The Khasi and Jaintia Hills were mostly inhabited by a tribe popularly called the Khasis and the Jaintias respectively. They belonged to two different political systems on the eve of the British annexation. The Jaintia Hills formed part of the Jaintia Kingdom which was a monarchy and included the Jaintia Parganas of Sylhet now in Bangladesh. In the Khasi Hills there were several autonomous political divisions called Hima (State) under a Sylero each which had undergone some rudimentary processes of State formation. Inspite of this different historical background, the Khasis and the Jaintias belonged to the same racial stock, claimed their descent from the same tradition and, despite variations, constituted the same linguistic group, thereby forming a common tribe.

The 'Tribes' are the people who have for centuries been living far away from the main stream in the relatively isolated and inaccessible and less fertile and less agriculturally productive regions of forests, hills and mountains. And since they were living far away, they had not much of an occasion to feel the pressure of the ever
advancing and more powerful social, economic and political forces. The Khasis as a race are distinct from the neighbouring hill tribes. The Khasi is a general name given to the various tribes and sub-tribes that inhabit the Khasi-Jaintia Hills. The name includes the following people - (i) Khynriams inhabiting the middle ranges of the Khasi Hills; (ii) the Pnars inhabiting the central plateau of Jaintia Hills; (iii) the War people of the south comprising the Sheila people and their allied groups of tribes; (iv) the Amwi people and their allied groups of War Syntengs in the south of Jaintia; (v) the ghqi people both Khasi and Pnar, inhabiting the north of Khasi-Jaintia Hills with their different sub-groups; (vi) the Lyngams of the west and north-west in Khasi Hills who are supposed to have a Garo origin but have embraced the Khasi way of life.

The isolation of the Khasi race, in the midst of a great encircling population all of whom belonged to the Tibeto-Burman stock, and the remarkable features presented by their language and institutions, attracted the attention of Philologists and ethnologists. J.R. Logan demonstrated the relationships which existed between the Khasis and

3. Hamlet Bareh, The History and Culture of the Khasi People, pp.II-TTii,
certain people of Further India, the Chief representatives of whom were the Mons or Talaings of Pegu and Tenasserim, the Khemers of Cambodia, and the majority of the inhabitants of Annam. He was able, through the means of vocabularies furnished to him by Bishop Bigandet, to discover the nearest kinsmen of the Khasis in the Palaungs, a tribe inhabiting one of the Shan states to the north-east of Mandalay. With the progress of research it became apparent that the Mon-Khemer group of Indo-china thus constituted, to which the Khasis belonged, was in some way connected with the large linguistic family in the Indian Peninsula once called Kolarians, but now more generally known as Mudas, who inhabit the hilly region of Chottanagpur and parts of Satpura range in Madhya Pradesh. In physical character they differ greatly from the Indo-Chinese Khasis, but the point of resemblance in their institutions cannot be denied; and the exact nature of the relations between them is yet one of the unsolved problems of ethnology. The work of Logan was carried further by Prof. Ernest Khun of Munich who has determined the relationship of Khasis not only to the Mon-Khemer languages, but also to Nicobarese and several dialects spoken by wild tribes in the Malay peninsula.

5. Ibid., p.XVIII.
6. Ibid., p.XIX.
FORM OF GOVERNMENT

The character of the basic economy of a people reflects upon its socio-political system, in relative security, seclusion and isolation the Khasis, like other tribes in India, had been living for centuries in varying degrees of agglomerations, and in varying levels of primary economy. They had come to acquire through centuries, the knowledge and experience of certain technologies - weaving, use of certain metals and certain crafts, and a primary low level agriculture. They had also been living in varying levels and degrees of contacts and communications with the communities of people of the Jatī social organization. These contacts and communications paved the way for commercial intercourses between the people of different communities. The system of cultivation common to all the hillmen is known as Jhuro. The Jhum is a sort of Shifting, Slash and burn cultivation. Among the wilder tribes the greater part of the Jhuming operation was performed by slave - captives of many a raid and border forays, which were indeed mainly undertaken to procure free labourers. It was obvious that under such a system of cultivation the Jhumia could have acquired any right in the soil itself, and that no practical means of

8. Ibid.,
of assessing his clearing could in such a country exist. Hence, even the chiefs claimed no propriety in the land or in the forests* Each claimed the authority on the men of his tribe wherever they wandered or in whatever part of the country they might have settled for the time of Jhum. Generally speaking the Jhumeap of each clan confined themselves within certain rough limits, but there was no real Local jurisdiction vested upon any of the Chief So

The basic economy of the khasis largely depended on the Shifting cultivation. Consequently, the Khasi Society was a slave-owning society and the slaves were imported from the plains of Assam and neighbouring districts of Bengal. Though the slaves, in due course of time, used to get a berth in the Khasi Social system having formed a new clan in the social structure, had little socio-political control in the hills. Power and authority centred round the original clans which descended from the ancient ancestress. The Khasis trace their origin from mother, and their social structure was based on Matriliny.

In the Khasi and Jaintia Hills, at least in form, the government founded on an extensive "popular" basis, the

10. It was the British ban on their slave-hunting operations in Assamese territories that had actually led the Khasis to rise in revolt in 1829. (vide Amalendu Guha, *Planter Raj to Swaraj*, p.3.)
power of the Chief being apparently checked by an aristocracy of widely extended nature bordering upon democracy. The socio-political system as originated from the primary agriculture was bound to be democratic. The system was definitely based on the concept of common wealth in the economic sense of the term. The members of the 'original' clan represented the aristocratic element in the socio-political structure. The institutions that had been developing gradually were somewhat democratic but under the control and predominance of aristocracy. The lowest range of socio-political unit amongst the Khasie was a Kur having a Durbar of its own under the leadership of a religious leader known as lyngdoh or under a secular leader namely the Sirdar. The clan was administered by the decisions of the Durbar which was composed of elder male members of the clan. The chief was nothing but an executive under the Durbar.

Gradually, the higher socio-political units started developing on the need of mutual security and economic prosperity, consequently Raids or commonwealths in the economic sense and confederacies in the political sense came into being having a Durbar for each and every Raid. Later on, several of such Raids assembled together to form further higher political units like syiemships.  

11, F.S.P., 1829, May 8, Nos. 11-12.
wahadarship, Sardarship and lyngdohships among the Khasis. The units so developed were yet to receive the character of states even in the narrowest sense of the term. Without definite territorial jurisdictions, police force, jails and revenue establishments, the powers of the chief were limited to a considerable extent. The Chief of the so called states were nothing but process servers of the Durbars. The ultimate authority of the State lay with the Durbar which was composed of the representatives and elders of the several Raids under the state. The chiefs were elected, in a limited sense, by the members of the Durbar which was thoroughly an aristocratic institution. Members of the original clans alone had the right to form the Durbar and consequently exercised the right to elect the chief executive of the state. Hence T.C. Robertson, Agent to the Governor General N.E.F. rightly observed that the Khasi nation as a whole presented the appearance of a congregation of little oligarchical republics subject to no common superior yet of which each member was amenable in some degree to the control of the confederate states. Since the basic mode of production was shifting cultivation, the peasant as well as the chief could acquire no right in the soil. Hence the chief had no claim of territorial sovereignty. They confined, at best, themselves within certain rough territorial limits.

12. F.s.P., 1833, January 7, No.82.
One must therefore, imagine the hills covered with little confederacies combining, dividing and recombining in a continual state of flux, with the result that it was exceptional for the boundaries of a Khasi state to be known and fixed.\footnote{ASR, File No. 1708 of 1946 GoS.}

Confederacies in the hills, on the eve of the British paramountcy, had been acquiring the character and shape of medieval monarchy as they had been coming to the external contacts more and more. The impact of external contact from the plains of Assam and Bengal was more apparent in the Jaintia than that of Khasi Hills. The chief in the Khasi Hills used to bear the title \\textit{Singh}. It was undoubtedly imported from the adjoining plains. The institutions of \textit{muntree}, \textit{wahadadar}, \textit{lyngskar} and \textit{sardar} were not of Khasi origin. These were the remnants of monarchical hierarchy being imported in the hills during the process of transformation of the political character in the hill administration. The process had already been started to decorate themselves by the Chief in royal robes and etc. But in Jaintia the process was complete, though in its hill portion its impact was not so glaring. The \textit{syiem} of sutunga after possessing the plains territory came in direct contact of the adjoining and neighbouring medieval kingdoms. Subsequently, Jaintia was referred to
as one of the medieval kingdoms like eschar, Tripura, Manipur and Assam in the North East Frontier of Bengal. The syiem ultimately subdued the several chiefs in the hills and proclaimed himself as the Raja of both the plains and hill territories under him. Monarchy was hereditary and it passed from uncle to nephew in accordance with Khasi system of succession. The hills were allowed self government but not as independent republics or oligarchies but as parts of the kingdom under the deputies of the Raja named Dalois or sirdars. The symbol of their allegiance to the Raja was an annual tribute of a he-goat from each and every village under their administration. Technically a tribute system is symbolic of a basic power system. In the plains he had absolute sovereignty in the land like his counter parts of Assam and cachar. The same concept was introduced in the hills, atleast partially, unlike the tradition of the land system in the hills. In a subsequent time/ during the land settlement of Jaintia Hills Heath, Sub-divisional Officer, Jowai found enough of Raj-hali or Khas land in the hills. The Raja occasionally requisitioned the services of the people in lieu of land revenue on their private possessions in the hills.

This was analogous to the practice followed in Assam, The Raja had his court in Jaintiapur where the Daloi were obliged to remain in attendance, for about six months in the year, on the Jaintia Raja. This was definitely a paraphernalia practised in the medieval royal courts. The several institutions of Daloi, pathors, Majees, choteahs and Dooleahs who constituted the 'feckerarchy of officialdom in the Jaintia state were imports from plains. These officials were paid in the shape of service land, in lieu of regular salary as practised in neighbouring Assam. Thus, on the eve of the British annexation of Khasi and Jaintia Hills, Jaintia had already attained some sort of loose medieval statehood, while the Khasi Hills still remained as the cockpit of clan politics. But it would not altogether a mistake to suggest that the process of transformation had already been started towards the formation of state system in the Khasi Hills. In this context references might be made of the Syiem of Nong-khlow and Khyrim who had been controlling certain dependencies as paramount power over such petty principalities and had been moving fast to achieve the character of a statehood of Jaintia-fasion.

BRITISH ANNEXATION OF KHASI AND JAINTIA HILLS

It was since the acquisition of the Dewany of Bengal

20 o Ibid., para 271.
21. ASR, File No. 1708 of 1946 G.S.
that the East India Company came into direct contact with the medieval Kingdoms of Jaintia, Cachar and Assam as well as the tribal communities of their adjoining hills. These sparsely populated territories did not yet have enough economic worth or surplus revenue-yielding potentiality to attract the attention of British annexationists. The British colonialism was economically motivated. This motivation was never inspired with interest till the thirties of nineteenth century. The British had enough of reservation about the economic and commercial potentialities of Assam even at the initial stage of their knowledge of Assam. Capt. Welsh on deputation to Assam wrote to Edward Hay, secretary to the Government on 6 February 1794 that the actual commerce was inconsiderable in Assam. According to the early knowledge about Assam it was believed that revenue-earning capacity was very much inconsiderable because of her anarchical state of affairs. There was unanimity amongst the early officials about the unproductive nature of the soil in the hills.

But amidst such disorderly and discouraging economic situation in the north east frontier of Bengal, the Khasi and Jaintia Hills were referred to for her economic

potentialities by the early British officials of adjoining district of Sylhet. From the earliest days of the British rule the lime deposits of Khasi and Jaintia Hills became one of the principal attractions to the charge of Sylhet. Robert Lindsay, Collector of Sylhet in 1778, was largely interested in the trade in lime, and described his wealth in most poetic terms:

... The mountain was composed of the purest alabaster lime, and appeared in quantity equal to the supply of the whole world."

In the trade of Sylhet he observed that the only great staple article of commerce is chunam or lime. In no part of Bengal, or even Hindusthan, is the rock found so perfectly pure, or so free of alloy, as in the province; therefore Calcutta is chiefly supplied from hence.\(^2\)

This resource of Khasi Hills added the attraction and importance of Sylhet in the commercial map of the Company but strict adherence to the policy of non-intervention did not inspire the annexation or intervention in the affairs of the Khasi and Jaintia Hills.

The policy of non-intervention was clearly illustrative in the measures taken by Lord Cornwallis in 1789. Lord cornwallis in council wrote to John Shore President

---

26. Ibid.
of Board of Revenue to the effect that cawns 12, 915-6-19 to be written off in the jumnah of the district of Sylhet as irrecoverable deficiency affected by the depredations of the Khasis. The Commander-in-Chief was requested to deploy three companies of Sepoys to the assistance of the collector of Sylhet. It was decided that the hill-Khasis would not be permitted to hold any land in the low country within the company's limit either as proprietor or farmer or under any tenure whatever and that the collector would attach all lands within the limit of Company's frontier as were then into their possessions. Further, it was intrusted to the collector to acquaint the Khasis that they would be allowed free intercourse with the company's territories for the purpose of trade provided they conducted themselves peaceably. The Khasis would not be permitted to come down armed and should they ever appear in that hostile manner a force would be immediately attached into their country with direction to punish them as public "Enemies and Invaders". Earlier in 1774, Jaintia was said to have been attacked by a force under Maj. Henniker; but of the causes which led to this step, there appeared to be no record in the archives of government. Though from its being one of the most considerable Khasi states, it was probably that some aggressions-against-the-...

27. ASR, File No.28 of 1789 B.R.
inhabitants of the adjacent plains of Sylhet had rendered the chastisement necessary. The territory was restored to the Raja on the threat of confiscation of his territory. It was not before the Burmese invasion (1817-24) of Assam and the Cachar plains the policy of indifference towards the north-east frontier of Bengal was brought to an end. The colonial design of the British was consequently felt for the first time in Assam. Ultimately for the purpose of colonisation of Assam and security of Sylhet, the Khasi and Jaintia Hills were interfered with and brought upon the effective influence of the British.

Between the Company and Burma unsatisfactory relations had been persisting for over thirty years. When Burma conquered Aracan in 1784, there was an influx of refugees into the Bengal delta, which already was swarmed with pirates, mostly Portuguese and Mugs. Burmese troops made no scruples about following them up, and Sir John Shore for the sake of peace surrendered their prey on condition that they retired with it. In Wellesley's time there were armed clashes, but he was too occupied with bigger wars to attend to the business. Fugitives continue to pour in, begging piteously not to be sent back; the Burmese continued to chase them in British territory. The court of Ava informed the company, in 1817, that if the

---

29. Ibid.,
refugees were not returned to their doom

... the lord of the Seas and Earth would be obliged to reassert his authority over such places as Dacca and Murshidabad - undoubted appendages of the Crown of Arakan.30

Lord Hastings was the wrong person to accede such a menace. However, war did not start till 1824 when Lord Amherst was the Governor-General.

There was a panic that the Burmese had taken Chittagong, and were pushing up to Calcutta in their war boats.31 The Eastern Frontier seemed threatened, and the Burmese General Badula had been carrying with him a set of golden fetters for the Governor General.32 Assam, Arakan and the Tenasserim coast were annexed to the Burmese. Exaggerated reports of the strength and ferocity of the Burmese troops had swept through India. The peasants on the frontier fled away in dismay from their villages; and every idle rumour was magnified so industriously by timid and designing people, that the native merchants of Calcutta were with difficulty persuaded to refrain from removing their families and property from under the very guns of Fort William.33

30. Anne Thackeray Ritchie & Richardson Evans, Lord Amherst 'Rulers of India', p.73.
31. Herbert Benjamin Edward & Herman Merivale, Life of Henry Lawrence, p.35
32. Edward Thompson & G.T. Garrat, Rise and Fulfilment of the British Rule in India, p.294
33. J.J. Snodgrass, Narrative of the Burmese War, p.74.
The invasion of cachar, by the force of Ava, in 1824 and the information that they were likely to march through Jaintia to Assam, rendered some precautionary measures immediately necessary to prevent an invasion being carried into effect, which, if successful, must have seriously compromised the security of Sylhet. David Scott, the Governor General's Agent to the north east frontier, opened up a negotiation with the Raja of Jaintia and concluded a treaty with him in March 1824. Jaintia was reduced to a Protectorate of the Company. On the acquisition of lower Assam from the hands of the Burmese, Scott conceived the idea of establishing a direct communication between Assam and Sylhet as the route via Jaintia ceased to be available after the occupation of the country by the Burmese. The proposed road from lower Assam to Sylhet via the Khasi Hills was of great importance from the military point of view as it would have reduced the length of march considerably. Besides the military advantages Scott had also other objects in view. By establishing of the British influence in this quarter, Scott thought that the petty Khasi chiefs who occasionally disturbed the peace on the Sylhet as well as Assam borders, should be completely overawed. He also imagined that the facilities of easy and quick communication offered by the road would tend to promote the prosperity

34o F.S.P., 1827, March 2, No.20.
of the country.

It was long debated whether the British should retain Assam in its own hand, or restore it altogether to its native rulers. After the Burmese were expelled from Assam, the Primary task was over and Assam itself had little attraction of its own because of her economic backwardness. Immediately after entering the war the Company's Government published a manifesto by which the intention of the British was expressed unambiguously:

we have not come (here) to quench our thirst for the conquest of your kingdom but to destroy our enemies, interested as we are to protect ourselves.  

The Government in Calcutta was strongly averse to taking absolute possession of the province. Ultimately the Government expressed the desirability of retaining, permanently, the government of western and lower Assam, including the post of Biswanath and the country as far as Sheosal chowk,  

but not till 1833, the Government of India had finally decided to retain the province of Assam in its own hands. This decision was the result of several reports of local agency in Assam which opened up a new dimension of colonial interest in Assam. It was revealed, soon after the annexation, that Assam had a great

36. ASR, L.R.G. vol. 6; Dy. Secy. Govt, of Bengal to D. Scott, 7 March, 1828.
prospect and potentiality of the plantation economy. The vast waste land and quality of soil therein fired the imagination of the colonists to turn Assam into an agricultural estate of tea-drinking Britons. The Charter Act of 1833 marked the final ascendancy of the British industrial interests over the merchantile interests and had its full impact on the settlement of newly conquered Assam. The Act for the first time allowed private Europeans to hold land outside the presidency town on a long-term lease or with free-hold rights. This paved the way for a colonial plantation economy in India.

Even before the feasibility of tea culture in Assam had been firmly established, Francis Jenkins in his report of 22 July, 1833, advocated for the settlement of Englishmen of capital on its waste land. It appeared to him that a scheme of colonisation offered a Letter prospect for the speedy realisation of improvements than any measure that could be adopted in the present ignorant and demolished state of native inhabitants. Jenkins was even agreed to displace the local ryots from their lands through the operation of a discriminatory land revenue policy in favour of white colonists.

The transformation of attitude in Assam had its

39 Ibid., pp.11-12.
40 Ibid.,
corresponding effect on the Khasi and Jaintia Hills» Captain Jenkins, while justifying the profit of interference in the affairs of the chiefs of Khasi Hills opined that profit would arise not from any immediate gain in the hill itself but from the invaluable state of Security ensured to both the frontiers of Sylhet and Assam and its consequences in the improvement of either country.  

A withdrawal from the hills would be followed by a total cessation of the growing communication between those provinces by the direct route, and by the recommencement of the system of decoities and outrages upon the people of plains of Sylhet and Assam, as hitherto been done, which the local authority had effectively put down. The whole southern bank of the Brahmaputra below Gauhati became almost a desert under prevalence of disturbances from the hills, but this tract contained lands of great fertility and diversity of capacity was in the existing situation perfectly tranquil and cultivation in it was greatly progressing. The frontier was the Principal source of the trade in Lac, and it possessed extensive forest of Sal and other good timber but these resources could be availed of by the government only by commanding peace within the Khasi territory.  

The revenue drawn from this portion in the last settlement amounted in 1833,  

£2. Ibid.,
to 24,000 rupees, in 1834 the Collector of Gauhati expected a realisation of 30,000 rupees and 50,000 rupees by the end of five years, dependent on the increase of population and commerce and if fully population the land revenue from this part would have been expected between 2 to 3 lakhs of rupees. 43

When the Burmese war started there was the need for a sanatorium to treat the invalid soldiers. Tucker, Commissioner of Sylhet, was at first advised to establish a sanatorium at Mukanji in Jaintia as recommended by Dr. Lamb. But the site of Mukanji was given up in view of the discovery of a better place in the Khasi Hills. It was proposed to build a bungalow at Nongkhlow along with the construction of the road, for the treatment of invalids. 44 The natural beauty and Salubrious climate of these hills seemed to Dr. Lamb to resemble that of West England and he had no doubt that

Many patients now sent to the cape or to Europe might be restored to health at much less expense of time and money.*45

if sent to the sanatorium established in the Khasi Hills. The decision to retain Assam Permanently in the hands of the Company and the progress of colonisation of Assam added further importance to the establishment of sanatorium in the adjoining and intercepting Khasi Hills. It was undenying a fact that the British colonial enterprises

43. F.P.P. 1834, September 4, Nos. 55-57.
44. F.S.C., 1825, March 18, No.62.
45. F.S.P., 1828, November 14, No.3.
received a new filip in India by the discovery of several hill stations in the Himalayan and Sub-Himalayan range. The colonial plantation economy in Assam required the hill stations in Khasi and Jaintia Hills. In addition to its Salubriety, the soil of Khasi and Jaintia Hills was found rich and fit for producing European grains.46 This happened to be an added attraction which successfully provided British colonization in the north-east territories of Bengal. In view of the above facts the Governor General in council admitted in 1833 that the Khasi and Jaintia Hills were no more useful to the Government than as affording sites for healthy abodes, and the means of keeping up a direct and speedy communication between lately acquired Provinces in that direction.47

Thus, the Khasi and Jaintia Hills were satellite possession of the British to serve colonial interest in Assam. This echoed in the plan, put forward by Bridg. General Showers, Commanding Officer Presidency Division, general Showers, had the opinion that the approach to Assam would be still further improved by colonization, which should be encouraged by the often and every available privilege on the first years of occupation. The object would be promoted by the troops quartered in the district. There would be no doubt that active trade, extended occupation, and increased intercourse with the inhabitants would

46. F.S.P., 1829, June 26, No.9.
47. ASRL.R.G., vol. 9, Macnagten to Robertson dt. 30 May, 1833.
add to the security and peace of Assam; and the advancement of these objects should be kept in view in deciding on the plans for the military defence of the province.\(^{48}\)

THE KHASI DISAFFECTION

A speedy, at the same time, a direct communication via Khasi Hills between Assam valley and Surmah valley was the need which promoted the British intervention in the Khasi Hills. As a preliminary to the construction of the road which was to start from Barduar facing lower Assam, an application was made to Chattar Singh who then held the lowlands of Burdwar in Zamindary rights from the British Government and he readily consented to allow all facilities that were required.\(^{49}\) But his authority in the hills was constantly opposed by Tirot Singh, and even labourers were threatened with murder. At this time Chattar Singh died and the construction was stopped. Tirot Singh succeeded to the possessions of Chattar Singh in a disputed succession question, at the mediation of DB&vid Scoft. An agreement was eventually drawn up in November 1826, by which Tirot Singh placed his territory under the British protection after gaining Zamindary right at Burdwar. He agreed not only to allow the British free passage for the troops through his territory but also promised to supply materials for the construction of the


road. No one could imagine that a catastrophe of such an atrocious nature would be perpetrated within eighteen months from the stipulation of the treaty. On the 4th April 1829, a party of Khasis aided by the Garos perpetrated, what was known as the 'Nongkhlow Massacre'. It was the signal of an almost universal rising of the Khasi chiefs. This could not be quelled before 1833. ultimately Khasi Hills submitted to the British.

On the 15th March 1835, capt. Lister, in the political relations with the Raja of Jaintia, took the formal possession of Jaintiapur and issued a proclamation announcing the annexation of the Jaintia pargana to the British dominion, in response to an order of the government informing the Raja that the whole of his ancestral possessions in the plains had been confiscated. Being deprived of his valuable possessions in the plains, Rajendra Singh gave up in disgust his unremunerative territory in the hills which also passed into the hands of the British. The Jaintias broke into open rebellions shortly afterward, which was easily suppressed and very liberal terms were given to the insurgents by Capt. Lister to weaken their opposition.

Both Gait and Mackenzie treated the massacre of Nongkhlow as a cold blooded murder - a mere outburst

51. I.P.D., No.14 of 1834.
52. F.P.C., 1836, August 1, No.110.
53. I.P.D., No. 17 of 1837.
of a fury by a savage tribe and traced the whole incident to an insolent speech purported to have been delivered by a rash Bengalee Chaprasi stationed at Nongkhlaw. This viewpoint was nothing but an eye wash and might not be tenable as an important cause for such an incident of importance as the utterance was made by the said Chaprasi only on the second day of the insurrection while he was brought to the place of execution.\textsuperscript{54} The Nongkhlaw massacre was a part of a general plan to drive out the lowland strangers from the hills. It was the signal of an almost universal rising amongst the Khasi chiefs.\textsuperscript{55} Neither the insolent speech of the Bengalee chaprassi nor the disrespectful demeanour of the subordinate native agents towards the tribesmen were the real causes of the Khasi insurrection, the real cause lay deeper in the universal antipathy towards a foreign domination which caused the general flare up in the Khasi Hills.\textsuperscript{56} The court of Directors held that

\textit{This treacherous and inhuman act does not appear to have been the result of any immediate provocation and the most probable explanation seems to be that the jealousy of the Cossyahs had been excited by the steps which were taking to establish a frequented road through their country and to form sanitary establishments within it.}\textsuperscript{57}

The insurrection was originated out of the frustration of several chiefs in the Khasi Hills. Having obtained

\begin{itemize}
  \item \textsuperscript{54} R.M. Lahiri, \textit{Op.\,cit.}, pp.78-79.
  \item \textsuperscript{55} I.P.D. No. 14 of 1834.
  \item \textsuperscript{56} F.S.P., 1829, April 25, No.9.
  \item \textsuperscript{57} I.P.D. No. 14 of 1834.
\end{itemize}
the possessions of the low land estates of Chattar Singh/ Tirot Singh found that the profits were not so large as he had expected. The revenue payable to the government was assessed at not more than half the gross proceeds realised, he experienced great difficulty in paying even that small amount and began to consider the payment itself unjustifiable - a grievance on the plea that under the Ahom Government no regular annual rent in terms of money was levied from his predecessors.  

To make the matters worse, about this time a dispute broke out between Tirot Singh and Balaram Singh, Raja of Rani lying in the plains adjacent to the territory of Tirot Singh. Tirot Singh with a view to punishing the Raja of Rani invoked article 4 of the treaty and applied to the Agent for the aid of the British Government. As he failed previously to make reparation for the murder and robberies committed on the subjects of the Raja of Rani, as demanded by the Agent/ the aid was refused. A fresh schism appeared again in December 1828, Tirot Singh assembled a force for the ostensible purpose of attacking the possessions of the Raja of Rani in the low land of Assam. Capt. white, in charge of lower Assam, sent a few sepoys to protect the place lying as it did within his jurisdiction. Tirot Singh considered it a breach of faith and an act of gross partiality.  

Under these circumstances Tirot Singh was ready to join any scheme that aimed at driving away the low land strangers from his territory. This sentiment of Tirot Singh was equally shared by his Sirdars and kinsmen, who had been displeased at the treaty which he had without their sanction entered into with Scott. Tirot Singh received a ready support from Barmanik, the Syiem of Mylliem, who was equally aggrieved with the British presence in the North East Frontier. Barmanik, acting in concert with other hill chiefs, invited him to make a general inroad into Assam and to effect the expulsion of the British from the hills as well as from the country below. They had the final aim to restore the native dynasty in Assam and thereby they hoped to be rewarded with the possessions of low land as far as the kallang river in lieu of services rendered. Barmanik was the most disaffected and intriguing of all the Khasis and he was taken to be the chief instigator to the massacre of Nongkhlaw and was the first of the hill chiefs to evince open hostility to British government and he was ably supported and assisted in formulating plan and fomenting Tirot Singh by Munsingh, Sirdar of Lungbred, and chief muntree of Tirot Singh. Both of them attempted to cut off Scott on his route to Cherra, a few days before the

60. F.S.P., 1829, June 26, No,2.
61. F.S.P., 1833, January E, No.82.
62. F.P.P., 1836, July 18, Nos. 87-88.
63. Ibid.,
insurrection. Tirot Singh had been the Principal Agent, if not the author of the insurrection in April 1829. Scott got scent of the impending danger. His immediate object of chastisement was Barmanik who was reported to have sent messengers to all the neighbouring hill rajas inviting them to send their men to expel the British from the low lands.

The Chiefs of the Khasi states on the northern borders of the hills had gradually since the decay of the Ahom power in the year 1794, established themselves in the plains of Kamrup in the tracts known as Duars, and were accustomed to pay only a nominal allegiance to the Ahom kings. When Assam was occupied by the East India Company, the new administration of Kamrup refused to recognise the rights of the Khasi rulers to encroach on the plains of Assam. By an order of the government in 1789, the Khasis were debarred from holding land in the low country within the company's limits, and existing such possessions were ordered to be attached.

Thus, most of the chiefs either on the Southern or Northern borders got severely affected by those measures. The economy of the hills was shattered greatly as the affluence of the Khasi chiefs depended mostly on the

64. F.P.P. 25 September 1835, No.44; Minutes of the Court of Directors.
66. Assam Administration Report, Sec. II, Chapter-I, Part II 1901-1902, Para 94.
67. ASR, File No. 28 of 1789 B.R.
produce accrewing from their possessions in the plains. The establishment of British power in Assam and Sylhet district indirectly hard hit the Khasi economy. It was the British ban on their slave hunting operations in the Assamese territories that had actually led the Khasis to rise in revolt in 1829 as the Khasi agriculture was largely based on the imported labour from the plains.

The rebellion was a well calculated conspiracy of the Khasi and the Assamese nobility against the British. During the 'Nongkhalow massacre' none of the Assamese Amia living with the party at Nongkhalaw was killed.69 Further, Tirot Singh, sent emissaries to Raja Chandra Kanta to rise in revolt against the English.70 When the news of Nongkhalaw massacre reached the plains of Assams, the collection of the revenue in many places was with-

held and resisted. The Assamese nobility was found greatly disaffected, and such was the condition at Gauhati that Capt. White could not count upon the loyalty of more than two Assamese of rank. The rest were either indiffe-

rent or in league with the Khasis.72

BRITISH POLICY

Until the British appeared on the Sta^e of Assam

70. F.S.P., 1829, 8 May, No.9.
71. Ibid.,
72. F.S.P., 1829, 8 May, No.10.
politics and consolidated their position in this portion of the country, there was any positive scope for them to formulate an effective policy to the tribes inhabiting around and intersecting them. The policy that was undertaken differed from region to region not only in their intensity but differed also in accordance with the colonial needs and aspirations of the British rulers.  

It was since the acquisition of Dewany of Bengal in 1765, the British came in contact to the North East Frontier. After the Burmese war was over the British annexed cachar and Assam. In this connection, the Government had to confront several of the tribes around them and intersecting them. The Garos first came under the British as a result that the British inherited the Mughal imperial legacy. As the Mughals had nominal control over the Garos so also it was to the British, The Khasi and Jaintia Hills also came to the knowledge of the British before the annexation of Assam. The policy of the English towards them was of strict indifference in compliance with the general principle of non-intervention followed by the English in India.

In dealing with the hill people on the north east frontier, the Government was confronted by two distinct problems. It had first to ward-off the attacks of the

Ke outer tribes dwelling amid the great mountain systems that flanked the Empire, and next it had to consider how best to bring under control the inhabitants of the ranges that intersect the settled districts of the British. In regard to the former, it had long ago been seen that to enter on a career of definite conquest towards Tibet, China or Burma, were vain and profitless. The policy adopted, therefore, had been in theory one of the watchful preparedness, on the whole conciliation by free admission to trade, interpreted and emphasised by a strong line of frontier posts, was what government offered to the Abors, Mismis and such like tribes. 74

A similar policy was for a long time pursued towards those races who occupied the broad range of hills that lay between the Assam valley and the plains of cachar, Sylhet and Mymensing. Leaving out of sight the Khasis, with whom special circumstances led the British into a settled relation at a comparatively early date 75 the authorities in Calcutta adhered strictly to the policy of non-intervention towards the Garos and Nagas. The general tendency towards the minor states in the Khasi Hills was one of gradual but effective control. 76 The reasons were not far to seek. These hills formed an integral part of Assam.

74. Alexander Mackenzie, North East Frontier of India, p. 553; An extract from Pioneer.
75. Ibíd.,
Through these ran the main lines of communication of troops and commerce between Sylhet and the valley of the Brahmaputra. Besides Salubrious climate, the hills possessed immense potentialities; their timber, Coal, iron and limestone had attracted European settlers.\(^ {77}\) Inspite of all these, it was undeniable the fact that English colonialism in Assam promoted a settled relations of the company with the Khasis unlike their counter parts in Garo or Naga Hills.

**EARLY BRITISH MEASURES IN THE KHASI HILLS**

When the Calcutta council was informed of the Nongkhlaw tragedy, feelings ran very high. The members were worked up to a state of righteous indignation and empowered the Agent to the governor General to adopt such measures as would overawe the petty chiefs and their savage retainers into immediate submission.\(^ {78}\) It was a harassing and desultory warfare. The territory of Tirot Singh was occupied and i.tqtaàrrial law proclaimed, and Lt. vetch of the Assam Hill Infantry was placed in charge of his territory.\(^ {79}\) Captain Lister moved to Mylliem on 16 May. The territory was forthwith occupied. Barmanik was captured towards the middle of September. Later on he was released and reinstated in his ancestral position.

---

with diminished powers and possessions. On 13 January 1833, on the surrender of Tirot Singh the wretched warfare came to a close. Meanwhile several of the chiefs came to the terms in subjection to the British paramountcy. After the termination of the war the Khasis in every direction manifested a subdued disposition and temper.

The Khasi Hills were proclaimed as military possessions under the English. In November 1823 the jurisdiction of Da-iid Scott, the Magistrate of Rangpur and civil Commissioner for the districts of Goalpara and Garo Hills was already extended further to control the affairs of North East Frontier of Bengal arising out of Burmese meBBce. Initially the Government had no desire to extend its territorial jurisdiction further. Even after the annexation of Assam, the Government was yet to take the decision to retain Assam permanently or not. The Government decided, at last, in 1828 to retain a portion of Assam, viz. lower Assam under the direct British management. But the British attitude towards Khasi Hills remained unchanged. It was only after the Khasi warfare started, the policy was open to criticism. It was a blunder of laying such an important road through a tract over which government had no control. The government had to review their policy.

80. F.S.P., 1829, 5 June, No.6.
81. F.P.P. 1836, No. 24; Minute of the court of Directors.
82. ASR, L.R.G. Vol. 47.
and attitude towards the Khasis after the war was over in 1833. Most of the conquered and subdued territories were restored to the former native chiefs. Only three villages of Mosmai, Sohbar and Mamlu were declared to be under direct management of the British. These villages were not restored with ostensible object that they commanded the feet of the hills adjacent to Sylhet. When the administration of Assam was entrusted to the Agent to the Governor General a very scanty European supervision attached with him. So it was not felt wise to acquire further territories which were economically unproductive whereas adequate European supervision could not be afforded. Due to this consideration even Byrangpunji which was officially a British village, was placed under the control of the friendly Syiem-Jeherrapunji for the time being. The catalogue of all protected states and political dependencies of every denomination in the Khasi Hills in 1832 included with Khyrim, Mylliem, Cherra, Nongspung, Nongstoin, Marriaw and Maharam. After the Nongkhlaw massacre it was felt necessary to find out an alternative site for the construction of sanatorium in the Khasi Hills. It had been decided that in the friendly syiemship of Cherrapunji sanatorium should be shifted. And Cherra had several other advantages of its own which

84. F.P.P., 1830, 7 May, Nos. 49-50.
85. Ibid.,
86. F.P.C. 1833, 7 January, No.82.
promoted this decision to take. Consequently, in early 1829, Duwan Sing, Syiem of Cherrapunji, surrendered the Saitsophen area to the company in return of a plot of land in Sylhet plains. During the war, Saitsophen was utilised as the base for the British in their operations in the hills. As the office of the Agent to the Governor General had no definite headquarters, Saitsophen remained so for a considerable period at least till 1834 when only the headquarters were shifted to Gauhati. Lt. E. D. Townshend of Sylhet Light infantry was placed in charge of Cherla station (Saitsophen) for conducting magisterial duties under the direct instructions of his immediate superior Capt. F. G. Lister, commandant of Sylhet Light Infantry. The Agent to the Governor General had the general supervision over the Khasi Hills.

In the arrangement for the administration of North East Frontier, David Scott introduced four different departments for the conduct of affairs under the Agency. The first had been the 'political Agency' in which besides English and Native correspondence, were included the management of the Khasia mountains. This 'Agency Department' had been looking after the realisation to fines, rents,
tributes etc. which were imposed on the Khasi chiefs and
villages during and after the warfare. Save for this,
certain small amount of magisterial duties also had to be
supervised in the Khasi Hills over the British subjects.
Certain rules were laid down in the letter of Stirling
the Secretary to the Government on 2 May 1828 for the admi-
nistration of criminal justice in Assam which were extended
to the British possessions of the Khasi Hills. These
rules authorised the Agent with absolute power in the
administration of justice in the hills without any limi-
tation.

The attitude of the government to the administration
was explained in clear terms in a letter of C.E. Trevelyan
Secretary to the Government on 4 September, 1834. It was
the desire of the government to abstain as much as possible
from taking any part in the quarrels of the communities
from whom the government derived no revenue. Occasional
recourse must be had to military expeditions in order to
enforce peace and order. Any continued existence of disturb-
bances would endanger the tranquility of the provinces in
the neighbourhood and compromise with the security of the
arrangements in the hills, including the regular communica-
tion which had been established"through them between Assam

93. F.P.C., 22 May, 1834, No.79.
94. ASR, L.R.G. Vol. 6.
95. F.P.C., 5 September 1833, No.72.
96. ASR, L.R.G. Vol. 6.
97. F.P.P., 4 September 1834, Nos. 55-57.
and Sylhet. Interference to the disputes of the Khasi communities was to be limited to those cases which had direct tendency to endanger peace in the hills. With a view to obviate the necessity of having recourse to hostile measures as much as possible the proceedings even in those occasions were to be confined, where the nature of the cases admitted of that, to friendly mediation. In all other ordinary cases the Agent was to decide without reference to Government when a necessity was supposed to exist for imposing a fine or for adopting coercive measures in regard to any of the independent communities the Agent should unless the case was urgent, obtain the previous sanction of the government.

About the financial impositions on the Khasis, the policy of the government was illustrated in the Letter of Macenaghten, the Secretary to the Government on 30 May 1833. According to government the tax to be imposed on the chiefs should be one which they could easily pay otherwise the demand for that might prove vexatious and be otherwise inconvenient. The Governor General in council thought that the policy was very questionable of levying a money tax at all on the hill tribes who were poor and entirely dependent upon the produce of their hills which they bartered in the plains. It was desirable to postpone

98. F.P.C., 1834, 22 May, Nos. 78-93.
any tax upon the Khasi tribes until they were better acquainted with the British rule and more conciled to the loss of their independence. The government preferred to introduce personal services to open some essential lines of communication in lieu of any demand for tribute from the chiefs.

THE KHASI HILLS POLITICAL AGENCY

The native machinery was set up to supply the place of European agency had worked in Assam but badly. It was due to the scanty European supervision in Assam, the misery of people and the defaulcation of revenue increased. David Scott attempted more than ever he was equal to. He was obsessed with the idea that the existing state of revenue hardly justified additional hand and, therefore, he always hesitated to demand an increase in the establishment.

The fact was that it was physically impossible for any person to find either line or strength to meet such a task of the judge, magistrate and collector of lower Assam with a single assistant to help him, in addition to the other duties of an office having four departments. The first was the political agency in which besides English and Native correspondence were included the management of the Khasia mountains, the revisal of the proceedings of the officers in upper Assam and eschar and the collection of

100. Ibid.,
101. Ibid.
revenue from some of the Northern mahals. The second was the Revenue Department for the entire British jurisdiction in Assam including the trial of suits for the hal abadee lands in Sylhet in which the government was deeply concerned under Regulation 3 of 1828. The third was the Judicial Department both civil and criminal for Upper Assam and lower too which included the revisals of trials in cases of life and death/ the hearing of appeals from the civil decisions of the Panchayat in lower Assam and from those of the Political Agents in the upper province besides miscellaneous petitions. The fourth was the judicial Department of Sylhet and Gowlapara.

The horrowing tales of mis-management of the affairs of Assam never failed to move the authorities in England. The Court of Directors observed:

It unfortunately appears certain/ from whatever cause we have hitherto governed Assam extremely ill... the country had been, retrograding, its inhabitants emigratiing... its villages decaying and its revenue annually declining; although/ the natural advantage of Assam is stated to be far superior to Arracan/ which since it has been subject to our rule is said to have been advanced in prosperity.102

The government of William Bentinck ultimately in a resolution of Febeuary 1835 considered and proposed a distinct arrangement103 for the control and management of

102. CD./ 1834, 3 December./ No.14; cited in H.K. Barpujari/ Assam: In the Days of the company/ p.58.
103. F.P.P., 1835/ 5-11 February/ No.101.
of that part of the jurisdiction which was subject to T.C. Robertson, Agent to the Governor General in the North East Frontier, which was resumed after taking from it the portion assigned to the particular charge of Capt. Jenkins, viz. Assam and north east part of Rungpore. The District of Sylhet having been placed under the Dacca Commissionership and Assam and North East part of Rangpore were formed into Capt. Jenkins' special charge. The remaining districts of Mr. Robertson's jurisdiction included with the Khasi Hills including the territory of the Jaintia Raja, Cachar and the independent state of Manipur. The administration in those districts were entrusted to political Agents independent of one and the other* The arrangements recommended and resolved by the Governor General were duly ratified by the Court of Directors in their letter of 25 September 1835. With these arrangements, the office of the Agent to the Governor General on the North East Frontier was abolished.

Capt. F.G. Lister was appointed as the Political Agent of the Khasi Hills with the charge of political relations with the Jaintia Raja on 11 February 1835. He resumed to his charges at Nongkhalaw. Afterwards, his headquarters were shifted to Cherrapunji. He was to retain

104. F.P.P., 25 September, 1835 No.44; Minutes of the Court of Directors.
105. Ibid.,
106. F.P.P. 1835, 5-11 February, No.103.
the command of the Sylhet Light infantry, the headquarters of which were to be placed at Cherrapunji. As Political Agent he was to draw a salary of surat rupees 400 per month.

The jurisdiction, authority, and functions of the political Agent were elaborated in a letter from the Secretary to the Government of 11 February 1835. In the same letter a provision was made for the appointment of an assistant to Capt. Lister, who would assume the charge of Assistant Political Agent. Lt. H. Inglish was named for this appointment. The Governor General in his resolution of February 1835 proposed that the several arrangements made should be received the sanction of a Regulation. Accordingly the Act VI of 1835 (Khagi Hills Act) was passed by the Governor General in Council on the 13 March 1835. The Act, the first ever an enactment enforced to Khasi Hills, placed the Political Agent under the control and superintendence of the Sadar courts. And such control and superintendence of the sadar courts had to be exercised in conformity with such instructions as the functionaries might have received or might hereafter receive from the Government of Fort William in Bengal.

According to the Act VI of 1835, the Khasi Hills Political Agency had not been formally placed under the

108. F.P.P., 1835, 5-11 February, No.103.
109. Ibid.,
jurisdiction of the Board of Revenue and it was in practice to conduct its revenue as well as its political duties in the 'Agency Department'. So, administration of revenue was not divorced of Capt. Lister's competence. The Political Agent was directed to correspond direct with the Governor of Bengal in the political Department as regards judicial matters to the Judicial Department. By the order of 20 November 1834, the Government placed the several units of administration of North East Frontier to the control of the Government of Bengal. But soon the Government of India felt it desirable that the political officers on their relations with foreign and independent States, were required to be placed under the immediate control of the Government of India.

The General instructions given to the Political Agent were that those few villages which had become British and formed the jurisdiction of the Agency as little interference as possible should be exercised. Those villages which retained their independence, and which had been restored to their former chiefs, were only to be interfered with politically.

112. F.P.P., 25 January, 1836, No.44; Minute of the Court of Directors.
113. F.P.P., 1835, 5-11 February, No.103.
114. F.P.P., 1836, 18 April, Nos. 1-2.
The number of chieftains increased to 23 under the Khasi Hills Political Agency, who excepting four of them came under several agreements and engagements, in different terms and in different circumstances. The station of Cherrapunji was the only place over which the Agent exercised sole jurisdiction, but the Government had the undoubted right to interfere in any way it pleased with the administration of the villages of Mosmai, Sohbar and Mamloo.¹¹⁶

On the 15 March 1835, capt. Lister took over formal possession of Jaintiapur and issued a proclamation announcing the annexation of Jaintia pargana to the British dominion. Being deprived of his valuable possessions in the plains, Rajendra Singh gave up in disgust his unremunerative territory in the hills which was also passed into the hands of the British. The Government's order under which the whole of Jaintia was placed under the Political Agent of the Khasi Hills was of the 30 March 1835 and was issued by the Government of India in the Foreign Department. Since then Jaintia hills were placed in a very anomalous position.¹¹⁷

On a reference from the Court, the Government by their order No. 193 of 29 September/1835, authorised the extension of the -Sadar Courts to the Jaintia territory.¹¹⁸

¹¹⁸ Ibid., para 17.
The court understood the Raj Jaintia to have formed part of the Khasia territory, and conceived that, under the Provisions of Act VI of 1835, they were competent to exercise authority therein. It was altogether a mistake and the Act had no possible application to it, because the government was not in possession of the Jaintia country when the Act was passed. Subsequently, the Government sanctioned, under Act XI of 1836, the general annexation of the Jaintia territory to Sylhet, and the extension to it of the laws and regulations but the plain country on this side of the hills to Sylhet was only brought under the operation of the order. Again, anterior to this annexation, the Government, by their orders of 28 July, 1835, determined that Jaintia, with the exception of that part which bordered on Assam, should be annexed to Cachar. The plain country was so annexed and then transferred to Sylhet as stated above; and no order could be traced for retaining the hill territory under Capt. Lister's superintendence. But Capt. Lister understood that the hill territory was to continue under his administration. 119

The Regulation ordered to be extended to the hills, had not been so extended while the order for extending the jurisdiction of the Sarar Courts under Act VI of 1835 to the territory, though carried into effect, was clearly on wrong Premises. 120 Col. Lister stated that he" was guided

---

119. Ibid., para. 25.
120. Ibid., para 26.
in exercising control over the Khasi and Jaintia Hills by the spirit of the instruction of Government and also by the Assam Rules. The instructions were of vague character and the Assam Rules had been extended to this country without any authority whatever. However, capt. Lister exercised a similar jurisdiction over the 23 Dalois and sirdars of Jaintia Hills as he was the Magistrate Collector and Judge of the British villages in the Khasi Hills.

Mr. A.J.M. Mills, officiating Judge of Sadar Court was deputed to Khasi and Jaintia Hills to submit a report on the charges piled up against the administration of the Political Agency of col. Lister. On his recommendations, Lord Dalhousie in a minute of 16 November 1853, proposed to place the hands of the commissioner of Assam in the same manner as had already been done with the Garo Hills and North cachar.

THE KHASI AND JAINTIA HILLS DISTRICT

The Secretary of Government of Bengal in his letter of 11 March 1854, No.525 informed the commissioner of Assam that the Governor of Bengal resolved to take the opportunity afforded by the departure of Lt. Col. F.G. Lister on leave of absence, to separate the Civil functions

121. Ibid., para 27.
122. Ibid., Minute of the Government of Bengal, Dt. 16 November 1853, para 5.
of the political Agent in the Khasi Hills from the command of the Sylhet Light Infantry, and to vest the Bormer in an Assistant to the commissioner of Assam, and the Assistant was to be placed precisely on the same footing as the other Principal Assistants in the Assam commission.

Mr. CJC. Hudson, Junior Assistant commissioner, was deputed to Cherrapunji as an officiating Principal Assistant Commissioner to take over the charge of the district on 10 April, 1854 from Lt. G.N. cave, who was officiating as Political Agent during the absence of Lt. col. Lister. It appeared that the Commissioner of Assam gave no instructions whatever to C.K. Hudson in regard to the manner in which his duties were to be conducted; but being very naturally and properly considered himself bound, in his official proceedings, to follow, as much as possible, the rules, orders and practices of the Assam courts. The Principal Assistant commissioner in charge of the Khasi and Jaintia Hills district conducted official duties according to the Rules and regulations that were in force in the province of Assam fear the administration of Civil and criminal justice. All appeals from the decisions of the Principal Assistant in charge lay to the commissioner and Governor General's Agent in political and Revenue affairs, and all criminal and civil appeals, which in the

123. ASR, L.R.G., Vol. 47.
125. Ibid., para 13.
regulation provinces would lie to the civil and sessions Judge, went to the Deputy Commissioner (Judicial Commissioner) of Assam.

The Principal Assistant Hudson had the idea that the Political Agency was abolished after he took over, the charge. But from the legal point of view it was not wholly true as no public notification was published regarding the transfer of this district to the jurisdiction of the commissioner of Assam, and public had never been officially informed of what laws, rules and regulations were in force in these hills. Secondly, as Hudson assumed the charge of the district from Lt. cave he virtually discharged the duties of an Assistant Political Agent whereas the matters then came under the Political Agent were required into and reported on by him to the Governor General's Agent and commissioner of Assam, for final orders.

Thirdly, in a Despatch No. 85 of the 17 September 1856 the court of Directors rejected the proposal for the appointment of a sub-Assistant commissioner at Cherrapunji on the ground that there were already an Agent and Assistant Agent at Cherrapunji and it did not appear that work to be performed in the Khasi and Jaintia Hills required the services of another assistant.

126. ASR, HP(A), August, 1877; William Word's 'Notes on laws in Assam", para 167.
127. ASR, L.R.G. Vol. 43.
129. Ibid., para 55.
130. ASR, L.R.G. Vol. 41.
In view of the above facts, it would not be altogether wrong to suppose that the position of Khasi and Jaintia Hills was anomalous. In actual practice and spirit, since 10 April, 1854 the Khasi and Jaintia Hills in their British portions were administered as one of the regular districts of Assam Administration and on 20 April the Political Agent ceased to function as Lt. Col. Lister discontinued to draw any portion of his civil allowances as political Agent of the Khasi and jaintia Hills, Confusion was never removed even in the following days of the British rule.

Within few years, the Khasi and Jaintia Hills were transferred to Assam Commission. W.J. Allen, Officiating Member of the Board of Revenue was sent on special deputation at Cherrapunji to enquire into and report on certain matters connected with the administration of Khasi and Jaintia Hills district and the adjoining non-regulation districts.\(^1\) As regards jurisdiction Allen was vested with the full power of the Board of Revenue in all matters connected with or arising out of the enquiry in which he was engaged over the district and the tract of country then directly or indirectly remained under the authority of the Principal Assistant as well as over the districts of South cachar and Sylhet.\(^2\) In the Cherra District and

\(^{1}\) ASR, L.R.D.O., vol. 44.
\(^{3}\) Ibid., Extract from a letter from the offg. Secy. Govt, of Bengal to W.J. Allen of the 19 January 1857.
to its neighbourhood he was also to exercise political
powers necessary to enable him to deal with the question
that might require his intervention relative to the
affairs of the Khasi chiefs and dependent villages and
townships/ the whole authority of the Commissioner of
Assam being suspended in Cherra and the Khasi Hills from
the data on which he might arrive at cherra until the close
of the pending enquiries, or until further orders. 134

During the Jaintia rebellion, the Jurisdiction of
the Board of Revenue and Civil control of the Commissioner
of Assam were temporarily suspended in the Khasi and
Jaintia Hills under orders of 2 April, 1862, No. 891A,
when Brig. General G.D. Showers appointed commissioner
under Act XI of 1857, 135 But when the officer's functions
ceased, the Civil control of the Khasi and jaintia Hills
were again placed under the commissioner of Assam by orders
of 1 July 1862, No. 15T, and it was intended that the
authority of the Board of Revenue was to be revived. Again,
the government had to place the administration of Khasi and

134. Ibid.,
135. ASR, L.R.G., vol. 44B, Pol. No.2315; L.R.G. Vol. 43,
No.1132A; the Govt, of Bengal in their letter of 22
April 1862 stated that the Commissioner of Assam
need not to think over the future management of the
civil and criminal business, in the jaintia Hills as
well, as the civil administration of the district
had been placed in the hands of Brgd. Genl. Showers
L.R.G., vol. 63, No.946A; the Govt, of Bengal in
their letter of 4 April 1862 placed the services of
EAC J.B. Shadwell at the disposal of Brğg. Genl.
Showers, the "Commissioner in the Khasi and Jaintia
Hills".
and Jaintia Hills under a separate Commissioner owing to the situation arising out of Jaintia rebellion. It demanded an immediate attention of the government towards the administration of Khasi and Jaintia Hills. Consequently, Maj. Haughton was ordered to make over charge of the Assam Commissioner ship except the Khasi and Jaintia Hills to Maj. W. Agnew, Judicial Commissioner of Assam and Maj. Bivar was stopped at Gauhati to take over the charge of the Judicial Commissioner's office, until peace was restored in the Khasi and Jaintia Hills.

The transfer of power from Company to the Crown marked the ascendancy of plantation economy in Assam. In 1865 the only idea which most men had, with reference to the hills and forests of North Eastern Frontier, was that they were the habitats of "savage tribes", whose bloody raids and thieving forays threatened serious danger to the cause of tea". This demanded a change in the policy of

137. ASR, L.R.G., Vol. 63, No.139; Telegram From L.G. of Bengal to Buckland, Faridpore, 22 December 1862. L.R.G. Vol. 63, No.734; The Govt, of Bengal in a letter addressed to the Offg. com. of Assam (Maj. Agnew) on 23 January 1863 confirmed that North Cachar was as much under his charge as any other part of the Assam Commission, exclusive of the K & J Hills, and that he acted quite properly in submitting for the orders of Govt, his views on Ingel's letter relative to the apprehended disturbances in that subdivision and at the same time Maj. Haughton was perfectly right in corresponding direct with Mr. Ingels on any matter which appeared to him to be immediately connected with Khasi disturbances. The Govt, requested Maj. Haughton to place himself in communication with Maj. Agnew with a view to making such arrangement as would prevent the issue of conflicting orders.

the government towards the hills of the region. An active interest was started developing on the administration of the hills. A system of administration was required to be set up which could have served the colonial need of that time and at the same time would have suited to the aspirations of the hill men. The aspiration of the hill people in the Khasi and Jaintia hills already had suffered a setback and declined to accept an elaborate system of administration suitable to a plains district of Assam. A uniform policy of direct administration in the hills seemed to be the answer to protect the tea interest by exercising an effective control over the hillmen. At this background the Garo Hills Act of 1869 (Act XXII of 1869) was enacted which removed Garo Hills from the jurisdiction of the Civil/Criminal and revenue courts and offices established under the general Regulations and Acts, and Rules for the Administration of Justice and Police were issued with Bengal Government No. 1034 of 28 February 1870. The Lt. Governor of Bengal extended the Act to the Khasi and Jaintia Hills District under notification of 14 October 1871. The detailed rules for the administration of justice and police in this district were issued under a notification of the government of Bengal of 30 July 1872.

139. ASR, HP(A), August 1877; William Wards' Note on Laws in Assam, para 162.
140. Calcutta Gazette, 1871, p.1911.
141. Ibid., 1872, p.84.
Shortly after this, the Government of India, by proclamation of 6 February 1874 published in the India Gazette on 7 February 1874 under section 3 of the statute 17 and 18 Vict. C 77, tools under the immediate authority and management of the Governor General in Council the administration of Assam including the Khasi and Jaintia Hills, and by another proclamation of the same date the Chief Commissionership of Assam was constituted. Then, Act VIII of 1874 was passed reciting that Khasi and Jaintia Hills had been made part of the chief Commissionership of Assam and that all powers then vested in the Lt. Governor of Bengal were transferred to the Governor General in Council and he was empowered to delegate all or any of the said powers to the Chief Commissioner of Assam. The Act XIV of 1874 called the Scheduled District Act was passed which repealed the Act XXII of 1869 and specifically mentioned of the Khasi and Jaintia Hills therein, and in 1874 the Government of India under notification No. 523, dated 16 April issued fresh rules in suppression of those already in vogue for the administration of justice and police in the three districts of Garo, Khasi and Jaintia, and Naga Hills.

By Home Department Proclamation No. 2832 of 1 September, 1905 the Governor General constituted the

---

142. ASR, J.P. (legislative), (A), January 1915, No.6.
143. Ibid.
144. Calcutta Gazette, 1874, p.182.
territories under the administration of the Chief commissioner of Assam to be, for the purpose of the Indian Councils Act, 1861 (24 and 25 Vict. C.67), a province to which the provisions of that Act -touching the making of laws and regulations for the peace and good order of the presidencies of Fort. St. George and Bombay should be applicable, and directed that the said province to be called and known as the "Eastern Bengal and Assam". The Governor General- in Council specified the 16 of October, 1905, as the date at which the said provisions should take effect, and fifteen member council which the Lt. Governor might have nominated for his assistance to make laws and regulations for the province. The Governor General in Council was further to declare and appoint that, upon the constitution of the said province of Eastern Bengal and Assam, the 15 districts hitherto formed part of the presidency of Foetwilliam would be subjected to the new province. Since the emergence of Eastern Bengal and Assam as a separate province under a Lt. Governor the Khasi and Jaintia Hills district was placed under the administration of a Deputy Commissioner who was to be superintended henceforward by a commissioner namely Commissioner of Surmavalley and Hill Districts Division which was constituted by notification No.IIC of 16 October, 1905.
This experiment being a failure, the Governor General in Council, in exercise of the powers conferred by section 3 of the Government of India Act, 1854 (17 and 18 Vict. C.77) and with the sanction and approbation of the Secretary of State for India, issued a proclamation under Home Department Notification No. 291 of 22 March, 1912, to the effect that on and from 1 April, 1912 the districts under the Assam valley Division and Surmah valley and Hill Districts Division hitherto under the Province of Eastern Bengal and Assam would be brought under the immediate authority of the Governor General in Council and formed into a chief Commissionership again, to be called the "Chief Commissionership of Assam". The experiment of reorganisation came to the rest in 1921 when the Chief Commissionership of Assam was constituted as a Governor's province according to the Government of India Act 1919.

The native pressure mounted heavy on the demands for reorganisation of the administration in the Khasi and Jaintia Hills. In the Assam Legislative Council which was constituted on 14 November 1912 by a Government of India Act (2 and 3 Geo V, C. 6) and received the royal assent on the 25th June 1912, The demand was placed for a normal administration at Shillong. The Chief commissioner,

151. Ibid., p.65.
in consideration to the recommendation of the legislative
council, made suitable arrangement to place Shillong town
more on a line with the administration in force in the
plains portion of the province, consequently, Shillong was
removed from the operation of the Administration Rules by
which she was hitherto administered and a separate adminis-
trative system was devised for both the regular and
administered portions of the town analogous to the regular
district of Assam.

For the purpose of administration of the Khasi and
Jaintia Hills, the District was classed into three distinct
areas, viz., (a) Town of Shillong - comprising British
portion within the municipality, the cantonment areas and
the non-British area within the municipality. The criminal
procedure Code was in force in this area and civil justice
was administered under the Administration Rules, (b) The
British area outside the town of Shillong - this area was
administered by the Rules for the Administration of Justice
and police in the Khasi and Jaintia Hills, (c) The non-
British portion outside the town of Shillong which was also
administered by the Administration Rules.

In most provinces in India the hill tribes and
backward tracts were excluded from the operation of the

152. ASR, JP(A), December 1916, Nos. 1-46.
153. ASR, JP(A), December 1929, Nos. 1-22.
Montague-chelmsford Reforms but in Assam, however, the hill tracts were included in the area subject to the reformed constitution. The local government ultimately felt that in the interest both of 'Backward Tracts' and the normal portion of the province the existing artificial union should have been ended. The Government of Assam recommended that the 'Backward Tracts' should be excluded from the province of Assam and be administered by the Governor General in Council at the cost of the central revenues. The Government excluded Shillong municipality from the operation of the plan on the ground that it was the headquarters of the Government of Assam and the legislative council chamber was also situated there, and it might have appeared strange for the capital of the province under the new constitution to be isolated from the rest of the province and be situated in an area which was not included in the province.

In the white paper widely different methods were proposed for the administration of Excluded and partially Excluded areas. Partially excluded areas were to be governed by the Governor through his council of Ministers,


156. Ibid.

he having a special responsibility in respect of them.\(^{158}\) The Governor would himself direct and control the administration of Excluded areas.\(^{159}\) The Council of Ministers, would not aid or advise the Governor regarding Excluded areas and orders regarding such areas would presumably be issued in the name of the Governor and not of the Governor in Council.\(^{160}\) The administration of partially Excluded areas would be a charge on provincial revenues, the Governor seeing given special powers of appropriation\(^{161}\) whereas the administration of the Excluded areas would be a charge on central revenues.\(^{162}\) Excluded and partially excluded areas were not excluded from the province, but "from the normal operation of the constitution" and they would have to be administered by the ordinary staff of the province as a special cadre for the same would be impossibly small.\(^{163}\) The Government of India declared the Garo Hills district/ the Mikir Hills in the Nowgong and sibsagar Districts, and the British portion of the Khasi and Jaintia Hills district other than the Shillong Municipality and cantonment to be partially Excluded areas in Assam in Part II of the schedule to the Government of India (Excluded and partially Excluded Areas) order, 1936.\(^{164}\) Since April 1933 the Government of

\(^{158}\) ASR, Misc. P. (A), September 1939, Nos. 67-83; White Paper, paragraphs 70, p. 43.
\(^{159}\) Ibid., Paragraphs 73 & 107, pp. 47 & 55.
\(^{160}\) Ibid., paragraph 66, p. 45.
\(^{161}\) Ibid., paragraph 99, p. 53.
\(^{162}\) Ibid., paragraph 49, pp. 40-41.
\(^{163}\) Ibid., paragraph 46, p. 17.
\(^{164}\) Assam Gazette, 3 April 1946, Part II, pp. 233-284.
Assam had been distributing and circulating a Note styling "what the white paper means to Assam" for guiding the returning officer and public. It was mentioned therein that

the Khasi and Jaintia Hills (British)
including Shillong ... will be treated as partially excluded tracts.\footnote{165}

In contrary to it, the Shillong Municipality and cantonment areas were left out of the special system and these were included with the normal portion of Assam province.\footnote{166} Thus, on the eve of the Independence of India in 1947 there were five distinct administrative units in the Khasi and Jaintia Hills which were administered in different manners: (i) British portion or normal areas of Shillong which included European ward, police Bazar word and major portion of Jail Road ward of Shillong Municipality; (ii) Cantonment area of Shillong; (iii) Shillong Administered Area which included 9(nine) wards of Shillong within Mylliem Syiemship where municipal Administration was carried on; (iv) partially Excluded Areas which meant Jaintia Hills and the British Villages; (v) Khasi States Areaso\footnote{167}
APPENDIX - A

ACT VI of 1835 (KHASI HILLS ACT)*

Passed by the Right Honble The Governor General of India in council, on the 13th March 1935.

Be it enacted, that the functionaries who are or may be appointed to the Political charge of the Cossyah Hills, or to the Superintendence of the territory of cachar, be henceforth placed under the Central and Superintendence, in Civil Cases, of the Court of Sudder Dewanny Adawlut, and in criminal cases, of the court of Nizamat Adawlut; and that the officers so appointed in the territory of cachar be placed, in Revenue cases, under the control and Superintendence of the Sudder Board of Revenue; and that such control and superintendence of the Sudder Court and Board shall be exercised in conformity with such instructions, as the said functionaries may have received or may hereafter receive from the Government of Port William in Bengal.

APPENDIX B

ACT II of 1835 (ASSAM ACT)*

Passed by the Right Hon'ble the Governor General of India in council, on the 12tho January 1835.

Be it enacted, that the Functionaries who are or may be appointed in the Provinces of Assam, Arracan and Tenasserim be henceforth placed under the control and Superintendence, in civil cases of the court of Sudder Dewanny Adawlut, in criminal cases of the Court of Nizamat Adawlut, and in Revenue cases of the Sudder Board of Revenue, and that such control and superintendence shall be exercised in conformity with such instructions as said functionaries may have received, or may hereafter receive from the Government of Fort William in Bengal.