsil was placed under a Naib Tehsildar. The Deputy Commissioner, who in 1859, was also designated as superintendent of Hill States, was aided by two assistants or extra assistant Commissioners of whom one was incharge of the district treasury. Simla and the surrounding hill states also formed an executive division of the public works department, and also a forest division.\textsuperscript{21} With the passage of time, office of deputy commissioner became a nursery from where officials were appointed as managers and wazirs etc. These officials also conducted land settlements in the states. The assistant commissioners and Naib Tehsildars were also often sent with a police contingent to quell disturbances or to hold on enquiry where there was maladministration and the people of a state groaned under heavy taxation and oppression.\textsuperscript{22}

Kotgarh which was part of the Simla district gradually became distinct from the hill states. Like other districts in the Punjab, here the British government introduced administration on modern lines. First land revenue settlement was completed in 1881-83. Education and medical facilities were provided and the people were given the right to elect their representatives on the municipal committee of Simla. Such amenities and privileges, however, were not existent in the adjoining Simla Hill States. The result was that the people living in the ilaqa became politically and educationally more advanced and progressive than the people living in the neighboring states, with

\textsuperscript{20} Pamela Kanwar, \textit{Imperial Simla} (Delhi, 1990), p. 24.

\textsuperscript{21} \textit{Imperial Gazetteer of India}, Provincial Series, Punjab, I, pp. 348-49.

whom they had close relations and cultural affinities.\textsuperscript{23} Kotgarh thus became far ahead of the neighbouring states in terms of Education, medical facilities, political consciousness etc.

In January 1859, after the creation of Simla district which included Kotgarh, Bharauli & Kotkhai its deputy commissioner also superintendent the administration of the Simla hill states and in that capacity. He was designated as the superintendent, hill states. In his civil capacity as deputy commissioner, he was subordinate in all departments to the commissioner of Ambala division. In this capacity he was also civil judge, bound to decide all suits of Rs. 1000 and upwards; as district magistrate he was also head of the Police, and he did all the municipal work. But in his political capacity as superintendent, hill states, he was independent, responsible only to the head of the Punjab Government. As a result of this arrangement, in the civil department, the deputy commissioners was bound to confirm to fixed rules of business, but in the political department, there was not same strictness of discipline.\textsuperscript{24}

The superintendent, hill states, enjoyed vast powers and his position was quite enviable at least during the period when British imperialism was at its zenith. The superintendent exercised residuary jurisdiction, which was defined as jurisdiction exercised in cases which were beyond the powers of a chief. This Jurisdiction was also exercisable in the region in any case where political considerations precluded the exercise of the chief's jurisdiction.\textsuperscript{25} Another important matter in which this jurisdiction was exercised, was the preservation of the Hindustan-Tibet and some other hill roads. After the opening of


\textsuperscript{24} G.C. Barnes. Commissioner and Supted., Cis-Sutlej States to Secretary, Chief Commissioner, Punjab, 17 December 1858, No. 336, F.P.N.S. Progs. March, 1859, No. II

\textsuperscript{25} C.L. Tupper, Secretary, Pb. Govt. To Secretary, G.O.I., Foreign Deptt., 15 March, 1889, No. 131. F.P.N.S. Progs., March, 1889, No. 17.
the British trade agency in west-Tibet in 1904, it was normally on the recommendation of the superintendent that the British trade agent was appointed, the latter, after 1911, submitted reports through the former. In addition to enjoying his powers and position as Deputy commissioner of the Simla district, the superintendent, as local representative of the paramount power, enjoyed enormous powers and occupied prominent position in the Hill States.26

The construction of lines of communication in the region, was a difficult task. To link the five ilaqaas including Kotgarh, of Simla district, which were situated miles apart, and the different hill states, with some kind of roads, mule tracks and footpaths, however, was necessary. The Hindustan Tibet Road running from Kalka to Simla and then extending up to the Tibetan frontier was the main artery of communication. During the Gurkhas war, the British had realized the need of having good lines of communication in the region. That is why, at the time of granting Sanads in 1815-16, inter-alia, it was made binding on hill chiefs to construct roads in their territories and to furnish a certain number of Begar labourers.27 The military strategic reason also made the introduction of the modern transport system in the Ilaqa necessary.28 The British regime established in India had to be defended both against internal rebellion and external invasion. For rapid mobilization and transfer of troops at the required key strategic points, it was necessary to lay down adequate railway lines and construct modern metalled roads. Thus the military defence need of Britain also led to railway construction and in general to the extension of modern means of communications.

Thus the modern means of transport were established and extended not from the point of view of the free, normal, all sided

28 Ibid.
development of economic, social, political and cultural life of the region, but primarily to serve the economic, political and military interests of British.\(^\text{29}\) Further the construction of these roads would facilitate troop movement and enable the administration to execute a more effective political control.\(^\text{30}\) In addition they would so help in ending the *Begar* system and compulsory porterage on the roads. The work of constructing roads appears to have been taken up in 1816. But it was C.P. Kennedy, the energetic political agent in charge of Sabathu sub-agency from 1822 to 1835, who took special pains in this matter. A company of pioneers was employed for many years, and supplies of Blasting Powder were drawn from the Delhi Magazine.\(^\text{31}\) To Kennedy's proposition for the introduction of Shakesperian bridges over various rivulets at important places, the supreme government gave full support and encouraged the idea of constructing such bridges and set aside a sum of its accomplishment.\(^\text{32}\)

Lord Ellenborough Governor General (1842-44), during his visit to Simla, sanctioned funds for the widening of the road. But to make it safe and practicable for beasts of burden, for wheeled traffic, Lord Dalhousie, Governor General (1848-56), who spent three consecutive summers in 1849-51 at Simla took personal interest in the matter. As mentioned before, in certain clauses of the *Sanads* (1815-16), granted by the British governments, the chiefs of the various hill states had bound themselves to make roads within their own territories when called upon to do so by the paramount power. The stipulations of this treaty were first enforced in July 1849 when the Kalka and Simla road


\(^{30}\) Poonam Minhas., *Traditional Trade and Traditional Centres H.P.*, Indus Publishing Company, New Delhi, 1908, pp. 52-145.

\(^{31}\) C.P. Kennedy, Assistant Agent, Sabathu to W. Murray, Dy-Supdt., Sikh and Hill States, Punjab Government Records (PGR), II, p. 265.

\(^{32}\) G. Swinton, Secretary to Govt., Pol. Deptt., Fort William to C. Elliott Agent to the G.C. Delhi, 27 August 1824, Ibid., p. 306.
was commenced under the name of Hindustan Tibet Road and labour and lands were placed free of all remuneration at the disposal of the British Government; the latter paid; for expert supervision and supplied powder and other materials necessary for the construction of roads on scientific principles. In 1855, the states relieved of having to pay their share for labour employed on the road. The payment of each labourer in full was made by the British government whereas the chief supplied labour when called upon to do so. Further, on the suggestion of his military secretary, Pitt Kennedy, Dalhousie got the Hindustan Tibet surveyed on more scientific basis.33

There were many factors that compelled the British to annex the ilaqa, Hindustan Tibet road was one of them. The Hindustan Tibet road which passed through this territory, also compelled the British to acquire the territory. This road was considered as wool road linking the silk route. In 1850 Hindustan Tibet road was widened by Lord Dalhousie, the Governor General of India. This road meets 8 ½ miles at Rampur beyond Kotgarh after following the left bank of river Sutlej by a bridge at Wangtu, it then divides one branch continuing along the right bank of the river to the Chinese border and other turning north west into the Spiti and thence either by Baralacha or Parangla pass on towards Leh and Yarkand. There were Dak Banglaows at Mahasu, Fagu, Matiana, Narkanda, Kotgarh and Rampur. The minimum width was 6 feet with the conception of a descent of 7 miles after leaving Kotgarh to Sutlej and throughout it is fairly level. It was repaired and evidence by British Public work Department from time to time and was used for wheeled traffic.34 To develop trade and commerce in the hills, the British government realized that building network of lines of communication was utmost necessity. This would not only make hill resorts and remote places accessible but also

33 Executive Engineer (XEN), Hill Roads Division to Superintending Engineer (SE), Second Circle, 28 September 1873, No. 1329 File No. B. 23/579, 1925 (HPSA).
34 Gazetteer of Simla Districts, 1888-89, Indus Publishing Company, New Delhi, pp. 11-12.
promote internal and external trade. Further improved lines of communication would also help in the reduction of various kinds of begar.\footnote{35} The Hindustan Tibet road which was completed at a great expense and after more than a century of hard labour, turned out to be a highway of great public utility. It was this highway which was used to facilitate imperial trade relations with west Tibet and central Asia. Kotgarh Ilaqa being part of the highway was bound to get affected. Such problems as to how should this road be maintained and who would share its maintenance cost, were quite complicated. So also was the problem of jurisdiction, if crimes were committed on the highway or if there were violations of the rules about the preservation of the hill roads. It was finally settled that by the superintendent, hill states, under ‘residuary powers’ exercised by the paramountcy and it would decide such cases. It may be mentioned that these residuary powers were beyond the purview of any court.

It was after sixty years of planning and hard work of blasting and cutting rocks by the companies of pioneers and sappers in addition to thousands of labours who had been employed by the British government and hill chiefs that this work of constructing the roads was completed. A brief description of the Hindustan Tibet road from Simla to Thanedhar a stretch of fifty miles given by K.V.F. Morton, the superintendent, hill states in February 1937, may be given here. It will help us in understanding the proposal to open motor traffic on this road. The road on leaving Simla municipal limits passed through Koti, Keonthal, Theog, Madhan, Kumharsain and Khaneti states and the stretch lying in each was seven, eleven, ten and a half, two, ten and seven miles respectively.\footnote{36} On leaving the Khaneti border, the road entered the British Ilaqa of Kotgarh. A few furlongs from the border, a narrow branch took off leading to Kotgarh itself while the main road continued to Thanedhar, which was fifty miles from Simla.

\footnote{35} Begar in Punjab Hill States, 1944, Bundle 19, No. 451, p. 22-23.
Thence it descended very steeply to the river Sutlej and entered the Bushahr state. From Theog, a mule path led to Kotkhai fifteen miles away, the head quarters of the British Tehsil comprising of the Kotkhai and Kotgarh Ilaqas. The main road was decidedly hilly lying between 7000 and 9000 feet above sea level, the highest point being Narkanda in Kumarsain state (9132 feet). The surface was fair, quite good enough for mule and Rikshaw traffic and possible for medium sized cars as far as Narkanda and with a little more difficulty as far as Thanedhar. After 1923 the section to Thanedhar was gradually improved and made fit for casual motor traffic. It was maintained throughout by the Punjab Public works department.37

In a nutshell, the development of this highway from narrow shawl wool and salt trade route to a black top all weathered road, took about one century and a half and it was really an uphill task. Now it is considered a remarkable piece of engineering in one of the highest mountain ranges of the world.

Soon after building the Hindustan Tibet road it was felt that some measures to check interference with the hill side in the immediate vicinity of the road, must be adopted. In 1862, Tod Brown, assistant engineer upper Sirhind division, suggested the 'advisability of 1000 feet both above and below the road being annexed as road property being defined as prohibition to felling of Timber of extension of cultivation.38 The Punjab government approved this suggestion keeping in view various new problems and lacuna in the rules, these rules was revised in 1889, 1890 and 1914.39 The observations of these rules was enforced through the officials of the state concerned, Punjab Public works department and the superintendent, hill states.

39 Ibid.
'Patwaris and Lambardars' or the subordinates of the P.W.D. reported when any person violated the rules. If any person extended his cultivated land surreptitiously within one hundred feet of the Hindustan road, he was not only dispossessed of the land but also punished for doing so.

K.V.F. Morton, the Deputy Commissioner, Simla made a proposal by collecting figures about the total load of apples, potatoes and other merchandise like wool and borax etc. which was likely to pass daily over this road. He also calculated the total number of daily lorry trips needed to handle and carry the goods. While making his proposal, Morton remarked that it was recognized that Motor transport on the Hindustan – Tibet road would be of un-estimable benefit to the fruit growers of Kotgarh and Kotkhai, and potato growers of the adjoining states. The total area of Kotgarh, Kotkhai Ilaqas (of the Simla district), was about fifty square miles, but a considerable part of it was forest or unculturable so that there was pressure 995 persons of the square miles of cultivated area, which was the highest in the Punjab. The population of Kotgarh and Kotkhai at the 1931 census was 4656 and 6284 respectively with great difficulty, the people made both ends met by growing wheat and maize. The only possible hope of ameliorating their economic condition was in the introduction of some intensive form of agriculture such as the growing of fruit. It was established beyond all doubts that Kotgarh was an ideal area for growing apples, having far better natural advantage for the purpose, than Kullu. Satyanand Stokes of Kotgarh, O'Hagan at Kodiali in the Kumharsain state and a number of other leading men owned established orchards from which they were drawing very handsome profits. Apples were the chief crop because they could stand the journey to Simla but there was every ground for

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40 Ibid.

believing that with speedy and efficient transport, other varieties of fruit would be equally successful. The Deputy Commissioner of Simla remarked that 'the government had observed the success of the Kotgarh growers and done every thing in their power to encourage the ordinary Zamindar to take up the profitable pursuit of the apple growing. They have posted an agricultural assistant at Kotgarh especially to assist the growers and carried on propaganda at the fruit show held last summer and in all other possible ways.'

The figures for area under fruit chiefly appears for the year 1936-1937 were as follows.

Table 2.1 Area under Fruit cultivation(1934-37)

<table>
<thead>
<tr>
<th>Year</th>
<th>Area (Kotgarh only)</th>
<th>Production</th>
</tr>
</thead>
<tbody>
<tr>
<td>1934</td>
<td>51 acres</td>
<td>800 mds</td>
</tr>
<tr>
<td>1935</td>
<td>80 acres</td>
<td>11,000 mds</td>
</tr>
<tr>
<td>1936</td>
<td>115 acres</td>
<td>16,000 mds</td>
</tr>
</tbody>
</table>


The data reveals that the fruit cultivation and the area under cultivation has increased since 1934. It is the result of commercialization of agriculture and the good returns from the crop. This has led the people into the vortex of market economy. This led to the demand to improve the road transport with the growing production and its transportation to the market of Simla. Morton again stressed the point that motor transport was not merely desirable as a means of assisting the fruit growers, but as an imperative

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necessity to serve them from the disaster of having their crop left unmarketable on their hands.\textsuperscript{43}

Since fruit grown was a great success in Kotgarh most of Zamindars took it keenly but it was an absolute certainty that unless improved transport arrangements were made on the Hindustan Tibet road, the Industry would not only be enable to expand but, also many zamindars who had started orchards with the direct encouragement of the government, would be ruined. This point would become clear if the then existing transport arrangements on the road were described. Apples were brought into Simla by mules, two boxes to each. The journey took three days and the hire of the mules varied between Rs. 6 per pair and Rs. 12 at the height of apple season. The cost of transport per box of apples was therefore around about Rs. 3; the cost of box in the Simla market varied from Rs. 4 to Rs. 10 for 'Dehati' and 'Kodiali' apples and from Rs. 5 to 13 for Kotgarh apples.\textsuperscript{44} Already it was not a paying proposition to market any but the better varieties of apples. The growers also complained that they suffered considerable loss from damage to the fruit caused by careless muleteers and from pilfering on the road.\textsuperscript{45} In 1937, however, the apple crop was nearly all consumed in Simla and the industry still paid. But the growers would certainly not be able to market fruit beyond Simla if they were to pay both the ordinary transport charges to the plains and the exorbitant rates for mule hire as far as the rail head. Also the expansion had been so rapid that it was estimated that the production of apples doubled every year. It was important to realize that the increase in production had taken place already though the trees planted in 1935-36 had not yet come into bearing. Even in 1936, there was a great difficulty in obtaining mules which of course was felt most

\textsuperscript{43} Ibid.
\textsuperscript{44} Ibid.
by the smaller growers whose patronage was not so valuable to the muleteers.\textsuperscript{46}

The cost of freight per box between Kotgarh and Simla by lorry was. Annas 12 to Rs. 1 per maund. Morton had on his file a definite offer from a contractor who agreed to pay Rs. 15000 per annum for a monopoly of motor transport on the road and who under to carry goods to Narkands for Annas 12 per maund. It was obvious that the reduction in charges would make fruit growing more profitable if the existing standard of production was maintained. About the scheme for improvement of the road and for the control of the traffic on it, Morton mentioned certain facts and figures which had been prepared in 1928 by the public works department. The executive engineer, Simla provincial division, roughly estimated the scheme with its main terminus at Kodiali and a feeder line to Thanedhar at Rs. 3,70,000. It was estimated in 1931 that the approximate amount of potatoes which entered Simla was two lakh of maunds, and fruit and wool 3,30,000 lakhs of maunds respectively.\textsuperscript{47}

The British government after making Kotgarh a part of their territory in the hills concentrated on the Hindustan Tibet Road which passed through this territory. The widening of the road and looked after the security measures. All these steps were taken because of the economic and military interests associated with the road. Most of the Viceroys gave financial assistance for improvement of this road mainly because ilaq had the strategic forts of Shilajan, Hattu and Baghi, which they had acquired from Gurkhas. In the second decade of 20\textsuperscript{th} century plantation agriculture had replaced the traditional cropping pattern in this ilaqa. Cash crops like potatoes, honey, wool, opium etc found good market in Simla, which were further transported through


roadways and railways to rest of the country.\textsuperscript{48} The local people with the help of Satyanand Stokes who had pressurized the British authorities to make the stretch motorable particularly beyond Narkanda to Thanedhar. This whole road was maintained through the Punjab public works department.\textsuperscript{49}

In a nutshell, the development of this highway from a narrow shawl wool road and salt trade route to a motorable road was a difficult task. Inspite of all the difficulties the British accepted this challenge because of their economic and military interests with the road. The narrow shallwool road was widened and motor traffic started, although to a very limited extent, which in the process connected Kotgarh ilaq to the rest of the country and world market. This helped in exposing the people politically and economically.

The Simla district was under the control of the commissioner of the Delhi Division, who took his work up to Simla during part of the hot weather. The district was in the charge of a Deputy Commissioner, who was also Superintendent of Hill States. There were generally two assistant commissioners at Simla, one of whom remained there the whole year round as assistant superintendent hot weather only in charge of the Jail and Treasury.

The district was divided into two sub-tehsils, each under a Naib-Tehsildar. That of Simla comprises also the pargana of Bharauli, that of Kotkhai the Pargana of Kotgarh. There were no Zaildars in the district. There were 25 lambardars, whose remuneration is 5 percent of the land revenue annually and the lambdar of Simla received an inam of Rs. 20 in consideration of the extra work he has to do. There were no Chaukidars, but each lambdar appointed, subject to the Deputy Commissioners approval, an official, known as a Karawak. His duties were to assist in the collection of land revenue, take the death

\textsuperscript{48} Asha Sharma., \textit{An American in Khadi}, Penguin Books, New Delhi, 1999, p. 240

\textsuperscript{49} Ibid.
and birth registers to the police station, and render general assistance to the lambardars.\textsuperscript{50} The Karawak received no pay, but was exempt from begar on the road. The Simla district, including the road from Kalka to the Chinese frontier and roads and buildings in the districts, formed a divisions of public works department, roads and building branch, under an executive engineer stationed at Simla subordinate to the superintending engineer of the 2\textsuperscript{nd} circle of the public works department. There were three subdivisions with their headquarters at Simla, of which the Simla water works was one, the cart road subdivision had its headquarters at Dharampur. The Simla extension works were directly under sanitary engineer.

The judicial work was controlled by divisional and sessions Judges of the Ambala civil divisions. Civil judicial work was under a district judge, who was also judge of the small cause court. The cantonment magistrate of Kasauli was also a cantonment magistrate for Dagshai, Solan, Subathu and Jutogh, and has the powers of a Magistrate of the 1\textsuperscript{st} class throughout the Simla district. He also did the small cause court work of Dagshai, Solan and Sabathu, the civic cases of Jutogh going to Simla. The station staffs officers of these places were magistrates of 3\textsuperscript{rd} class in the Simla district, but only exercise their powers within their several cantonments.\textsuperscript{51}

1. Office of the Adjutant General in India.
2. Office of Quarter Master General in India
3. Judge Advocate General
4. Principal Medical Officer to his Majesty's Forces.
5. Director General, Indian Medical Service and Sanitary Commissioner with the Government of India.
6. Director General, Military Works Services.

\textsuperscript{50} Gazetteer of the Simla District, 1904, Indus Publishing Company, New Delhi, 1997, p. 93.
\textsuperscript{51} Ibid.
Of the Adjutant-Generals Quarter Master Generals, Principal Medical Officers and Director Generals, I.M.S. Offices, Camp Offices accompany the heads of the department to Calcutta during the winter months, and returned with the other government of India departments in about April.

The Simla District was in the Simla provincial division of the public works department, buildings, and roads branch, and was in the second circle of superintendence. It was under an executive engineer with two or more assistant engineers.52

It was in charge of the Kalka Simla cart road, 58 miles in length, which, excepting some station roads, is the only metalled road in the district. It has charge also of the following unmetalled roads:

Hindustan Tibet Road .............. 1999 ½ miles

Narkanda – Luri-Kumarsain Road ........ 13 miles

Mashobra-suni Road ......................... 25 miles

Government police based in Simla, Kotgarh and Kotkhai also often had a steadying effect on the warring chiefs in their neighbourhood who indulged into forays or Skirmishes into each others territory. The government also sent medical officers from Simla, Kotgarh and Kotkhai out to help most of the Darbars when they had epidemics.53

The British government had set up police and medical departments for improving the administration of the ilaqa and simultaneously render help if required to the neighbouring states. It was this police which often, at first instance, dealt with explosive


situations and pushed back the opposing forces and created a neutral zone. The British government also provided medical help in case of spread of epidemics, and proper sanitary arrangements. The government also often sent its doctors to treat the rulers and their families in urgent cases of sickness. These medical and administrative set up in the ilaqa helped in improving the general administration of the ilaqa and providing it with modern medical and administrative facilities. These establishments exposed the people of the area to modern administrative and health techniques developing their overall political and administrative consciousness.

The Simla forest division from 1805 to 1947 comprised the Simla district and the erstwhile Simla hill states of the Pradesh, under the control of the superintendent of hill states, with the exception of Bushahr which formed a separate forest division. The forests of the Simla division were divided into three classes or categories.\(^5\)


- a) Those directly under the control of the forest department.
- b) Those under the control of the Simla municipality
- c) Those in the Simla hill states.


A regular settlement of the Simla district was made by Col E.G. Wace in 1881-83. In this settlement, the record of rights and the forest records were prepared and the issues pertaining to the management, classification and conservation of forests were dealt. These issues were approved by the government along with the approval of settlement in 1885. In the wastes of Kotgarh, not included in the village limits, Col Wace found reserved forests to the extent of
8818 acres. These forest were six in number, and most of them, liberal rights of user had been conceded. These forests were Nagkelu (1,628 acres) and five other in Kotkhai.\textsuperscript{55} In 1915-16, Mr. J.D. Anderson revised the first regular settlement of 1881-83 and made the revised settlement report of the Simla district. The new records and maps were prepared.

Although the Zamindars and other village people did not own the waste lands in Kotgarh Ilaqa of the Simla district, they had rights for user in their villages. Col Wace was of the opinion that the arrangements for the management of the waste lands should be as liberal as possible. Therefore, in the regular settlement report of 1881-83, he suggested to retain little control over the waste lands except in respect of the cutting of more valuable trees.

In Kotgarh Ilaqa, wood and grass was allowed to be cut by each cultivator according to his needs and he was permitted to graze his cattle lopping of trees except deodar was allowed. The fee fixed was Re 1/- per deodar and two annas for any other tree. For building a new house, 10 deodar and 50 kail trees could be taken at these fees.\textsuperscript{56} If more trees were applied for, double fees was charged on the excess number. But no fees were livable on trees felled for agricultural implements, or for water courses and no sanction was needed for agricultural implements. No application and no fees were necessary for poles required at the Baisakhi festivals and wood required during marriage and death. Mochies were permitted to continue with the practice of taking bark of ban (oak) for dyeing and the black smiths the branches of big trees for charcoal and wood.\textsuperscript{57}

\textsuperscript{55} Ibid.
\textsuperscript{56} E.G. Wace, Final report of the First Regular Settlement of the Simla District, 1881-83, Calcutta, 1884 p. 54.
\textsuperscript{57} Ibid.
The arrangements made for Kotgarh was also applicable to Kotkhai ilaqa with minor exceptions that no lopping of Kail was allowed except for burning charcoal for agricultural implements. In Nagkelu forest of Kotgarh ilaqa, the zamindars and cultivators were allowed to cut grass from the rakh or reserved forests, but not from any portion closed for the protection of young trees. They were permitted to take fallen dry wood and trees; but not fallen deodar trees. From 15th October to 10th April, they could cut the leaves of ban and mohru and to take them to feed their cows, goat and sheep.

In 1873, Mr. J.W. Macnabb, the Deputy Commissioner, took the first practical steps towards the initiation of management and forest conservancy in these hills, and after holding a meeting of all state vakils and mutimids at Sabathu drew up forest conservancy rules in 1873.

In 1904, certain conservancy rules were promulgated and communicated. According to these rules58

- The forests had to be demarcated by the state.
- A boundary register and a record of rights would be prepared at the time of demarcation.
- After the completion of the demarcation and the records of rights, a work plan would be prepared by the forest officer.
- The forest officer would prepare a plan of operations, based on the provisions of the working plan, which would show the felling to be made, the closures to grazing and other works of improvement.
- No felling of trees for any purpose might be made in demarcated forests without the sanction of the superintendent, Simla hill sates, which would be given in the plan of operations.

• When sanction to fell any trees had been obtained the state concerned would apply to the forest officer in order to mark them.

• The trees intended for sale should be serially numbered at the base with the year of felling, and should be marked by the state forest officials with the state sale hammer mark. All charcoal exported must accompanied by the written pass which would be issued by the forest official duly authorized by the chief of each state and approved by the superintendent, Simla hill states.

• In demarcated forests, the following would not be permitted:
  • Breaking up new land for cultivation
  • Grazing by gujars or persons which were not right holders
  • Lopping of deodar and kail.
  • Setting of fire to the forests.
  • The bartan rights in the demarcated forests would be those laid down in the record of rights.

• In demarcated or dehati forests sales of trees, timber and charcoal were prohibited.

• In order to grant trees from demarcated or dehati forests to right holders for building purposes and house repairs a written permit would be given to the applicant by the state, showing the number and kind of tree granted, together with the locality from which they were to be felled, and the period in which the work was to be done.

• Each state would maintain the boundary register and a register showing trees sold, those given to the zamindars and those felled for the use of the state.

Based on above conservancy rules, the states commenced preparations of record of rights and rules after conducting detailed forest settlements in consonance with regular or summary revenue
Moreover, every reasonable facility was to be afforded to the people concerned for the full and easy satisfaction of their needs such as getting small timber for building, wood for fuel, grass for grazing and leaves for manure and fodder were a system of regular cutting was established, their needs were to be met at low and not at competitive rates. Rights and privileges of the people, recorded in the plans, were embodied in the settlement reports. The management and conservation of forests was exercised through the superintendent, Simla hill states till October 1936, and after that by the foreign and political department. The latter made every effort to implement working plans.60

The reason for change in official policy and attitude was the discovery that the importance of the region to commercial and strategic interests of the British Indian Empire had been grossly overestimated by the earlier accounts.61 Parallel to the dwindling strategic importance of trans-Himalayan trade and communication through this region for British imperial interests. The emergent British town of this period were entirely built with the local wood, mostly fir, pine and oak and the fuel requirements also were supplied from these trees. While the earliest British travellers had marveled at the extensive forests of the finest timber, there was very little extraction of these for commercial uses, outside the mountains in the first few decades because of difficulty of transport and lack of a developed market in the plains of north India.62 There is evidence that some private entrepreneurs had begun commercial operation on a relatively small scale. This extraction of timber was on a seasonal basis, with a handful of European merchants moving up the valleys of river like

60 Ibid
61 Report on the Operations Connected with the Hindustan and Tibet Road, from 1856-55, No. XVI, 1856, pp. 7-8.
62 Ibid.
Sutlej etc at the beginning of summer, paying the Raja some money for the trees and then proceeding to cut and float down the river as was possible before the onset of winter. It has been recorded in official documents that this private extraction was haphazard and unscientific with more than 80 percent of the trees that were felled failing to reach the depots in the plains in any useable shape. Another major complaint about these private merchants of timber was that they cut trees indiscriminately, the young and old, without any regeneration plan, which would lead to the total decimation of this wealth over a few season. There was also no incentive for these merchants to invest in the forests, regeneration since they had seasonal contracts, with the local rulers and it was common practice to cut many more trees that they had permission for. A consequence of this realization on the British government was that a comprehensive survey of the forests was commissioned in 1861 and this followed by the formation of a forest department under the forest act of 1878. The forest department instituted the scientific management of forests, which was meant to maximize the timber yield without totally destroying the possibility of regeneration. These developments were paralleled by forest settlements, which removed control over forests from the local communities and rulers and gave the responsibility for their management to the forest department. These settlements also recorded in detail the respective rights of the villagers the state and the forest department, after classifying the forests into reserved, protected and open on the basis of the commercial importance of the trees.

The benefits which accrued to Kotgarh ilaq as a result of this unique administration and the maintenance of peace and order, the

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64 Ibid.
rule of law, the belief in liberty, the modernization, the laying of firm financial foundations for the state, the fight against famine and disease, the increase in agricultural resources and the provision of the stable political and economic conditions in which commerce and industry could develop. For the first time in history, region became administratively one; and for the first time, inspite of undoubted cultural unity which had existed for centuries, its inhabitants could assert the existence of a common Indian nationality. The reason for this was that now Kotgarh iliqa was part of the colonial India, likewise it was now governed by the same set of rules and laws as was the rest of India.

Perhaps the most serious adverse effect of the British administration was that it pressed too heavily on the people the region, not by reason of any tyranny— but by its sheer weight and efficiency. The innocent locals regarded British rule as permanent; something to be taken for granted. The second manner in which the heavy pressure of British administration operated was by engendering in their mind on undue dependence upon the Government for everything. Panchayats and similar institutions disappeared not from any hostility on the part of the government, but because they seemed almost unnecessary against the background of an all powerful and ubiquitous government.66 People thus lost whatever little they once had of the habit of doing things for themselves. The four factors namely the long acquiescence in foreign rule, the growth of undue dependence on government, the disappearance of indigenous institutions of local self government combined to produce serious psychological effects. They built up a deep seated sense of inferiority, which manifested itself first in slavish desire to imitate the west and then by natural reaction, in a somewhat aggressive self

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assertiveness. It slowly resulted in loss of political and judicial role of the local deity and panchayats, that had existed for centuries. Though there was no direct confrontation between the state and local deity, but there was a slow and gradual shift of authority.

The British also accomplished another progressive act, namely the administrative unification. They established hierarchically graded public services which brought about the administrative unification of the ilaqa. Thus were created, imperial, provincial, and subordinate services which formed the executive section of the centralized state. In pre-British Kotgarh ilaqa, even when a monarch brought under his rule the major part of the region, a real basic administrative unification did not take place since the representatives and officials of the monarch, stationed in different parts of the Kingdom, did not generally concern themselves with the life of the people beyond collecting land revenue from the collective village, levying troops, securing tribute due to the emperor from towns people through their principal representative and guilds or sometimes attending to irrigation and road construction. Caste and village committees were the defacto governments and administrative bodies so far as individual village was concerned. These committees looked after the distribution of land among the peasant families in the village, regulated relations between its members composed mainly of artisans and peasants and attended to such matters as education, sanitation, adjudication of disputes and others. The state only claimed its share of village produce and left its administration to the village community. This was in contrast to the new administrative system inaugurated by the British under which the state expropriated the village and caste

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69 Ibid.
committees of their functions and powers and undertook the responsibility of the administration of the inner affairs of the village which was now carried on by the official appointed by it and responsible not to the village community but to the centralized state. Thus the self governing village was transformed into a unit and a part of the single administrative system existing on a country wide scale.\textsuperscript{70}

The establishment of British rule in the ilaqa brought about an extensive and basic political, administrative and legal unification of the region for the first time in its History, such a state structure became necessary to the new type of economy which came into existence in Kotgarh under the British rule. The capitalist economic transformation of the region broke up the multitude of separate village economies, welded the people economically, through a system of exchange relations and made contract the key basis of their economic relations. The British government created a new land system on a private property basis and introduced money economy. A uniform system of law had to be evolved to maintain and regulate the new land relations and contractual transactions such as purchase, sale and mortgage of land resulting inevitably from the new system. For the first time in the history of Kotgarh lands were being sold, purchased and mortgaged.

Under the British rule all production in the ilaqa became commodity production. Kotgarh was also linked with world market more extensively than before. Trade increased in volume and scope. The new state had to enact a mass of laws to regulate the huge complex of contractual and other relations inevitably arising from such an economic state. Thus there came into existence a system of new laws, uniformly operating and governing all complex and multifold relations and transactions between the tenants and the landlords, workers and employers, traders etc. The new state made

\textsuperscript{70} Ibid.
education its responsibility. This became necessary since the new economy and administrative modern liberal, scientific and technical education. With the introduction of cash crops like apple potato, opium etc. agriculture was commercialized. Market concept laid its foundation and people were encouraged to increase the area under cash crops, this made land more valuable, it simultaneously resulted in the extra requirement of extra hands for the field work. This resulted in the introduction of the concept of paid labour.

The British established a uniform reign of law. They enacted laws and codified them. These laws were applicable to every citizen of the state and were enforced by a hierarchically graded system of tribunals which constituted the judicial section of the state. There was thus established a system of lower courts, district courts and high courts, finally culminating into the federal court and the Privy Council. In establishing the new system of law and tribunals, the British had to supersede the customary law. The legal system introduced by the British was on the whole equalitarian in contrast to the customary law prevalent in pre-British India, which discriminated between caste and caste, community and community. This was due to the fact that customary law was governed by religion which sanctified hierarchically grade and other distinctions.

The new legal system was based on democratic conception of equality of all citizens before the laws of the state. Under the new law, all citizens, no matter what their caste or creed, were considered equal before law, the jurisdiction of which further covered the entire territory of the state. Thus, the British brought about a legal unification. As a result of these laws the self governing system of village and role of deities was seriously challenged in the ilaqa without contradictions.

The growth of modern popular agitational politics in Kotgarh, for example was made possible by the spread of English education which made people aware of western modes political thought and
action, by the newspapers led to the growth of an local public opinion, and by civil liberty. The freedom of speech and association enjoyed by people of the ilaqa under British rule. The rise of nationalism again could not have been possible without the feeling of oneness created among the people of different parts of India by the political unification of the country, by the establishment of a highly centralized government, by administrative and legal uniformity and by modern means of transport and communications. It was racial discrimination by the British, attacks on religion and culture by Christian missionaries, exploitative economic and fiscal policies persuaded by the government i.e begar that forced the people of the ilaqa to rise in protest against the British administration. The spread of education and exposure to the democratic ideas of west led to the awakening of the political and consciousness of the people of the ilaqa. This resulted in formation of many associations to fight against begar, reet and other social evils, there were associations formed by fruit growers to pressurize the authorities to solve their problems regarding fruit industry. In ilaqa Kotgarh Satyanand Stokes played an important role in arousing national consciousness among the people of the ilaqa by spread of education and his revolutionary ideas, which led to the participation of many people of the ilaqa, including himself in the freedom struggle.

The most striking change brought about by British rule was the establishment of peace and orderly government. It was by no means an easy job and it took the British nearly a century to complete the process of pacification. The chaotic conditions of the 18th century had led to formation of numerous armed bands which lived by plunder. The British government however took energetic measures to suppress them and gradually peaceful conditions were established. The British set up an orderly and centralized government. Its distinguishing

71 Ibid., p. 200.
feature as compared with others that had gone before, was that it was a modern bureaucracy.\textsuperscript{72}

This centralized monolithic administration together with the development of means and communication and the introduction of the English language led to the growth of a feeling of oneness among the people of India. An all powerful bureaucracy determined to secure equality and dedicated to the establishment of a uniform system of administration exercised a great unifying influence. A common system of law and a uniform code of government added political unity to the undoubted cultural unity that had existed for centuries. Thus the strong central government established by the British imposed homogeneity unknown in History. The new courts made the village panchayats redundant and this was last nail in the coffin of village self rule. The land revenue system had disrupted the economic structure of village community. The British administrative system also by concentrating decision making powers in the hands of the all powerful bureaucracy, eclipsed the panchayats.\textsuperscript{73} And now due to the new system of justice, the judicial function of the panchayats fell disuse. Thus self rule in the villages progressively ceased and people lost their initiative and growth of undue dependence on the government led to demoralization and inferiority complex.\textsuperscript{74} This was perhaps the most serious adverse effect of British administration. It pressed too heavily on the people by its sheer weight and efficiency and retarded their normal growth.

One of the significant results of the British conquest of the ilaqa was the establishment of a centralized state which brought about, for the first time in its History, a real and basic political and

\textsuperscript{72} Ibid.


administrative unification. Such a unity was unknown in pre-British times, which was almost chronically subdued by numerous feudal states, frequently struggling among themselves to extend their boundaries. The political and administrative unity achieved was a nominal character only, since the legion of self-governing villages, from times immemorial, had been so many self-governing republics. The village committee reinforced with the caste committees constituted the de-facto government of the village population.75

Unlike the pre-British governments which are largely revenue collecting agencies the British governments made inroads in the inner life of the village, broke its inner judicial and policing independence, subjected it to the reign of a uniform system of law governing the entire land, posted its representatives in the village to enforce these laws, in fact took over from the Panchayats of the autonomous villages all those functions which belonged to the state but which those bodies had been performing from times immemorial.76 Thus the British evolved in India a colossal administrative apparatus penetrating even the remotest village. The necessity to erect and efficiently operate such an apparatus also prompted them to construct modern roads, to establish the post and telegraph system. It was this necessity of assembling villages, towns, districts and provinces increasingly brought under the British rule, into a single political administrative system.

The main reasons why effective political and administrative unification in the pre-British period did not take place, were the absence of a unified national economy and efficient, well ramified and extensive means of communications.77 It is true that a conception of unity of

77 Ibid.
India existed and flourished in pre-British India. But this unity was conceived as the geographical unity of the country and the religio-cultural unity of the Hindus. India was both a geographical and cultural continuum. The concept of the political unity of the entire Indian people did not and could not emerge under the given socio-historical circumstances. The people were not socially and economically integrated; they were therefore, not integrated politically either. The British established a state structure in India which was of a distinctly new type. It was highly centralized and ramified in the remotest corner of the country. Ilaqa Kotgarh was also made part of this integration done by the British Raj. Therefore the changes made by the British Administration on India level percolated to this part of the administrative unit also.

Thus it can be concluded that there were changes and development in judicial, administrative system which included construction of Hindustan Tibet Road. Forest department, Public Works department etc. were established. The ilaqa was connected to the rest of the world by the development in the transport and communication. These construction works of roads and buildings provided employment to the local masses and pumped money into the local economy. Thus a new modern form of administration was established in the ilaqa, to which it was never exposed before. Kotgarh being part of the British India since 1815-16, for nearly one and half century imbibed the modern concepts of economy, society and politics. Which slowly and gradually made the ilaqa distinct in these spheres from all neighbouring hill states, with whom it had association in the pre-British times. The impact to large extent was beneficial, helping the people of the ilaqa to mature politically, socially and economically.