The Treaty of *Lho-Men-Tsong-Sum*

Translation:

Hi! Please observe, please behold, please listen, name from Kuntu Zangpo the foremost Buddha, to the rest Guru of our time and their ocean like guardian deities of *Dharma* may please appear in their wrathful form and behold without your body, speech
and maid distracted elsewhere. All the ocean like guardian deities: the male Dharma Palas, female protectors of the Chogyals of this country and the Dharma; many also appear in their fiercely wrathful forms and behold at this occasion without distraction of their body, speech and mind, Pal yeshe-kly Gompo Mahakala Manaiaig Nagpo; Gompos of body, speech, mind, quality and action; Za-Yi Gehe Ra-Hula and light division of Gods and demi-gods may please behold without being distracted, Chogyal Chempo, his ministers and followers to the Guru Rimpoche gave this command; his followers Demons Nagas and Tsem; Baishramana, Dorjee Shangden, Dorjee Dadul Peher Gyalo-po and Gyalo-po of recent and ancient with eight divisions of wrathful spirits may also appear in their wrathful form and behold this occasion not having their body, speech and mind distracted elsewhere. Moreover, Zod-aga Taktse the great treasure holder of this valley, Thang Lho, Gabur Gangtsen, Twelve Termas, Ya-dud Cham-dral the guardian deities of the lower valley. Sride Rongtsten Ekazati and all the female guardians, the guardians of middle valley- pawe Hungry and hundred thousand of millions of armies of Lha, Tsen, Dud and Lu may also appear in their wrathful form and behold at this occasion not having their body, speech and mind distracted elsewhere. In this hidden valley of Guru Rimpoche, the guardian deities of all the retreat centres holding the lineage of Zongpo Chenpo; the armies of Dud, Tsen, Lu and treasure holder residing in mountains, valleys, trees, rocks and lawn; the guardian deities of Thek-chok Yangtse, Pema Yangtse, Rabdentse, Tashiding and other places may appear in their wrathful form from the invisible and behold at this occasion. All the deities and guardians worshipped by us the people of four parts of Ti-tiap Hkapia, Barpung, Lingduam, Dang, Zonga, Tsong and Mongpas, may please behold undistracted. We the leaders and ministers have met here according to the wishes of Lord of Men and we hereby pledge and put our seals to the agreement that the people of Lho-Men-Tsong-Sum will hereafter integrate our wishes and will not have separate self government of Lho, Men and Tsong but will abide by one order only. During the last Mongpa war some action of people were noted and let them be beware of. Now from this year of water hare (1663) onwards we will abide by the commands of the king, his Guru and sons and will never let arise a bad thought against chogyal.

We the ministers and chiefs including those of the eight communities of Lhopas (Bhutias) hereby pledge that Lho-Men-Tsong-Sum will have one destiny and one
government. They will fight together with their foes and they will feast together with their friends. They will bring in the intelligence of others but they will never take out the secret of inside. If there be any not abiding not abiding by this pledge and does mischief and disturb the peace and harmony of Lho-Men-Tsong-Sum, whoever he may be, the above mentioned guardian deities will see the truth. In such a case the afore mentioned deities are beseeched to appear in their wrathful forms and with their fierceful sound of Hung! Phat! And they are beseeched to make the criminals go mad and devour their flesh, blood and heart without delaying for year, months, days, and even for a moment. Kharram Kha Hi! Those who abide by this pledge; respect the above mentioned deities; abide by the agreement made by us, ministers and chiefs, wish only good for the Chogyal, his Gurus and his sons, and serve the kingdom both physically and peacefully, may they be seen by the afore said guardian deities and may their life, fortune, glory and wealth be made increase like the waxing moon. If any among Lho-Men-Tsong-Sum, would not abide by this pledge will be made to pay three srangs (ounces) of gold as pledge breach fee and thereafter he will be punished according to the degree of crime he has committed from slight physical punishment to the extent of death penalty. No hesitation will be made in execution of those punishments so that all may keep those in their minds.

In presence of the following, the seal of the chiefs and ministers were stamped:

1. Dak Sar, the Minister of Sikkim,
2. Dechan Namgyal of Tri-tong Khapa (Tshangker Lak-ker),
3. Thar thin of Barpung,
4. Tamchin Darleg,
5. Tencho of Lingdam,
6. Choe Drup,
7. Gu-Ju of Drang Tod,
8. Nagpo of Bordongpa,
9. Tsong Subba Namphang,
10. Tsong Yug Shug,
11. Mo Zang (Morang) Mig Tsop,
12. Tsa Tai,
13. Poshing,
14. Matsu Ta,
15. Labung Thopa Kui,
16. Deshae Hang,
17. Mig Yon Ajamta,
18. Modempa,
19. Peghapa,
20. Bolobir,
21. Tapa Azod of Rathong Chung Gupa,
22. Tapa Shuphang of Ringhi Chungupa,
23. Taba Gon Kyab of Galed Chung Gupe,
24. Pelos

Thus, created on Water Hare Year (1663), at Denzong Phuntsog Khangsar (Palace).
Deed Granted to Subba Suma Hang Thi by Tensung Namgyal

Translation:

Be it known to all monks, ministers, governors and all subjects that Subba Suma Hang Thi has been granted the forest and pasture lands at Rimbi. He is granted the permission to clear the forests of the surrounding areas for cultivation without disturbing the peace and tranquility of the country. Nor he should disturb the peace at the borders. He should serve the country faithfully and abide by the law of the land.

Taking consideration of the above orders he should not engage himself in such activities that would endanger the peace of the state.

Granted in the Wood Bull Year (1685), at Wangdu Palace.
Part-III

The Treaty of Titalia – 1817

Treaty, Covenant, or Agreement entered into by Captain Barre Latter, Agent on the part of His Excellency the Right Honourable the Earl of Moira, K. G., Governor General, &c., &c., &c., &c., and by Nazir Chaina Tenjin and Macha Teinbah and Lama Duchim Longdoo, Deputies on the part of the Rajah of Sikkimputtee, being severally authorized and duly appointed for the above purposes, - 1817.

Article 1

The Honourable East India Company cedes, transfers, and makes over in full sovereignty to the Sikkimputtee Rajah, his heirs or successors, all the hilly or mountainous country situated to the eastward of the Mechi River and to the westward of the Teesta River, formerly possessed and occupied by the Rajah of Nepaul, but ceded to the Honourable East India Company by the Treaty of peace signed at Segoulee.

Article 2

The Sikkimputtee Rajah engages for himself and successors to abstain from any acts of aggression or hostility against the Goorkhas or any other state.

Article 3

That he will refer to the arbitration of the British Government any disputes or questions that may arise between his subjects and those of Nepaul, or any other neighbouring state, and to abide by the decision of the British Government.

Article 4

He engages for himself and successors to join British troops with the whole of his Military Force when employed within the hills, and in general to afford the British troops every aid and facility in his power.

Article 5

That he will not permit any British subject, nor the subject of any European and American state, to reside within his dominions, without the permission of the English Government.

Article 6

That he will immediately seize and deliver up any dacoits or notorious offenders that may take refuge within his territories.
Article 7

That he will not afford protection to any defaulters of revenue or other delinquents when demanded by the British Government through their accredited Agents.

Article 8

That he will afford protection to merchants and traders from the Company’s Provinces, and he engages that no duties shall be levied on the transit of merchandize beyond the established custom at the several golahs or marts.

Article 9

The Honourable East India Company guarantees to the Sikkimputtee Rajah and his successors the full and peaceable possession of the tract of hilly country specified in the first Article of the present Agreement.

Article 10

This Treaty shall be ratified and exchanged by the Sikkimputtee Rajah within one month from the present date, and the counterpart, when confirmed by His Excellency the Right Honourable the Governor-General, shall be transmitted to the Rajah.

Done at Titalya, this 10th day of February 1817, answering to the 9th of Phagoon 1873 Sumbut, and to the 30th of Maugh 1223 Bengallie.

BARRE LATTER
NAZIR CHAINA TINJIN
MACHA TIMBAH
LAMA DUCHIM LONGADOO

(Sd.) MOIRA
“ N. B. EDMONGTONE
“ ARCHID SETON
“ GEO. DOWDESWELL

Ratified by the Governor-General in Council, at Fort William, this fifteenth day of March, one thousand eight hundred and seventeen.

(Sd.) J. Adam,
Acting Chief Secy. to Govt.
Copy of a Sunnud granted to the Rajah of Sikkim, dated 7th April 1817.

The Honourable East India Company, in consideration of the services performed by the Hill tribes under the control of the Rajah of Sikkim, and of the attachment shown by him to the interest of the British Government, grants to the Sikkimputtee Rajah, his heirs and successors, all that portion of low land situated eastward of the Meitche River, and westward of the Maha Nuddee, formerly possessed by the Rajah of Napaul, but ceded to the Honourable East India Company by the Treaty of Segoulee, to be held by the Sikkimputtee Rajah as a feudatory, or as acknowledging the supremacy of the British Government over the said lands, subject to the following conditions:

The British Laws and Regulations will not be introduced into the territories in question, but the Sikkimputtee Rajah is authorized to make such laws and regulations for their internal government, as are suited to the habits and customs of the inhabitants, or that may be in force in his other dominions.

The Articles or Provisions of the Treaty signed at Titalya on the 10th February 1817, and ratified by His Excellency the Right Honourable the Governor-General in Council on the 15th March following, are to be in force with regard to the lands hereby assigned to the Sikkimputtee Rajah, as far as they are applicable to the circumstances of those lands.

It will be especially incumbent on the Sikkimputtee Rajah and his officers to surrender, on application from the officers of the Honourable Company, all persons charged with criminal offences, and all public defaulters who may take refuge in the lands now assigned to him, and to allow the police officers of the British Government to pursue into those lands and apprehend all such persons.

In consideration of the distance of the Sikkimputtee Rajah’s residence from the Company’s Provinces, such orders as the Governor-General in Council may, upon any sudden emergency, find it necessary to transmit to the local authorities in the lands now assigned, for the security or protection of those lands, are to be immediately obeyed and carried into execution in the same manner as coming from the Sikkimputtee Rajah.

In order to prevent all disputes with regard to the boundaries of the low lands granted to the Sikkimputtee Rajah, they will be surveyed by a British Officer, and their limits accurately laid down and defined.
Part-IV

Deed of Darjeeling Grant 1835

Translation of the Deed of Grant making over Darjeeling to the East India Company, dated 29th Maugh, Sumbut 1891, A. D., 1st February 1835.

The Governor-General having expressed his desire for the possession of the Hill of Darjeeling, on account of its cool climate, for the purpose of enabling the servants of his Government, suffering from sickness, to avail themselves of its advantages, I, the Sikkimputtee Rajah, out of friendship to the said Governor-General, hereby present Darjeeling to the East India Company, that is, all the land south of the Great Runjeet
River, east of the Balasur, Kahail, and Little Runjeet Rivers, and west of the Rungno and Mahanuddi Rivers.

(Translated)

(Sd.) A. Campbell,

Superintendent of Darjeeling,

and in charge of Political relations with Sikkim.

Seal of the Rajah prefixed to the document.
Part-V

Treaty of Tumlong 1861

Treaty, Covenant, or Agreement entered into by the Honourable Ashley Eden, Envoy and Special Commissioner on the part of the British Government, in virtue of full powers vested in him by the Right Honourable Charles, Earl Canning, Governor-General in Council, and by His Highness Sekeong Kuzoo, Maharajah of Sikkim on his own part, - 1861.

Whereas the continued depredations and misconduct of the officers and subjects of the Maharajah of Sikkim, and the neglect of the Maharajah to afford satisfaction for the misdeeds of his people have resulted in an interruption for many years past of the harmony which previously existed between the British Government and the Government of Sikkim, and have led ultimately to the invasion and conquest of Sikkim by a British force; and whereas the Maharajah of Sikkim has now expressed his sincere regret for the misconduct of his servants and subjects, his determination to do all in his power to obviate future misunderstanding, and his desire to be again admitted into friendship and alliance with the British Government, it is hereby agreed as follows :-

1.

All previous Treaties made between the British Government and the Sikkim Government are hereby formally cancelled.

2.

The whole of the Sikkim Territory now in the occupation of British forces is restored to the Maharajah of Sikkim, and there shall henceforth be peace and amity between the two states.

3.

The Maharajah of Sikkim undertakes, so far as is within his power, to restore, within one month from the date of signing this Treaty, all public property which was abandoned by the detachment of British Troops at Rinchinpoong.
4.

In indemnification of the expenses incurred in 1860 by the British Government in occupying a portion of the territory of Sikkim as a means of enforcing just claims which had been evaded by the Government of Sikkim, and as compensation to the British subjects who were pillaged and kidnapped by subjects of Sikkim, the Sikkim Government agrees to pay to the British authorities at Darjeeling the sum of 7,000 (seven thousand) Rupees in the following installments, that is to say:-

May 1st, 1861 --------------------------- 1,000
Nov. 1st, 1861------------------------ 3,000
May 1st, 1862 ------------------------ 3,000

As security for the due payment of this amount, it is further agreed that in the event of any of these installments not being duly paid on the date appointed, the Government of Sikkim shall make over to the British Government that portion of its territory bounded on the south by the River Rummam, on the east by the Great Runjeet River, on the north by a line from the Great Runjeet to the Singaleelah Range, including the monasteries of Tassiding, Pemonchi, and Changacheling, and on the west by the Singaleelah Mountain Range, and the British Government shall retain possession of this territory and collect the revenue thereof, until the full amount, with all expenses of occupation and collection, and interest at 6 per cent per annum, are realized.

5.

The Government of Sikkim engages that its subjects shall never again commit depredations on British territory, or kidnap or otherwise molest British subjects. In the event of any such depredation or kidnapping taking place, the Government of Sikkim undertakes to deliver up all persons engaged in such malpractice, as well as the Sirdars or other Chiefs conniving at or benefiting thereby.

6.

The Government of Sikkim will at all times seize and deliver up any criminals, defaulters, or other delinquents who may have taken refuge within its territory, on demand being duly made in writing by the British Government through their accredited agents. Should any delay occur in complying with such demand, the Police of the British Government may follow the person whose surrender has been demanded into
any part of the Sikkim territory, and shall, on showing warrant, duly signed by the British Agent, receive every assistance and protection in the prosecution of their object from the Sikkim officers.

7.

In as much as the late misunderstandings between the two Governments have been mainly fomented by the acts of the ex-Dewan Namguay, the Government of Sikkim engages that neither the said Namguay, nor any of his blood relations, shall ever again be allowed to set foot in Sikkim, or to take part in the councils of, or hold any office under, the Maharajah or any of the Maharajah’s family at Choombi.

8.

The Government of Sikkim from this date abolishes all restrictions on travellers and monopolizes in trade between the British territories and Sikkim. There shall henceforth be a free reciprocal intercourse, and full liberty of commerce between the subjects of both countries; it shall be lawful for British subjects to go into any part of Sikkim for the purpose of travel or trade, and the subjects of all countries shall be permitted to reside in and pass through Sikkim, and to expose their goods for sale at any place and in any manner that may best suit their purpose, without any interference whatever, except as in hereinafter provided.

9.

The Government of Sikkim engages to afford protection to all travellers, merchants or traders of all countries, whether residing in, trading in, or passing through Sikkim. If any merchant, traveller, or trader, being a European British subject, shall commit any offence contrary to the laws of Sikkim, such person shall be punished by the representative of the British Government resident at Darjeeling, and the Sikkim Government will at once deliver such offender over to the British authorities for this purpose, and will, on no account, detain such offender in Sikkim on any pretext or pretence whatever. All other British subjects residing in the country to be liable to the laws of Sikkim; but such persons shall, on no account, be punished with loss of limb, or maiming, or torture, and every case of punishment of a British subject shall be at once reported to Darjeeling.
10.

No duties or fees of any sort shall be demanded by the Sikkim Government of any person or persons on account of goods exported into the British territories from Sikkim, or imported into Sikkim from the British territories.

11.

On all goods passing into or out of Tibet, Bhootan, or Nepaul, the Government of Sikkim may levy a duty of customs according to such a scale as may, from time to time, be determined and published without reference to the destination of the goods, provided, however, that such duty shall, on no account, exceed 5 per cent, on the value of goods at the time and place of the levy of duty. On the payment of the duty aforesaid a pass shall be given exempting such goods from liability to further payment on any account whatever.

12.

With the view to protect the Government of Sikkim from fraud on account of undervaluation for assessment of duty, it is agreed that the customs officers shall have the option of taking over for the Government any goods at the value affixed on them by the owner.

13.

In the event of the British Government desiring to open out a road through Sikkim, with the view of encouraging trade, the Sikkim Government will raise no objection thereto, and will afford every protection and aid to the party engaged in the work. If a road is constructed, the Government of Sikkim undertakes to keep it in repair, and to erect and maintain suitable traveller’s rest-houses throughout its route.

14.

If the British Government desires to make either a topographical or geological survey of Sikkim, the Sikkim Government will raise no objection to this being done, and will afford protection and assistance to the officers employed in this duty.

15.

In as much as many of the late misunderstandings have had their foundation in the custom which exists in Sikkim of dealing in slaves, the Government of Sikkim binds itself, from this date, to punish severely any person trafficking in human beings, or seizing persons for the purpose of using them as slaves.
16.

Henceforth the subjects of Sikkim may transport themselves without let or hindrance to any country to which they may wish to remove. In the same way the Government of Sikkim has authority to permit the subjects of other countries, not being criminals or defaulters, to take refuge in Sikkim.

17.

The Government of Sikkim engages to abstain from any acts of aggression or hostility against any of the neighbouring States which are allies of the British Government. If any disputes or questions arise between the people of Sikkim and those of neighbouring States, such disputes or questions shall be referred to the arbitration of the British Government, and the Sikkim Government agrees to abide by the decision of the British Government.

18.

The whole military force of Sikkim shall join and afford every aid and facility to British Troops when employed in the Hills.

19.

The Government of Sikkim will not cede or lease any portion of its territory to any other State without the permission of the British Government.

20.

The Government of Sikkim engages that no armed force belonging to any other country shall pass through Sikkim without the sanction of the British Government.

21.

Seven of the criminals, whose surrender was demanded by the British Government, having fled from Sikkim and taken refuge in Bhootan, the Government of Sikkim engages to do all in its power to obtain the delivery of those persons from the Bhootan Government, and in the event of any of these men again returning to Sikkim, the Sikkim Government binds itself to seize them, and to make them over to the British Authorities at Darjeeling without delay.

22.

With a view to the establishment of an efficient Government in Sikkim, and to the better maintenance of friendly relations with the British Government, the Maharajah of Sikkim agrees to remove the seat of his Government from Tibet to Sikkim, and reside there for nine months in the year. It is further agreed that a Vakeel shall be accredited by the Sikkim Government, who shall reside permanently at Darjeeling.
23.

This Treaty, consisting of twenty-three Articles, being settled and concluded by
the Honourable Ashley Eden, British Envoy, and his Highness Sekeong Kuzoo
Sikkimputtee, Maharajah, at Tumlong, this 28th day of March 1861, corresponding with
17th Dao Neepoo 61, Mr. Eden has delivered to the Maharajah a copy of the same in
English, with translation in Nagri and Bhootiah, under the seal and signature of the said
Honourable Ashley Eden and His Highness the Sikkimputtee Maharajah, and the
Sikkimputtee Maharajah has in like manner delivered to the said Hon’ble Ashley Eden
another copy also in English, with translation in Nagri and Bhootiah, bearing the seal of
His Highness, and the said Hon’ble Ashley Eden. The Envoy engages to procure the
delivery to His Highness, within six weeks from this date, of a copy of this Treaty, duly
ratified by His Excellency the Viceroy and Governor-General of India in Council, and
This Treaty shall in the meantime be in full force.

Seal (Sd.) SEKEONG KUZOO SIKKIMPUTTEE

“ ASHLEY EDEN, Seal

Envoy

“ CANNING. Seal

Ratified by His Excellency the Viceroy and Governor-General of India in Council at
Calcutta on the sixteenth day of April 1861.

(Sd.) C. U. AITCHISON,

Under-Secy. to the Govt. of India.
Part-VI

Convention between Great Britain and China relating to Sikkim and Tibet, - 1890.

Whereas Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exists between their respective Empires; and whereas recent occurrences have tended towards a disturbance of the said relations, and it is desirable to clearly define and permanently settle certain matters connected with the boundary between Sikkim and Tibet, her Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject and have, for this purpose, named Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, His Excellency the Most Hon’ble Henry Charles Keith Petty Fitzmaurice, G. M. S. I., G. C. M. G., G. M. I. E., Marquess of Lansdowne, Viceroy and Governor-General of India.

And His Majesty the Emperor of China, His Excellency Sheng Tai, Imperial Associate Resident in Tibet, Military Deputy Lieutenant-Governor.

Who having met and communicated to each other their full powers, and finding these to in proper form, having agreed upon the following Convention in eight Articles:-

1. The boundary of Sikkim and Tibet shall be the crest of the mountain range separating the waters flowing into the Sikkim Teesta and its affluents from the waters flowing into the Tibetan Mochu and northwards into other rivers of Tibet. The line commences at Mount Gipmochi on the Bhutan frontier and follows the above mentioned water-parting to the point where it meets Nipal territory.

2. It is admitted that the British Government, whose protectorate over the Sikkim State is hereby recognized, has direct and exclusive control over the internal administration and foreign relations of that State, and except through and with the permission of the British Government, neither the Ruler of the State nor any of its officers shall have official relations of any kind, formal or informal, with any other country.

3. The Government of Great Britain and Ireland and the Government of China engage reciprocally to respect the boundary as defined in Article 1, and to prevent acts of aggression from their respective sides of the frontier.

4. The question of providing increased facilities for trade across the Sikkim Tibet frontier will hereafter be discussed with a view to a mutually satisfactory arrangement by the High Contracting Powers.

5. The question of pasturage on the Sikkim site of the frontier is reserved for further examination and future adjustment.
6. The High Contracting Powers reserve for discussion and arrangement the method in which official communications between the British authorities in India and the authorities in Tibet shall be conducted.

7. Two Joint Commissioners shall, within six months from the ratification of this Convention, be appointed, one by the British Government in India, the other by the Chinese Resident in Tibet. The said Commissioners shall meet and discuss the questions which by the last three preceding Articles have been reserved.

8. The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same and affixed thereunto the seals of their arms.

Done in quadruplicate at Calcutta this seventeenth day of March in the year of our Lord one thousand eight hundred and ninety, corresponding with the Chinese date the twenty-seventh day of the second moon of the sixteenth year of Kuang Hsu.

Seal (Sd.) LANSDOWNE Chinese seal and signature.
Part-VII

Deed of Land Grant Given to Nandalal Upadhyaya Brahman

Translation:

Sri Pathing Kazi: Letter of Agreement

The lands lying to the north of Vardaman River, to the east of Rangapani, south of Tangla and to the west of Sitila belonging to me (Pathing Kazi) has been granted to Nandalal Upadhaya Brahman on the following conditions.

The fallow lands lying in these areas belonging to me, forests, pasture lands on the hills and the lowlands, the Paharias (Nepalese) have the right to settle down as per their convenience. The Paharias shall not cultivate lands above the canals dug for irrigation and they should terrace the lands lying below the canals for cultivation of paddy. For three years they are
exempted from taxation and from the fourth year onwards they should pay the Kazi, 8 (eight) murhi of paddy per family, and house tax at the rate of Re. 1/- (one), yearly. Paharias belonging to four castes and varnas (sub-castes), whoever comes should be granted permission to settle down as cultivators. The disputes among them should be settled by punishing and imposing fines according to the prevailing local laws. Liquors should be consumed only during Dasai (Dussera). The Paharias are free to use the lands, fruits and houses abandoned by the Bhutias. Paharias shall not sell their cattle to the Bhutias and Brahmans should not be asked to carry loads. The Paharias shall pay taxes without claim or objection and without any delay. If Bhutias try to interfere in the lands of the Paharias they should be brought to the kutcheri (courts) of the Kazi. Bhutias shall work for the Brahmans and shall respect them. The lands granted to you shall not be claimed by the Kazi and his children in future. This has been granted to you and has been entered in the register of Dewan Saheb. Granted to Nandalal Upadhaya Brahman, in presence of mondal and mukhtiyar with the seal of Kazi on 10th day of Asvin, Vikram Sambat 1843 (1887).
Revenue Order No. 1.

With reference to Order dated the 2nd January 1897, it is hereby again notified to all Kazis, Thikadars and Mandals in Sikkim that no Bhutias and Lepchas are to be allowed to sell, mortgage or sub-let any of their land to any person other than a Bhutia or a Lepcha without the express sanction of the Darbar or officers empowered by the Darbar in their behalf, whose order will be obtained by the landlord concerned. If anyone disobeys he will be severely punished.

In this order the term ‘mortgage’ means mortgaging the whole or part of holding on the Biyaz or Masikata system and the term sub-let means sub-letting the whole or part of holding on the Pakhuria system.

DEFINITION

(1) ‘Biyaz’ means mortgaging land to another person who enjoys the produce of the land as interest, so long as the principal loan remains unpaid.

(2) ‘Masikata’ means mortgaging of fields to a creditor who enjoys the produce of the field as an annual installment towards the loan.

(3) ‘Pakhuria’ means sub-letting, where a rayot allows another new rayot to settle upon a portion of his own holding, generally receiving from him some rent in cash and some assistance in cultivating his own fields.


C. A. Bell, Superintendent, Sikkim State.
Sikkim State.
General Department.
Notification No. 4960-G.

His Highness the Maharaja of Sikkim has been pleased to decide

(i) that jharlang, which is a form of forced labour, shall, with effect from the date of this notification, be resorted to only when transport is required; but for no other purpose, except emergent occasions where the Public Works Department are concerned;

(ii) that, in the case of State and Government officials:—

(a) rate, jharlang coolie shall be paid not less than six annas per stage when employed below an elevation of 2,000 feet;
(b) jharlang coolies, when employed at an elevation of or above 2,000 feet, shall be paid at the rate of annas eight per coolie per stage;
(c) for journeys between Gangtok and Lachen, or between Gangtok and Lachung, when coolies are taken more than one stage, an extra coolie for every six coolies must be allowed and paid for, for the carriage of rations;
(d) coolies engaged for a journey between Gangtok and Yatung shall be paid at rupees two and annas eight per coolie, from 1st May to 30th November of each year, and rupees three per coolie during the remainder of the year;
(e) coolies engaged for carrying dandles shall be paid at not less than ten annas per coolie per stage when employed below an elevation of 9,000 feet, and at annas twelve at or above an elevation of 9,000 feet;

(iii) that, when jharlang coolies, are procured by the Darbar for the Public Works Department on emergent occasions, that Department shall pay each coolie at the rate of six annas per day below an elevation of 9,000 feet, and annas eight per day at or above an elevation of 9,000 feet;

(iv) that, in the case of tourists:—

(a) coolies engaged in Sikkim territory shall be paid at eight annas per stage per coolie when employed below an elevation of 9,000 feet, and at ten annas at or above 9,000 feet;
(b) for journeys between Gangtok and Lachen, or between Gangtok and Lachung, when coolies are taken more than one stage, an extra coolie for every six coolies must be allowed and paid for, for the carriage of rations;
(c) coolies engaged for a journey between Gangtok and Yatung shall be paid at rupees three per coolie, from 1st May to 30th November of each year, and rupees three and annas eight per coolie during the remainder of the year;
(d) coolies engaged for carrying dandles shall be paid at the rates indicated at (iii)(e) above;

(e) that, when riding and pack ponies or mules are hired, the rates shall be as follows:—

(a) riding pony, with good European saddle and equipment, rupees three per stage;
(b) pack pony or mule, with saddle and equipment, rupees one and annas eight per stage.

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(c) pack pony or mule, annas twelve per stage when employed below an elevation of 3,000 feet, and at rupees one per stage at or above an elevation of 3,000 feet;

(d) for journeys between Gangtok and Lachen, or between Gangtok and Yatung, when ponies or mules are taken more than one day, an extra pony or mule for every six ponies or mules must be allowed and paid for, for the carriage of returns;

(e) pack ponies or mules engaged for a journey between Gangtok and Yatung shall be paid for at rupees five each from 1st May to 30th November of each year, and at rupees seven and annas eight each during the remainder of the year;

(f) when ponies or mules are taken to any distance of more than one stage (except between Gangtok and Rangpo by the cart road), they shall be paid for, for the return journey, at half of the rates prescribed at (e) (a), (b), (c) and (e) above.

Notes.—1. Any distance beyond four, but not beyond six miles, will be counted as a half-stage. Any distance beyond 6 and up to 12 miles will be considered a full stage. If any transport is detained for a whole day, half the hire for the stage that should have been completed shall be paid, provided no coolie gets less than 6 annas per day and that no halt or detention of transport were beyond two days. Should a detention exceed two days, full hire must be paid, plus two annas per coolie and four annas per animal per day, to meet cost of food.

2. 24 hours' previous notice must be given when 6 or less than 6 coolies or animals are required at Gangtok. If they are required at any other place, at least 3 days' notice must be given. Should more than 6 coolies or 6 animals be required, 3 days' notice must be given if the transport is required at Gangtok, and 7 days' notice if required anywhere else. The notice in every case should be given to the General Secretary to His Highness the Maharaja. Emergent cases will be attended to specially, as far as possible, by the local landlord.

3. There is no objection to any one making his or her own arrangement, on the distinct understanding that, if there should be any breakdown or trouble, the Sikkim Darbar will not hold themselves responsible in any way.

GANGTOK

PESTONJI JAMASJI,
General Secretary to
His Highness the Maharaja of Sikkim.

The 8th May 1923.

Memorandum No. 4961—21-G.

A copy of the foregoing notification is forwarded to the Political Officer in Sikkim, the State Engineer, Sikkim, the Judicial Secretary to His the Financial Secretary to all the landlords in the Sikkim State.

GANGTOK

PESTONJI JAMASJI,
General Secretary to
His Highness the Maharaja of Sikkim.

The 8th May 1923.