CHAPTER SEVEN

THE ADMINISTRATIVE SYSTEMS OF THE CHIEF COMMISSIONERSHIP AND THE LIEUTENANT GOVERNERSHIP
CHAPTER VII

THE ADMINISTRATIVE SYSTEMS OF THE CHIEF COMMISSIONERSHIP
AND THE LIEUTENANT GOVERNORSHIP

When the Secretary of State accorded his approval to the creation of Chief Commissionership in Assam, he laid down the following conditions that:

(I) The system of administration would be simple and inexpensive and that

(II) the Secretariat would not have the full complement of departments and staff as normally a Chief Commissionership would be entitled to.¹

In organising the administration of Assam, these conditions were scrupulously followed. The administrative system in 1874 was simple. The Chief Commissioner had ordinarily the powers of a Local Government. He was assisted by a Secretary and an Assistant Secretary.²

On May, 1874 the Assam Commission was provisionally formed, and a staff of officers sufficient for his immediate requirement was placed at the disposal of the Chief Commissioner.²

The Assam Commission, thus provisionally formed consisted of a Chief Commissioner, a Judicial Commissioner, ten Deputy Commissioners and 12 Assistant Commissioners.

As regards the administration of justice, the Governor General in Council decided to continue for the present the existing arrangement by which the High Court at Calcutta supervised the administration of justice and was itself the Supreme Court of Appeal. Therefore, so far as the judicial work of Assam was concerned, there was no necessity for the appointment of a Judicial Commissioner. Moreover, Assam was considered a province with little revenue, and light general work. Education was backward. The advantages of registration were scarcely recognised. The jails were of a petty character and of the police the most important portion, would owing to the peculiar relation of Assam with the Frontier Tribes, necessarily remained under the direct control of the Chief Commissioner. With a view to relieve the Chief Commissioner of minor details, his Secretariat staff was strengthened by the addition of an Assistant Secretary.3

The Secretary and Assistant Secretary stood separate from the graded list and were not graded in the rank of the Deputy Commissioner or the Assistant Commissioner.

The provisional list published on 12th May, 1874 was altered in this respect and to provide for the executive

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administration of the district of Sylhet, the following appointments were added to the Commission.

1 Deputy Commissioner.
1 Assistant Commissioner.

It was decided that the judge of Sylhet and Cachar would be selected by the Governor General in council from among the covenanted civilians in Bengal, who had adopted the judicial line of service. The whole administration of Assam was as follows:-

Chief Commissioner of Assam.
Secretary to the Chief Commissioner.
Assistant Secretary to the Chief Commissioner.
Judge of Upper Assam.
Judge of Sylhet.
Deputy Commissioners, First Grade 4 to be reduced to three hereafter.
Deputy Commissioners, 2nd Grade 2 to be increased to three hereafter.
Deputy Commissioners, 3rd Grade 3.
Deputy Commissioners, 4th Grade 2.
Assistant Commissioners, 1st Grade 5.
Assistant Commissioners, 2nd Grade 6.
Assistant Commissioners, 3rd Grade 7.

The appointments in Sylhet would be held by covenanted civilians only. 4

The following officers were appointed to the Assam

4Ibid.
Commission 6

Chief Commissioner - Colonel R.H. Keatinge, V.C., C.S.I.

Secretary to the - Mr. H. Luttman Johnson, R.A., C.S.
Chief Commissioner

Assistant Secretary - Vacant

Judicial Commissioner - Colonel W. Agnew
Assam

Judge of Sylhet - Mr. H. Maspratt, C.S.

Deputy Commissioner, First Grade - (4)

1. Lieutenant Colonel E.S. Mivar.
2. Lieutenant Colonel A.K. Quamb.
4. Mr. A.L. Clay, C.S.

Deputy Commissioner, 2nd Grade - (3)

5. Lieutenant Colonel T. Lamb.

Deputy Commissioner, 3rd Grade - (3)

7. Major A.E. Campbell.
9. Mr. C.G.R. McWilliam, C.S.

Deputy Commissioner, 4th Grade - (2)

10. Captain W.J. Williamson.
11. Captain J. Butler.

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6The Gazette of India. H.D. Resolution No. 978.
Assistant Commissioners - 1st Grade (8)

14. Mr. W.O.A. Baskett.
15. Mr. Arthur Forbes, B.A., C.S.
16. Mr. A.C. Campbell.

Assistant Commissioners - 2nd Grade (6)

17. Mr. P.T. Carnegy.
18. Captain M.O. Boyd.
22. Mr. G.H. Damant, C.S.

Assistant Commissioners - 3rd Grade (7)

23. Captain J. Johnstone.
24. Mr. H.F. Mathews, C.S.
25. Mr. J.K. Wight, C.S.
26. Mr. G. Godfrey, C.S.
27. Lieutenant W.A. Holcombe.
29. Lieutenant M.A. Gray, offg.

In 1901-02, the general executive staff consisted of (1) members of the Assam Commission, (2) members of the Provincial service, and (3) members of the Subordinate Civil Service.
The following were the cadre posts reserved for members of the Commission:

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<thead>
<tr>
<th>Administration</th>
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<tbody>
<tr>
<td>Chief Commissioner</td>
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<tr>
<td>Secretary to the Chief Commissioner</td>
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<tr>
<td>One Assistant Commissioner as Under Secretary</td>
<td>4</td>
</tr>
<tr>
<td>Commissioner of the Assam Valley districts</td>
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</tbody>
</table>

| District and Sessions Judges | 2 |
| Deputy Commissioners (Heads of Districts) | 12 |
| Assistant Commissioners | 8 |

The number of appointment to fill these posts was 41 (a reserve of 12 being allowed to provide for officers on leave, and for temporary appointments and deputations) and under standing orders, three fourths of these appointments were to be filled by the members of the Indian Civil Service, who were transferred from the Bengal list, and one fourth by officers of the Indian Staff Corps.

The sanctioned strength of the Provincial Civil Service comprised 36 Extra-Assistant Commissioners, who were selected according to rules approved by the Government.

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of India and the Secretary of State. Four of these appointments were reserved for officers of European descent, the remainder being filled by the people of India.

The Subordinate Civil Service was composed of 40 Sub-Deputy Collectors, distributed in five grades, and 12 tahsildars who did not belong to a graded list but drew a fixed pay attached to their respective posts. The Sub-Deputy Collectors were recruited from among the people of the Province. These officers were chiefly employed on duties connected with the administration of land revenue, and since 1898 the policy had been followed of placing Sub-Deputy Collectors in charge of tahsils, an addition being made to the list of Sub-Deputy Collectors whenever any vacancy occurred among the non-graded tahsildars.7

By 1911-12, the number of cadre posts reserved for the members of the Commission increased to 458:

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<tr>
<th>Administration</th>
<th>Chief Commissioner</th>
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<tr>
<td></td>
<td>Chief Secretary to the Chief Commissioner</td>
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<td></td>
<td>Second Secretary to the Chief Commissioner</td>
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<td></td>
<td>Two Assistant Commissioners as Under Secretaries</td>
</tr>
<tr>
<td></td>
<td>Commissioners of the Assam Valley districts and Sarma Valley and Hill districts</td>
</tr>
</tbody>
</table>

| Deputy Commissioners (Heads of districts) | - 12 |
| Assistant Commissioners                 | - 21 |

7 I. M. P. P. 45-46.

8 Report on the Administration of Assam for the year 1911-12, Part II, P. 49.
The number of appointments sanctioned to fill these posts was 48 (a reserve of 3 being allowed for posts under the Government of India and for deputations). The Assam cadre was a purely executive one.

The District and Sessions Judges of the Assam Valley Districts, and of Sylhet were officers of the Bengal cadre, whose services were lent by that Government.

The sanctioned strength of the Provincial Civil Service comprised 50 Extra Assistant Commissioners who were appointed in accordance with rules framed by the Local Administration.

The Subordinate Civil Service was composed of 61 sub-deputy collectors, distributed in five (5) grades. The Sub-Deputy Collectors were recruited from among the people of the Province. These officers were chiefly employed on duties connected with the land revenue administration.\(^9\)

Certain changes in the administrative system were made after 1912, for instance:

\(^9\)Ibid.
The judicial staff of the Province was strengthened by the temporary appointment in May 1913 of Abdul Hamid, B.A., L.L.B., Barrister-at-law, as Superintendent and Legal Remembrancer, and the temporary appointment in April 1914 of Khan Bahadur Maulvi Muhammad-ud-din Ahmed, Extra-Assistant Commissioner as Subordinate Judge and Assistant Sessions Judge of the Assam Valley Districts.  

The First world war (1914-1918) had its effects on the administration of the Province. A policy of rigid economy in the administration was followed and all schemes and projects with the exception of those which were imperative and unavoidable were postponed with a view to facilitating the release of a number of Government servants for military duties.  

The policy of rigid economy in all branches of the administration was continued throughout 1917-18. The Administration released more officers for military duties from its already depleted cadres.  

During the year 1918-19, the Assam Administration spared in all 174 officers for military duty.  

No administrative changes of importance were made during the year 1919-20.

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Assam was constituted a Governor's Province with effect from the 3rd January 1921 and Sir W. D. Bentzon Bell was appointed to be the first Governor.18

On 4th May 1874 there were several Departments and offices under the Chief Commissioner namely, the General Department, the Judicial Department, the Revenue Department, the English office, the Vernacular office, and the Record Department. The total strength of the staff belonging to these Departments and offices was 26 of which there were three Head Assistants, three Head Clerks, three second clerks, two third clerks, seven copyists of different grades and a Hospital Assistant, a Sheristadar, a Mohurin, a Record Keeper, an Assistant Record Keeper, a Registrar, a Despatcher, and a Draughtsman. The servants were a Book Binder, two daftraries, four office peons, one Tent calassi and one sweeper. The secretary's orderlies consisted of one Jemadar and three chaprasis and that of Assistant Secretary's three chaprasis. Some substantive allowance to apprentices was also provided for.

The total monthly cost of the office Establishment of the Assam Secretariat was Rs. 3,160, while that of the Commissioner's office Establishment as it stood on the 30th April, 1874 was Rs. 2,161. Thus the extra cost involved was Rs. 999. This was due to the fact that Commissioner's Establishment was initially converted into the Chief Commissioner's Secretariat apparently without any

As it was found impossible to carry on the work of the Chief Commissioner's office with the Provisional Establishment mentioned above, four extra clerks were entertained as a temporary measure from 1. August 1874, on a monthly cost of Rs. 200.17

With the growth of administration, additions and alterations were made from time to time to the Provisional Establishment and the Assam Secretariat continued to expand. By 1886, the Assam Secretariat had 60 clerks at an average expenditure of Rs. 4,777 on pay. In 1904, the number of clerks increased to 61 and the cost to Rs. 8331. Before the constitution of the Province of Eastern Bengal and Assam in 1905, the Assam Secretariat had one Superintendent, six Head Assistants and 50 clerks on various scales of pay and 4 apprentices.

In 1880, the post of a Superintendent was created who was in over all charge of the Secretariat office Establishment. In 1905, the office of the Registrar with greater responsibility, powers and functions replaced the Superintendent.

The formation of the Province of Eastern Bengal and Assam in 1905 led to the expansion of the Secretariat

Establishment. After the annulment of Partition and restoration of Chief Commissionership in Assam on April 1, 1912, the Secretariat with its reduced strength came back to Shillong. The Government of India sanctioned in March, 1912, 66 hands of whom 60 were clerks. The principle of gradation of clerks into two 'divisions' - Upper and Lower on the basis of nature of duties and responsibilities involved was adopted for the first time in the Secretariat organisation.

In course of time, the work of administration became more and more complex and varied. Receipts and issues in all the branches increased since 1913. Many subordinate offices namely the offices of the two Commissioners, of the Inspector General of Police and the Inspector General of Civil Hospital had in the meantime expanded and this among others added to the work of the Secretariat. But in view of the economy enforced by the Government of India, no additional staff could be sanctioned before 1918 when only four clerks were recruited. In 1918, the total strength of the Secretariat was 4 Head Assistants, 17 Upper Division and 37 Lower Division Assistants. By 1919, the number of Head Assistants rose to 6, the Upper Division to 18 and the Lower Division to 45.18

The Secretariat at its formation had only one Secretary to head the entire setup. The Public Works was a separate administration but the Chief Commissioner exercised the powers of Local administration with the Superintending Engineer.

18Dutta Ray, B., Assam Secretariat. (Unpublished).
as his Secretary for that Department.

In 1890, the Secretariat was divided into 4 branches namely (I) General, (II) Political and Judicial (III) Revenue and (IV) Accounts and Statistics. The last was an addition to the already three existing Departments. In 1901, another reorganisation took place raising the number of branches to eight viz, (V) Issue, (VI) Recording (VII) Record and (VIII) Library.

In 1906, when Assam was united with Eastern Bengal to form the shortlived Lieutenant Governorship of Eastern Bengal and Assam, the Secretariat was divided into offices and departments as follows :-

<table>
<thead>
<tr>
<th>Office</th>
<th>Departments</th>
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<tbody>
<tr>
<td>Chief Secretary</td>
<td>Revenue</td>
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<tr>
<td></td>
<td>Appointment</td>
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<tr>
<td></td>
<td>Education</td>
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<td>Judicial Secretary</td>
<td>Judicial</td>
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<td></td>
<td>General</td>
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<tr>
<td>Financial Secretary</td>
<td>Financial</td>
</tr>
<tr>
<td></td>
<td>Municipal</td>
</tr>
</tbody>
</table>

After the restoration of Assam to its former status of a Chief Commissioner's province in 1912, the number of Secretaries was reduced to two - a Chief Secretary and a Second Secretary, and the Departments to four i.e. Appointment, Judicial, Financial and Revenue. The first three Departments were under the charge of the
Chief Secretary. There was, however, periodical redistribution of work between the two Secretaries.

In 1919-20, the Chief Secretary looked after Appointment, Political and Judicial and Revenue and Agriculture Department and the Second Secretary, Financial and the General Department as well as Municipal and Education Department. 19

As in other parts of India, the unit of administration was the district. The District Magistrate or the Deputy Commissioner, as he was called in Assam, was responsible for the collection of revenue, the administration of justice, the preservation of order and the proper working of all departments of the Government within its boundaries. 20

The Deputy Commissioner was assisted by Assistant Commissioner and Extra-Assistant Commissioners who were entrusted with such parts of his duties as they were empowered to perform. In certain localities Honorary Magistrates were appointed with power to try petty cases. 21

The districts forming the Chief Commissionership of Assam constituted one Police District and the Chief

19Ibid.


Commissioner exercised the powers of Inspector General of Police in that district. The immediate management of the police department was entrusted to a special officer, the District Superintendent of Police, under the central of the Deputy Commissioner.

At the beginning the administrative set up was not well organised and there was no uniform system in the lower subordinate links in the chain of executive authority. In Assam proper each district was divided into numerous fiscal divisions, called Mauzas, over each of which was appointed a Mazadar who acted as Government representative in the rural areas. He collected the Government revenue and executed the orders of the Deputy Commissioner among the rural population. In Goalpara and Sylhet, where the Permanent Settlement was in operation, the system was different. In the absence of any such subordinate fiscal officers, the central authority itself executed its orders in these two districts. In Cachar there were fiscal and executive officers, termed Tahsildars, whose functions and responsibilities differed materially from those of the Mazadars in Assam proper.

The Deputy Commissioner, Assistant Commissioner and Extra-Assistant Commissioner exercised judicial powers in various gradations in addition to their

22Gazette of India, September 12, 1874.
administrative duties. In the district of Sylhet alone, the lower grades of the judicial officers performed no administrative functions. The power and authority of all civil and Sessions Judge for all the Districts of the Assam Valley were concentrated in one officer. The Judge of Sylhet was also Sessions Judge for Cachar. He had no jurisdiction over civil cases in that district. The Deputy Commissioner exercised the functions of the civil judge there.

In 1875-76, the judicial and administrative staff of the province consisted of 2 Judges, 11 Deputy Commissioners, 18 Assistant Commissioners, 24 Extra-Assistant Commissioners, 8 Subordinate Judicial Officers (Sylhet), 2 Sub Deputy Collectors (Sylhet), and a special establishment of 1 Assistant Commissioner and 2 Deputy Collectors for settlement work. The number of Honorary Magistrates was 25. There were also 2 special Extra-Assistant Commissioners appointed in the districts of Cachar and Lakhimpur, to assist in political dealings with the hill tribes. The members of the higher branches of this staff belonged to the army and covenanted civilians, with a few uncovenanted officers. The lower grades of the service were chiefly filled by the people of the land.

24 The Gazette of India. Notification No. 567 (Judicial) dated 29.4.1874.

The civil police force of Assam consisted of 8 District Superintendents, 6 Assistants, 26 Inspectors, and 2,704 petty officers and constables. Besides these, the frontier police in Cashar and Sylhet numbered 630 petty officers and men. The Assam police officers were considered for purposes of promotion, to be borne on the list of Bengal police.

The civil medical officer of the station was entrusted with the immediate management of the jail. He was also in-charge of the only Lunatic Asylum in the province, the Deputy Commissioner exercising a general superintendence.

The supervision and control of the department of police and jails, as well as Excise and Stamps, devolved, at the beginning, with the central Administration.26

An Inspector of Schools supervised over the Education Department of the State. He was also in-charge of the Registration Department. In the performance of his educational duties he was assisted by a staff of 9 Deputy Inspectors and 12 Sub-Inspectors.

The Forest Department was placed under the control of a Deputy Conservator, who had the assistance of Assistant Conservators and sub-ordinate establishments.

The Medical Department was under the management of the Deputy Surgeon-General of the Dacca circle, who had

26 Ibid.
his headquarters at Shillong. He also looked after vaccination and Dispensaries of the province.27

The formation of the Chief Commissionership of Assam made it necessary to separate the accounts of Assam from the accounts of the Bengal Presidency with which they had hitherto been incorporated. A Deputy Accountant General was appointed and placed in charge of the Accounts of the Assam province in subordination to the Imperial Department of Accounts.28 The Postal and Telegraph Departments were also branches of Imperial establishments.

The Public Works Department was supervised by the Superintending Engineer, who was also Secretary to the Chief Commissioner in this branch of the administration.

A special officer was appointed as Inspector of Labourers in Upper Assam, to supervise the immigration and treatment of imported coolies in the tea gardens of those districts. In other districts, this duty was performed by the administrative staff.29

In the province of Assam, only one ecclesiastical appointment was held by a chaplain who officiated during a part of the year both at Gambati and Shillong. Allowances to officiating ministers were given in four other stations.

27Ibid.
Missionaries in many Districts were permitted to solemnise marriages. 30

**LAND REVENUE ADMINISTRATION**

Assam was subject to an annual settlement. The whole country was divided into tahsildari circles or masasas, each presided over by a munsadar, who measured annually the holding of every cultivator, and assessed him at certain rates on the acreage he held. The cultivation fluctuated considerably, or in other words, cultivators were migratory in their habits. Generally speaking, the low rice-lands were regularly cultivated from year to year, while higher lands were cultivated in cycles of years. The former called rupit, were assessed at Rs. 1.14.0 (3s 9d) an acre; and the latter, called pharingati at Rs. 1.8.0 (3s); homesteads orchards and gardens at Rs. 3 (6s). A right of occupancy was distinctly recognised in the cultivator, subject to the payment of the revenue demand. A right of transfer was tacitly recognised. Leases for ten years, though encouraged, were rarely taken, the people being afraid of binding themselves for so long a period. Holdings settled for a term were expressly declared to be hereditary and transferable, on condition of the transfer being registered. There was a class of proprietors called

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30 I bid.
mis-khairajdars, who were allowed to pay half the preceding rates on the land they held, up to a certain limit of areal. These occupied a somewhat irregular position. Lastly, there were some large holdings, called 'chamras' in Kamrup and 'Khairkhat' in other Districts, the revenue of which was paid direct into the treasury without the intervention of mausadars; but the holders of those estates were merely large ryots, with the privilege of paying revenue direct.31

Arrears of revenue in Assam proper were usually realised by what was called the bajikal process. If the revenue due from a ryot was left unpaid on the last day of payment, the mausadar used to put in a bajikal, or statement showing the name of the ryot, the amount of revenue in arrear, and the particulars of the land on account of which it was due. He also filed the ryots' Kabuliyat, or the counterpart of his lease. The Deputy Commissioner, on receipt of the bajikal would issue an order on his Nazir to realise the arrear, or in default to attach the moveable property of the defaulter. On failure to pay the arrears within 15 days after the date of attachment, the property was sold, and the proceeds applied in satisfaction of the Government demand. A mausadar could recover in the civil court from a ryot any advances which he might have made to the latter on account of revenue, within the period of

31Report on the Administration of Land Revenue, Assam for 1874-75.
limitation fixed for all money debts.

A House Tax, a relic of the ancient revenue system of the province, continued to be levied in Kamrup, as in some other parts of Assam proper. The house tax was levied only from jum cultivators, and other people of migratory habits.32

We have sketched above the administrative system, as it was found in the formative years of the Chief Commissionership of Assam. Since then there was development of administration. We may note the major changes in the development of the administrative machinery of Assam.

The most important measure of administrative reform during the year 1880-81 was the creation of commissionership for the Assam Valley. This measure had long been under discussion and was finally carried into effect in January 1881 by uniting, the functions of a Commissioner with those of the civil and Sessions Judge in the Valley districts, thus applying to Assam the principle which had from the commencement been adopted in other so-called non-Regulation Provinces. No additional expense was caused by the arrangement, an office staff being provided for the Commissioner by reductions in the Secretariat and by remodelling the establishment of the Judge's office.

32Ibid.
On the 4th June, 1880, the Chief Commissioner, under Section 4, Act XIV of 1874, by notification directed that the Judge and Commissioner of the Assam Valley districts namely Goalpara, Kamrup, Darrang, Nowgong, Sibsagar and Lakhimpur should exercise jurisdiction and perform duties imposed on a Commissioner of the Division by any enactment then in force, or which might thereafter be extended to any of these districts. The functions of the Commissioner as well as the future relations between districts officers and the Local Government were clearly defined in a Resolution of the Chief Commissioner, dated the 11th June, 1880. 33

In short, the Commissioner was invested generally with the powers of a Commissioner of Division in Bengal. In the other districts of the Province, that is in the Surma Valley and Hill Districts, the Chief Commissioner continued to perform the duties of a Commissioner of Division. It was subsequently found necessary to relieve the Commissioner of his judicial functions and in 1902, a separate appointment of the Judge of the Assam Valley Districts was made. In October, 1905, a second Commissionership was created for the Surma Valley and the Hill Districts Division comprising the districts of Sylhet and Cashar and all the Hill Districts except the Garo Hills

district, which was included within the jurisdiction of the Commissioner of the Assam Valley districts from 1, September, 1909.

During the year 1900-1901, the development of the subdivisional system in Sylhet was further advanced by a rearrangement of the thana of that district, with a view to the more convenient distribution of the area and population between different subdivisions.

The judicial organisation of the Province remained much the same as it was constituted in 1874. The six districts of the Assam Valley and the districts of Sylhet and Cashar were subordinate to the High Court of Fort William in Bengal. For the whole of Assam Valley there was one District and Session Judge, whose headquarters were at Gauhati but who held sessions in Circuit at the various district headquarters when required. The Deputy Commissioners of the six districts had the civil powers of the subordinate judges, and the special powers conferred by Sections 30 and 34 of the criminal procedure code for trying all offenses not punishable with death, and awarding a sentence of seven years' imprisonment. The Assistant and Extra-Assistant Commissioners had the ordinary powers of Magistrates of the first, second and third classes, and had also generally the

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34Report on the Administration of Assam, for the year 1911-12. Part II. P. 60.
civil powers of a Munsiff, though only the Senior Assistant or Extra Assistant Commissioner at a headquarters station and the second officer at a subdivisional station ordinarily exercised these powers.

In the Surma Valley, on the other hand, a different system prevailed. In Sylhet there was a separate judicial service, at the head of which was the District and Sessions Judge, aided by an Additional District and Sessions Judge and two Subordinate Judges and a staff of Munsiffs for the disposal of civil cases. The Deputy Commissioners, Assistant Commissioners and Extra Assistant Commissioners had only ordinary Magisterial powers in criminal matters. In Cachar, the Sessions Judge was the Judge of Sylhet, who held sessions at Silchar when necessary, but the Deputy Commissioner had the special criminal powers mentioned in Sections 30 and 34 of the Criminal Procedure Code. The Deputy Commissioner, however, and not the Judge of Sylhet, was the District civil Judge. There was no subordinate Judge, and the Assistant and Extra Assistant Commissioners exercised the powers of Munsiffs in addition to their functions as Magistrates and executive officers. The additional subordinate Judge of Sylhet visited the district of Cachar from time to time and heard most of the appeals from the decisions of the Extra Assistant Commissioners.37

Besides the Judicial officers named above, there were a few Honorary Magistrates in nearly every district. 38

It may be mentioned that the criminal procedure code was in force in the Eastern Dumps in Goalpara and that tract was therefore on the same footing as the plains district, so far as the administration of criminal justice was concerned. The civil procedure code, however, was not in force. Its place was taken by rules under Section 6 of Act XIV of 1874, which contained much the same provisions as the corresponding rules framed for the tracts that were under the operation of Regulation II of 1880. 39

It may also be pointed out that during the Abor expedition and the Mishmi and Miri Mission it was decided that the hill tribes who bordered the plains of Assam should be dealt with by Political Officers working directly under the orders of the Government of Assam. The Government of India, Foreign and Political Department Notification of 1914 promulgated that the Assam Frontier Tracts Regulation of 1880 would extend to the hills inhabited or frequented by Abors, Miris, Mishmis, Singphos, Nagas, Khamptis, Shuitias, Akas and Daflas. 40

39 Ibid.
Previously they had been controlled by the Deputy Commissioners of Darrang and Lakhimpur but events had proved that these officers had already more than sufficient work in carrying on the ordinary administrative duties of their districts and had little time to spare for touring among them and thus becoming acquainted with the hill tribes who overlooked them. So these hills were separated from Darrang and Lakhimpur Districts and the North East Frontier was divided into three sections or administrative units namely (i) the Central and Eastern Section, (ii) the Lakhimpur Frontier Tract and (iii) the Western Section.

The first and the third units were each placed under the charge of a Political Officer in 1914. The Deputy Commissioner, Lakhimpur District remained in charge of the second unit. The headquarters of the first and third units were located at Sadiya and Charduar respectively.

In 1919, the Central and Eastern Section came to be known as Sadiya Frontier Tract and the Western Section, as Balipara Frontier Tract. The Lakhimpur Frontier Tract retained its name. This position obtained during the period under our review.41

**REVENUE ADMINISTRATION**

The superior authorities entrusted with the Revenue administration were the Chief Commissioner, the

41Ibid., P.10.
Commissioners of the Assam Valley Districts Division and the Surma Valley and the Hill Districts Division, the Deputy Commissioner in each district and the Assistant and Extra Assistant Commissioners. Below these, there were different subordinate officers in different districts. Each subdivision in the plains district, except Goalpara, had a sub-deputy Collector, who was appointed mainly for supervision of the revenue establishments, for surveying waste and cultivated lands and the compilation of the revenue records of returns.

Goalpara, except the Eastern Duars, was permanently settled, and there were no unfissil revenue establishments. In the other districts of the Assam Valley and in the Eastern Duars the revenue was collected by contractors, called mansadars, holding shares of the revenue assessment and collection within definite areas, called mansas into which the district was divided. The mansadar got the assessment done through the agency of his mandals (subordinate officers answering in some respects to the patwaris of upper India), and when the work was completed for the whole of his mansa, submitted to the Deputy Commissioner a statement showing the resultant revenue. He then entered into a contract to pay this revenue, and any additional revenue which might be assessed on land subsequently taken up within the year for cold weather cultivation, upon payment to him of a commission calculated at 10 percent on the first Rs. 6,000
of the revenue and 5 percent on any amount above that sum. For this revenue, he was held responsible, whether he himself realised it from the cultivators or not.42

Till 1886, Sylhet proper was under the operation of old Bengal Regulations and the other land revenue enactments in force in Bengal. In Jaintia and Cachar and also, though to a less extent, in Goalpara these enactments were generally followed, but they were not considered as actually in force. In the Brahmaputra Valley proper, the Settlement rules of the Board of Revenue had been replaced by local rules which were revised and recast in 1883. In other respects the revenue law of Bengal was followed, so far as the local officers considered it to be applicable, but it was not treated as legally in force. All doubt and uncertainty were, however, removed by the enactment of the Assam Land and Revenue Regulation, I of 1886, which had been brought into force in all the plains districts of the province. It contained all the necessary provisions of the revenue law of Bengal, the whole of which it repealed, so far as Assam was concerned. The Regulation was amended in some respects as regards the recovery of arrears of revenue by Regulation II of 1889, and its provisions regarding settlements, mutations, partitions, the recovery of arrears, etc. had been supplemented by rules issued under it and

This system was largely in vogue but had to a considerable extent superseded by the formation of tahsils whereby from 3 to 11 mauzas were amalgamated and placed in a charge of a tahsildar, who was paid/salary, and not commission. The first tahsils were formed in 1883-84, when four were formed in the Kamrup district. The system was extended so rapidly that by the close of 1892-93, 23 tahsils were in existence in the Brahmaputra Valley, absorbing in all 128 mauzas. Since that date only four new tahsils had been formed and none had been opened during the last five years prior to 1901-1902. Of the 27 tahsils, 16 were in charge of Sub-Deputy Collectors, and 11 non-graded tahsildars. Twenty five lakhs of rupees were collected (in 1901-1902) in tahsils, as compared with seventeen lakhs realised from mauzads and waste land grantees.

At each subdivisional headquarters in Sylhet there was a collecting office, where the revenue was paid and the accounts were made up. There were also subsidiary collecting officers in certain temporary settled tracts, viz., at Gauinghat and Kanairghat in Jantia; at Pathar Kandi, and at Hakaluki in Karimganj. Proceedings for the realisation of the arrears were taken at the subdivisions.
In the plains portion of Cashar also there were three collecting or tahsil establishments for receipt of the revenue. Two of these were located at the Sadar and sub-divisional headquarters and the third at Katigora.

In the Hill districts, the general rule was that house tax, and not land revenue, properly so called, was paid; but in the Garo Hills, and a small area in the Jaintia and Naga Hills, there were tracts where land revenue was taken, and musnadars were the agency employed for collection. The house tax was, in the Garo, Jaintia and Naga Hills, and the few villages in the Khasi Hills, which were British territory, collected and paid in by headmen, who, like the musnadars of the Assam Valley were remunerated by a Commission. These officers were called Lashkars and Lukmas in the Garo Hills, Dollois and Sardars in the Jaintia and Khasi Hills, and the Lambardars in the Naga Hills and Musnadars in North Cashar. In the Lushai Hills the house tax was collected and paid by the village Chiefs.\footnote{Report on the Administration of Assam for the year 1911-12, Part II, pp. 61-62; and the Report for the year 1902-1903, Part II, p. 48.}

\section*{Land Records and Agriculture}

The Director of the Department of Land Records and Agriculture was a member of the commission of the standing of a Deputy Commissioner. He supervised the survey and
settlement operation. He was also entrusted with the
collection of trade and agricultural statistics, the
management of the Survey Schools and other similar matters. 46

POLICE.

The province of Assam was a general police district
under the control of an Inspector General who was a senior
member of the Assam Commission of the standing of the
Deputy Commissioner. By 1901-1902, he was allowed a
personal Assistant, who was on the graded list of Extra
Assistant Commissioners, and in 1911-1912, his Personal
Assistant was on the graded list of Superintendent of
Police. In each of the plains districts there was an
officer either a District Superintendent or an Assistant
Superintendent, who was in charge of the civil police work.
These officers were borne on the Bengal staff of Police
officers, and received promotion in that list.

There were two distinct forces under the control
of the Inspector General of Police namely, the civil police
and the Military Police. The civil police was entrusted
with the maintenance of law and order and the prevention
and detection of crime. The Military Police were confined
to the Military duties of manning frontier outposts, and
for the control of the Garo, Naga and Lushai Hills. Both
forces were subject to Act V of 1861, but for the Military

46Ibid. P.62 and P.48 respectively.
Police there was in addition a special Regulation (the Assam Military Police Regulation No. IV of 1890, superseded in 1912 by Act III of the Eastern Bengal and Assam Council), which provided for the enforcement of due discipline, and assimilated generally the terms of service to those prevailing in the Indian Army. 47

According to the Administrative Report for the year 1901-1902, there were five battalions of Military Police, namely (1) The Lakhimpur Battalion with headquarter at Dibrugarh; (2) The Silchar Battalion with headquarter at Silchar; (3) The Naga Hills Battalion with headquarter at Kohima; (4) The Garo Hills Battalion with headquarter at Tura; and (5) The Lushai Hills Battalion with headquarter at Aijal. By 1911-12, the number of battalions was reduced to three.

At the close of the year 1901, the sanctioned strength of the Civil and Armed Police in Assam was 2,748 and that of the Military Police 3,007. At the close of the year, 1911, the sanctioned strength of the Civil Police rose to 3,228 officers and men and that of the Military Police reduced to 2,819. The battalions of Military Police were commanded by military officers, whose services were temporarily lent. 48

There was a force of Chaunidarw or rural police in the districts of Sylhet, Cashar and Goalpara. All

47Ibid. P. 52 and Pp. 48-49 respectively.
48Ibid.
ehaukidars were enlisted under Act VI (B.C.) of 1670. On the last day of 1901, there were in the province 6,769 village police, of whom 6,313 were in Sylhet, 488 in Cashar and 878 in Goalpara. Their cost for the year was Rs. 32,283, the whole of which was paid by the villagers. 
The number came down to 6,611 in 1911, of whom 5,079 belonged to Sylhet, 860 to Cashar and 962 to Goalpara.
The cost of this force was Rs. 3,20,227, the whole amount of which was realised from the villagers.

In the districts of the Brahmaputra Valley other than Goalpara, where there were no rural police, mauzasars and mandals helped the authorities in the prevention and detection of crime. In each village (or group of hamlets) there was a gaonbura or village headman who was recognised as the representative of the villagers in police matters.

JAIL

Like other departments, the jail administration in Assam had a history of continuous growth. In 1868-69, the jails in Assam were divided into three categories - large establishments at Gauhati, Tezpur and Sylhet; six subsidiary jails; smaller places of confinement at Dibrugarh, Nagaon, Siliguri, Dibrugarh, Silchar and Shillong; and thirteen lockups, at the headquarters stations of Tara and Kohima and in all subdivisional stations. Besides these, there were also temporary jails for the

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49 Ibid.
accommodation of prisoners employed upon public works away from the permanent jails. In 1901, the jails in Assam consisted of District jails, of which there was one at the headquarter of each plains stations and also at Shillong. The most important among them were the jails at Gauhati, Tezpuri and Sylhet. Besides, there were fifteen subsidiary jails at the headquarter stations of Tura, Kohima and Aijal and at each subdivisional station in the plains, and at Haflong. By 1911-12, all headquarters station except Tura had District jails. The jails of Gauhati, Tezpuri and Sylhet maintained their position. There were subsidiary jails at the headquarters of all subdivisions in the plains except at Hallakandi, Goalpara and Barpeta, whereas, in the case of subdivisions in the hills, there were lockups only.50

As a general rule, the civil Medical officer of the district was the Superintendent of the District jail. The jails at Drubri, Kohima and Aijal were, however, under the Superintendence of the administrative officers of the district.

The jail law of the province also changed with the passage of time. By the end of the century, Act IX of 1894, was brought into force in supersession of Act XXVI of 1870. The Assam jail Manual of 1889, consisting of rules

50 Administrative Reports for the years -
1883-84, Part II A, P.45, 1901-02, Part II, P.49, 1911-12, Part II, P.82.
and orders issued by the Local Administration and the
Inspector General of Prisons superseded the Bengal Jail
Rules which were in force in Assam. 61

REGISTRATION

The Commissioner of Excise was also Inspector
General of Registration, and he held besides the offices of
Registrar of Joint Stock Companies under the Company's Act,
Registrar General of Births, Deaths and Marriages under
Act VI of 1886, Registrar of Cooperative Societies,
Registrar of Provident Insurance Societies and Life
Assurance Companies, and Superintendent of Stamps. All
Deputy Commissioners were Registrars in their respective
districts. The Sub-Registrars at headquarters were either
Extra Assistant Commissioners who did this in addition to
their other work. In the Surma Valley, there were salaried
Sub-Registrars and there were special Sub-Registrars at
Sylhet and Silchar. 62

EXCISE

Till the end of 1911-12, Excise was managed by the
Excise laws of Bengal which had been extended to Assam.
The Department was transferred from the control of Inspector
General of Police and Jails, by whom it was managed as

61Ibid.

62Ibid.
Commissioner of Excise, to the direct control of the
Chief Commissioner in respect of the Surma Valley and Hill
districts, and to that of the Commissioner in the Brahmaputra
Valley in respect of the Valley districts. The Eastern Bengal
and Assam Excise Act had been brought into effect from First
April 1912. The Excise department was placed under the
control of the Commissioner of Excise. 53

EDUCATION

For quite a long time the Education Department in
Assam continued to be supervised by an Inspector of Schools,
who was borne on the graded list of Bengal. In 1882-83, he
was assisted by 9 Deputy Inspectors, and 14 Sub-Inspectors.
Besides these departmental officers, who directly controlled
the Government high and middle schools and the higher normal
school at Gauhati, all classes of aided schools in the
eight plains districts were under the supervision of the
several Local Boards established under the Local Rates
Regulation 1879. By 1901-1902, the Education Department was
placed under the management of the Director of Public
Instruction, who was an officer on the Bengal list of the
Indian Educational Service. He was assisted by 5 Deputy and
23 Sub-Inspectors of Schools.

By 1911-12, the Director of Public Instruction was
assisted by 2 Inspectors, 1 Inspectress, 1 Assistant

53Ibid. P.45, P.49 and P.53 respectively.
Inspector, 20 Deputy Inspectors and 23 Sub-Inspectors of Schools. 54

There was a manual of rules compiled for the guidance of the inspecting staffs which did not materially differ from that in use in Bengal. In Assam, as in the Punjab it was expressly stated that the inspection of schools was a legitimate part of the administrative work of all executive officers - as was, indeed, the case throughout India. 55

FOREST

The Forest Department was under the control of a Conservator who was assisted by a staff of Deputy and Assistant Conservators and Sub-Assistant Conservators. This department also showed its normal development. By 1911-12, the forest charges comprised two circles, the Eastern and Western, each of which was under the control of a Conservator assisted by a staff of Deputy, Assistant, Extra Deputy and Extra Assistant Conservators. 56

PUBLIC WORKS DEPARTMENT

The Public Works Department in Assam was supervised for many years by a Superintending Engineer

54 Ibid., and the Gazetteer of Eastern Bengal and Assam (Provincial Series) 1909.
56 Administrative Reports for the years 1882-83, Part II A, P. 64; 1901-02, Part II, P. 49; 1911-12, Part II, P. 63 respectively.
and then by a Chief Engineer who was also Secretary to the Chief Commissioner in that Department. In 1882-83, the Superintending Engineer was aided by an Assistant Secretary, who was an Executive Engineer of the third grade. The accounts of the department were kept by a Deputy Examiner. Besides these officers, the department then consisted of six Executive Engineers, eleven Assistant Engineers and one Apprentice Engineer. Each district had at least one of these officers in charge of its public works, who, whatever his departmental standing, was styled District Engineer. He was the assistant of the Deputy Commissioner and the Executive officer of the Local Board in respect of public works.

By 1901-02, the executive staff of the Department comprised twelve Executive and Assistant Engineers and two temporary Engineers. The Public Works in the Lushai Hills were in charge of a District Engineer, who was an upper Subordinate of the Public Works Department on deputation and worked under the orders of the Superintendent, Lushai Hills. The accounts of Imperial, Provincial and local works were examined and audited by an Examiner. In 1912, the Chief Engineer who was also the Secretary to the Chief Commissioner in that Department was aided by an Under Secretary. There was also a Superintending Engineer who was in charge of five divisions. Two divisions were in direct control of the Chief Engineer.
The Executive staff consisted of fourteen Executive and Assistant Engineers and two temporary Engineers. The Public Works in the Lushai Hills were in charge of the Superintendent of these Hills, who was assisted by an upper subordinate from the regular cadre of the P.W.D. 57

THE MEDICAL AND SANITARY ESTABLISHMENT

The Medical institutions of the province were supervised by the Deputy Surgeon General, Eastern Frontier Districts, who, in addition to his military duties, was the Sanitary Commissioner of the province and the adviser to the Chief Commissioner on medical matters. Each district had a Civil Surgeon, one of whom at Shillong held that post in addition to his duties as regimental Surgeon; the officers gave their whole time to civil duties. Besides these, the subdivisions of Golaghat and Sadiya had each a military medical officer in charge of their civil work. The Civil Surgeon of Tspur, besides holding charge of the Jail there, was also Superintendent of the only Lunatic Asylum which the province possessed; the lunatics from the Assam Valley and Hill districts were received by the Tspur Asylum whereas those from the Surma Valley were treated in the Dacca Asylum. 58

57Ibid. P.46, P.50 and P.53 respectively.
58Administrative Report for the year 1882-83. Part II A. P.46.
By 1901-1902, the medical department was headed by the Principal Medical Officer, Assam Districts, who in addition to his military duties was the Sanitary Commissioner of the province. The civil medical staff comprised of nine civil Surgeons belonging to the Indian Medical Service, each of whom held charge of a district. The remaining districts were in charge of civil medical officers, who were usually either Military or Civil Assistant Surgeons. The Civil Surgeon at Sylhet was in charge of Lepor Asylum there and the Civil Surgeon of Nibrugad was also Superintendent of the Barry White Medical School.

The Department maintained a steady growth from the beginning and by 1911-12, the medical institutions of the Province were placed under the charge of the Inspector General of Civil Hospitals, who was also Sanitary Commissioner of the Province and Chief Commissioner's adviser on sanitary and medical matters generally. From April 1, 1913, it was proposed to receive the lunatics from the Burma Valley into the Tespur Asylum who had hitherto been sent to Dacca.59

By 1911-12, the Civil Accounts of the province came under the control of a Comptroller, who was directly

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Administrative Reports for the years 1901-02, Part II, P.80; 1911-12, Part II, P.83.
subordinate to the Financial Department of the Government of India. The post office Department was placed in charge of a Post Master General, and the Telegraph Department in charge of a Director. These officers were not subordinate to the Chief Commissioner. 60

LOCAL SELF-GOVERNMENT

Besides the agency of the Government officers, much assistance was given to the administration of the province by local bodies who administered funds raised under special enactments or placed at their disposal by the Chief Commissioner. These were either Municipalities for town areas, or Local Boards for the district at large.

MUNICIPALITIES

'Since 1874, there has been rapid progress,' in the development of municipal self-government in Assam. Before the creation of Assam into a separate Province in 1874, there was only one Municipality, Guwahati, under the District Towns Improvement Act, 1864. There was only one township, Sylhet, under the Act of 1866, and only one Ghoulidari Panchayat under the Act XX of 1856. 61

But after the establishment of Chief Commissionership in Assam in 1874, we find that Goalpara was constituted into a Town Committee on May 1, 1876. In 1877, Dibrugarh, Goalpara and Sylhet became second class municipalities under the Bengal Municipal Act, 1875. In 1878, Gauhati was converted into a first class municipality. Shillong and Sibsagar became stations, and Golaghat and Jorhat were formed into Unions in 1880. Silchar was constituted into a station in 1882. In 1883, Dhubri was raised to the status of a second class municipality. Barpeta got the same status in 1884.

A second class municipal board was constituted in Barpeta in 1886, in Silchar in 1893, in Tezpur, Narayanganj and Nowgong in 1894. Dhubri came under the Municipal Act of 1884 in 1902. Hailakandi was constituted into a Union in 1906. The station of Shillong and the Union of Jorhat were converted into Municipalities in 1909 and 1910 respectively. 62

Upto 1911-12, there were eleven municipalities of which eight were constituted under Act III (B.C.) of 1884, and the remainder under Act V (B.C.) of 1876. In addition to these there were one station and four unions, formed under Act V (B.C.) of 1876. In the municipalities of Sylhet, Goalpara, Dhubri, Gauhati, Tezpur and Dibrugarh, the elective system was in full force by 1911-1912, and a system of election had also been introduced at the instance

62 Ibid. Pp. 66-68.
of the rate payers, for the choice of members to sit on the committee at Silchar. The official members of all municipal committees were very few in number; and although the chairmen were officials in all cases except that of the Sylhet Municipality, the Vice Chairmen were usually non-officials. 63

The pace of development continued. In 1913-14, Karimganj was constituted into a municipality. In the following year, Howgong was brought under the Municipal Act, 1884. Mangaldai and North Lakhimpur were constituted into Unions. Sibsagar Station was raised to the status of a municipality in 1916-17. Doom Dooma and Palasbari were constituted into Unions in 1916-17. A Union was constituted in Garipur in 1917-18 and at Tinsukia in 1919. During the last year of Chief Commissionership i.e. 1920-21, Golaghat was converted into a municipality. 64

MUNICIPAL INCOME

These bodies derived their income partly from taxation and partly from other sources. The taxation levied in municipalities was chiefly in the form of a tax on persons or buildings, a latrine tax and a water rate (in Gauhati and Shillong), in stations the taxation was a house assessment, and in Unions a tax on persons was

63 Administrative Report for the year 1911-12, Part II, p. 83.
levied. Other items of taxation were taxes on animals and wheeled vehicles. These taxes were levied under the provisions of the Act under which each municipality, etc. was constituted. No octroi or other duties were taken anywhere in the province. Of the other sources of income, the most important were the receipts from the ferries, from municipal pounds, the income from municipal markets and assignments from Provincial and Local Funds enjoyed by several municipalities. The last item consisted of grants made in commutation of the land revenue of town areas, which in the early days of the province was allowed to be appropriated to the improvements of the towns. In 1911-12, municipalities enjoyed an income of Rs. 5,32,808 of which Rs. 1,79,839 were derived from taxation and had an expenditure of Rs. 4,12,757.

**The Local Boards**

In 1874, there were a number of local authorities and local funds. There was the District Road Fund and the Government Estates Improvement Fund. On the abolition of Government Estates Improvement Fund on April 1, 1874, its place was taken by four separate funds, the District Reserve Fund, the District Road Fund, the District Primary School Fund and the Miscellaneous Improvement Fund.

The District Reserve Fund was operated by the Chief Commissioner. The District School Committee was

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entrusted with the responsibility of administering the Primary School Fund. The District Road committee under the chairmanship of the Deputy Commissioner was in charge of the District Road Fund. The Deputy Commissioner himself controlled the Miscellaneous Improvement Fund. The existence of four separate committees in one and the same place created confusion in their smooth and efficient functioning. There were other complaints against the committees. And "above all there was no local taxation for local purposes", said Dr. Reo. Ultimately the Chief Commissioner enacted the Local Rates Regulation, 1879, under which local rates for local purposes were first levied.

The Local Boards, of which there was one for each plains subdivision, were constituted under executive orders. Each Local Board comprised from twelve to twenty-two members, of whom four were officials, and the remainder non officials, residents of Subdivision. In tea districts, a proportion of non official members were tea planters. The planter members were in all cases elected by the planting community and a certain number of other members were also chosen by election, the rest being nominated by the Chief Commissioner on the recommendations of the Deputy Commissioner.

The Deputy Commissioner of the district or the Subdivisional officer, as the case might be, was the ex-officio chairman of the Board. In each subdivision the

Local Board was entrusted with the maintenance of all roads in the Subdivision, except a few main lines of communication. The management of Primary education was also its responsibility, subject to the general control of the Education Department. It was also empowered to make grants-in-aid to schools of higher grade. The Board's powers and functions were also extended to the administration of village sanitation, dispensaries and vaccination. For these purposes, the rate which was levied under the Assam Local Rates Regulation of 1879, at the rate of one anna per rupee on the annual value of lands, as well as the surplus income of pounds and ferries, and some minor receipts were placed at the disposal of the Boards. As this income was not sufficient, it was supplemented by annual grants from Provincial Funds.

The annual budget of the Boards were submitted to the Commissioner for sanction. The Local Board might itself sanction any work, the estimated cost of which did not exceed Rs. 2,500, but the professional approval of the Inspector of Local works had to be obtained when the cost exceeded Rs. 1,000. The Executive Engineer was entrusted with the execution of more important works requiring much professional skill. But the less important work was entrusted to the Board overseers. The planters in the tea

67 Ibid and Administrative Report for the year 1911-12, p. 64.
districts rendered much assistance in execution of the work of the Local Boards.

Steps were taken from time to time to place the constitution of the Boards on a legal footing and to extend their powers. The Assam Local Self-Government Act was passed in 1918. The Act was based to a great extent on the principle laid down in the Draft Regulations of 1909, the regulations issued by Cotton. Some of its provisions were, however, borrowed from the Madras Local Boards Act.

On the basis of the main recommendations of the Decentralisation Commission, the Government of India issued a Resolution in 1918. It was followed by another Resolution in 1918, for the advancement of Local Self Government (the main recommendations of it were that a substantial majority of the members should be elected; the principle of giving representation to the minorities by means of nomination was to be acted upon; official members were to be debarred from exercising the right to vote and the number of nominated members was not to exceed one fourth of the total. There were other recommendations but most of these had already been made by the Decentralisation Commission and were rejected by the Government of Assam). The Government of Assam rejected most of the recommendations made by the Government of India. It did not take any action beyond what it had already taken.

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68 Ibid.  
In the hill districts of Assam, we find better type of local governments. Each major tribe had its own system of local government which cannot be described in consideration of space.

The progress of local self-government was not as rapid as it ought to have been. 70

IMMIGRATION AND LABOUR INSPECTION

Discussion on the administrative system of the Chief Commissionership of Assam would not be complete without a reference to the system under which labour was imported from other parts of India for the Assam tea gardens.

Assam was a very sparsely populated province. Land was most abundant and the indigenous population were generally well off. They cared to cultivate only that much land to meet their own wants. It consisted almost entirely of petty cultivators without any labouring class. As a result, the tea industry from the very beginning had to import labour from other parts of India. "Labour at a moderate price is the greatest want in Assam", and unless it was provided, tea cultivation in Assam would not flourish, opined Sir William Grey. What was needed to give life to the province was a labouring population, Sir Grey

70Ibid. P.121.
asserted. It was one of the most important problems for the Government of Assam. This immigration had done much towards opening out and colonising the fertile and sparsely peopled districts of Assam. At the same time, it relieved other Provinces of a portion of their surplus population. The principal areas of recruitment were the plains districts of United Provinces and Bengal, Chota Nagpur, the Sonthalpurganas, and the Central Provinces. The immigrants were very poor and ignorant and as a result interference of the Government was required to secure justice. During the period of transport from their homes to the place of labour, supervision was necessary to prevent overcrowding, disease and consequent mortality. It cost a large sum to import a coolie into Assam; the provision for his comforts, which the law required were also expensive. It was found necessary to legislate, on the one hand, for the enforcement of labour contract by special penalties and on the other for ensuring the proper treatment of the labourer - a penal labour law and Government protection for the labourer being correlative.

The first Labour Act was passed in 1863 and since then the law on the subject had been changed by successive enactments. There were malpractices in connection with the

71Papers Relative to the Administration of Bengal, H.C., 266, 1867-68. Minute by Sir William Grey of 13 March, 1868, P. 275.
recruitment of labourers. The legislation embodied in Act VI of 1901 was undertaken in consequence of complaints received as to the prevalence of malpractice. The Act fixed the maximum term of the labour contract at four years, and prescribed a minimum monthly wage, the payment of which was contingent on the completion of a daily task by the labourer. There were provisions in the Act for the grant of subsistence allowance to weak and sickly labourers, for suitable house accommodation, water supply, medical attendance and also for the inspection of estates. The administration of the Act was entrusted to the Deputy Commissioners and the Sub-divisional Officers of the tea districts, who were ex-officio Inspectors of labour. The Civil Medical Officers of tea districts and certain districts and Assistant Superintendent of Police and Assistant Commissioners were appointed Inspectors and Assistant Inspectors of labour under the Act. The Act brought the operations of contractors under greater control; and favoured the employment of garden sirdars, or coolies sent from the gardens to their native districts, commissioned to recruit other labourers in the neighbourhood of their homes. It raised the minimum wages payable to labourers under contract. 72

In 1906, a committee was appointed to enquire into labour conditions, and as a result of their recommendations, the Act was considerably modified.

The gradual disuse of the penal provisions of the Act VI of 1901 had been accompanied by a growing use of Act XIII of 1859. This Act, which was popular alike with employers and with labourers, provided penalties for breach of the contract, but did not regulate its terms in any way or contained any special provisions for the protection of the labourer.

**FINANCE**

Finance is a very important subject for all Governments and the efficiency of administration and the development of a state depends to a great extent on its financial resources. The system of provincial contracts was first introduced in 1871, when Assam was a part of Bengal. In 1874, when the Province was formed, it took over its provincial share of the then subsisting provincial contract of Bengal, the principle of which was that certain heads of expenditure were handed over to the control of the local government, together with resources for meeting them, consisting partly of the receipts under the same heads, and partly of a fixed consolidated allotment from the Imperial revenue. Any deficit was to be made good by the local...

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73Ibid. P.58.
government, and any surplus was to be applied to provincial purposes.

In 1878-79, the contract with Assam was revised, as it was found necessary to provide funds to meet growing expenditure. The Province received the whole of the revenues from excise, provincial rates, stamps, registration, law and justice, police, education and a few minor heads, together with 20 percent of the land revenue. It undertook the entire responsibility for the charges pertaining to these departments, and for charges connected with administration of Public Works. The principle introduced in this contract was of provincial responsibility for works undertaken for local and provincial purposes.74

The principle of the next settlement - that of 1882-83, differed from that of the previous chiefly in the following points: - Instead of provincial revenues taking the whole receipts and charges under certain heads, these were equally divided between Imperial and Provincial. The only heads formerly provincial which remained so were provincial rates, post office (i.e. the district post only), Law and Justice, Police, Education, Medical, Stationary and Printing; the revenue-yielding departments of Excise, Stamps, and Registration, formerly entirely

Provincial were now shared equally between Provincial and Imperial both under receipts and charges; and Forests, formerly entirely Imperial, had been added to the shared heads. Sixty three percent of the land revenue receipts was allotted to Provincial, together with corresponding liability for the charges. The Provincial receipts were estimated to amount to Rs.44,77,000 per annum, and the normal expenditure to Rs.43,66,000. A margin was thus left for the growing needs of the administration.

During the currency of this contract there was a satisfactory expansion of the revenue, and the additional funds which were thus rendered available enabled the administration to increase the efficiency of nearly every department. Considerable expenditure was incurred on surveys, and on the improvement of the Frontier Police Force. New dispensaries were opened, the construction of the Jorhat and Cherra-Companyganj state Railways was taken in hand, and a subsidy of a lakh of rupees per annum guaranteed to a company which undertook to build a line between Margherita and Dibrugarh. Large sums were also spent on the improvement of existing roads, the construction of bridges and the opening out of new lines of communication.75

The contract of 1887 altered the Provincial share of receipts from stamps and excise from 50 percent to 75 percent and 25 percent respectively. Assam received the

75Ibid. P.99 and P.60 respectively.
whole of the land revenue, subject to the deduction of a fixed sum for Imperial needs, and half the revenue obtained under the head of assessed taxes. Grants were, moreover, made by the Supreme Government of Rs. 1,82,500 on account of capital expenditure on the Jorhat and Cherra Companyganj state Railways, and of Rs. 6,16,800, which represented the cost of quelling the Lushai outbreak of 1890-91. The settlement provided for an estimated expenditure of 49 lakhs per annum and the revenues made over were calculated to bring in exactly this amount. This contract was not favourable to the Assam Administration. The development of the province was thus hampered for want of funds.  

The contract of 1892-93 was a consolidated one, and not a collection of separate contracts for each provincial head. The single contribution to Imperial revenues was fixed at Rs. 11,27,000 and the whole of the land revenue receipts were at first allowed to remain provincial, though the Supreme Government subsequently appropriated a share of the increase derived from the resettlement of the Assam valley. This settlement was favourable for Assam and during the currency of this contract Assam enjoyed considerable financial prosperity. The revenue was elastic and no difficulty was experienced in providing for the growing wants of the province. A

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76 *Imperial Gazetteer of India. (Provincial Series), Eastern Bengal and Assam (1909).* P. 99-100.
special battalion of military police was organised for the Lushai Hills, and considerable sums were spent on the construction of permanent bridges and improvement of communications. 77

The main features of the next contract which came into force in 1897 was the assignment of two thirds of the land revenue to provincial needs. The gross ordinary expenditure of the province was estimated at Rs. 65,29,000, and the receipts at Rs. 66,43,000, the surplus being a set-off against the necessary expenditure on development in a backward province.

The earthquake of June 12, 1897 completely disorganised this settlement. The General Government made a grant of Rs. 26 lakhs to meet the damage done by earthquake, the cost of which was estimated at between 40 and 60 lakhs. The development projects were set aside for the time being and entire resources were utilised for the restoration of the province to the position in which it stood prior to the earthquake. The schemes for the improvement of the position of the members of Assam Commission, and of the civil police force, which had been for a long time under consideration, were, however, given effect to during the period of this contract. 78

On the expiry of the said contract, a new one was introduced on April 1, 1904 which, however, was modified

77 Ibid. P. 100.
78 Ibid.
in consequence of the formation of a new province, Eastern Bengal and Assam with effect from 16th October, 1906.

According to the terms of this contract, Assam retained one half of the revenues from land, stamps, excise, assessed taxes, forests and registration, and was responsible for half the expenditure under these heads. The province was also debited with the whole of the expenditure on general administration, courts of law, jails, police, medical, education, political superannuation charges, stationary and printing, and various minor heads, receiving in turn such revenue as was obtained from these departments. The receipts and expenditure under the heads of civil works and railways also remained provincial, except in those cases in which Railway expenditure was specially provided from Imperial funds. An allotment of Rs. 90 lakhs was added to the balance remaining over from the former contract, and, in addition to the shares of revenue assigned, a fixed grant of 12 lakhs was made annually to the provincial income. Further grants were made for the reform of the police and Education Departments. The expenditure at the commencement of the contract was estimated to amount to Rs. 72,07,000. 79

RELIATIONS WITH MANIPUR

The only feudatory state of any importance under


Statistics showing the sources of Provincial Revenues and Principal Heads of Provincial expenditure will be found in Appendix IV and Appendix V respectively.
the control of Assam administration was Manipur. The political Agent in Manipur was till 1879 only partly under the control of the Chief Commissioner of Assam with whom he corresponded only in regard to matters connected with Assam and its frontier, but in that year he was made directly subordinate to the Chief Commissioner. On the regrant of the State in 1891, his designation was changed to 'Political Agent and Superintendent of the State'. After the outbreak of the revolt of 1891, a young boy was placed upon the throne. During his minority the administration had been conducted by a member of the Assam Commission who acted as political Agent and Superintendent of the State. By taking advantage of this opportunity, the political Agent, with the approval of the Chief Commissioner of Assam, introduced various reforms with a view to assimilate the system of administration in Manipur in some ways to that prevailing in British territory. The local courts were, however, retained, and the arrangement for the assessment and collection of land revenue were necessarily of a simple character. 80

The Raja was formally installed on his throne in 1908 after the Superintendancy came to an end in the preceding year. An officer belonging to the Indian Civil Service designated as the President of his Darbar was

80 Assam Administrative Report for the year 1901-02, Part II, P.74 and Imperial Gazetteer of India – Eastern Bengal and Assam, 1909, P.36.
responsible for the administration of the hill tribes
living within the State and for all matters of revenue
and finance. The hereditary title of 'Maharaja' was
bestowed upon him by the British Government in recognition
of his valuable services and loyalty during the Great
War. A new scheme for the administration of the tribes
in the Manipur Hills was then introduced and accordingly,
three subdivisions were opened, each administered by an
European, or Anglo-Indian officer, lent to the State by
the Government of Assam.²¹

RELATIONSHIP BETWEEN THE CHIEF COMMISSIONER AND THE KHASI
STATES.

In 1877, i.e., three years after the
establishment of Chief Commissionership, the agreements
executed by the Chiefs which determined the relations
between the British and the Khasis until 1869 were
abolished. The Sanads which were issued along with
agreements in 1859 were henceforth the only means by
which the relations between the two were regulated
except in the case of Lyngdohs and Bardars with whom
relations were regulated by Parwanas.²²

A Sanad was generally issued indicating a grant
of recognition from the Crown to the ruler of the State.
The change was no doubt intended to reduce the status of

⁴²Rao, V. Venkata, A Century of Tribal Politics
in North East India, 1874-1974, 1974, P.33.
the Chiefs. They were no longer recognised as a contracting party and were as such placed in complete subordination in relation to the British authority. The terms of the Sanads imposed upon the Chiefs required them to cede to the British as the Paramount Power, the minerals and the forest resources of their states on condition of sharing half of the profits and acknowledging the right of the British Government to establish civil and military cantonments etc.

The Sanad was signed not even by the Commissioner but by the Deputy Commissioner. From 1875, it was signed by the Commissioner of the Burma Valley and Hill Division. The Parwanas were signed by the Deputy Commissioner. Still later the Sanad was also signed by the Deputy Commissioner.

In theory, the greater part of the Khasi Hills thus belonged to Semi-Independent Native Chiefs in Subsidiary Alliance with the British Government. But in practice the Khasi States "were reduced to the status of messenger boy."84

The Siems (Rulers of the Khasi States) were not sovereign. They were placed under the orders and control of the Deputy Commissioner. They had not the power to try their own subjects involved in murder cases. The Chiefs were deprived of the power to try cases in which persons who were not their own subjects were involved. Such cases

83Ibid. Pp. 34-35.
84Ibid. P. 35.
were tried by the Deputy Commissioner.\footnote{\textit{Imperial Gazetteer of India, Eastern Bengal and Assam,} 1909. P.94.}

**VILLAGE AUTONOMY**

In the two valleys the houses of the cultivators were scattered over a wide area and the village organisation was never very strong. The rural council (mel or panchayat) exercised some authority and its decisions were often accepted by the parties concerned. In the hills, the authority of the village headman was greater; they were held responsible for the preservation of law and order, and were empowered to dispose of petty criminal and civil cases.\footnote{\textit{Imperial Gazetteer of India, Eastern Bengal and Assam,} 1909. P.94.}

The area of the new Province of Eastern Bengal and Assam according to the Census of 1901 was 1,05,223 square miles, and the total population 3,09,61,459, of whom only 4,57,970 lived in the native states of Hill Tippera and Manipur.

The Unit of administration was the district. There were altogether 27 districts in the Province, with an average area of 3,668 square miles and an average population of 11,29,766. These districts were grouped together to form the five Divisions of Dacca, Chittagong, Rajshahi, the Surma Valley and the Hill districts and the Assam Valley districts, each of which was entrusted to a Commissioner, to whom the Local Government delegated a...
considerable portion of its powers of control. Districts were again subdivided into subdivisions of which there were 62, with an average area of 1,478 square miles and an average population of 4,56,279.87

There were in the province 237 Police stations and 160 outposts. In the permanently settled portions of the province, the smallest unit of administration was the thana.

The ordinary revenue division was the pargana, which dates from the time of the Mughal Emperor. It was the basis of the revenue system in East Bengal and in some parts of Assam, viz; Sylhet, the plains of Cachar and the permanently settled portion of Goalpara. These pargana divisions in some districts died out for various reasons in favour of the simpler and more compact police divisions, except for purposes of land revenue payments. For these purposes they were grouped in Sylhet and Cachar, into larger areas, sometimes called Zillas, and the revenue was paid, in the former district, at the subdivisional headquarters within the jurisdiction of which they lay, and, in the latter, at the three tahsils into which the district had been divided. In East Bengal, all land revenue was collected at the district headquarters for all parganas lying within a district.88

Prior to the creation of this Province, the executive administration of the districts in Eastern Bengal

87Report on the Administration of Eastern Bengal and Assam, 1905-06, Part II. P.74.
88Ibid. P.75.
was entrusted to a Service recruited from the Indian and Statutory Civil Service, subordinate to the Lieutenant Governor of Bengal. And the districts of Assam were administered by a mixed Commission consisting of the covenanted service and officers deputed from the Indian Army, under the control of the Chief Commissioner of Assam. In both (East Bengal and Assam) parts of the new Province, there was a Provincial and Subordinate Executive service to assist the District officers.89

Civil Service:— In the new Province, which was entrusted to the charge of Lieutenant Governor acting directly under the orders of the Government of India, both systems were retained. The general Executive staff consisted of (1) members of the Indian and statutory civil service, (2) military officers, and (3) members of the Provincial and Subordinate Executive Services.

The sanctioned strength of the Assam Commission was 41 officers, of which 20 were superior posts (carrying each a salary exceeding Rs.1,000 per mensem). To these were added, on the constitution of this Province, 10 similar posts, making with the 32 posts transferred from Bengal, a total of 62, while the strength of the service was provisionally fixed at 124 officers, including those deputed for service under the Government of India.

89Ibid. P.38.
The covenanted civil service of the Province consisted of officers who were recruited by means of an open competitive examination held in England. Among these there were 8 Indian officers at the end of 1905-1906. The members of this service monopolised the principal appointments of the province namely the Lieutenant Governorship of Eastern Bengal and Assam, 2 Judgeships of the High court, 2 members of the Board of Revenue, 6 Commissionerships, the Principal secretariat appointments, the posts of Legal Remembrancer, Inspector General of Police, Inspector General of Registration, Commissioner of Excise and Director of Land Records, the District and Sessions Judgeships (except two held by statutory civilians), the headships of districts (except 7 held by military officers) and practically all the Joint Magistracies and Assistant Magistracies (designated Assistant Commissionerships in the Assam districts) in the interior. Under the existing arrangements civilians were called upon at the end of the twelfth years of their service to choose between the Executive or Judicial Branch of the service and were posted to the one or to the other after due consideration of their wishes and the public interests. 90

Statutory Civil Service: Officers who had been deputed to India without any examination under statute 33

90 Ibid. Pp. 35-36.
vict., cap. 3, were members of the Statutory Civil Service. Of these there were three in the Province during 1905-1906. This service disappeared in course of time, as no new appointments were made under this Statute.

Military officers in Civil Service:— Officers of the Indian Army formed one-fourth of the total strength of the old Assam Commission. There were nine such officers in the service in the new Province. One Commissionership and eight headships of districts were open to them but they could be appointed only in the districts formerly comprised in the Chief Commissionership of Assam. No more officers of the Indian Army were recruited for the Province.91

Provincial Service:— The Provincial Service was mostly manned by the Indians. There were two branches, the Judicial and the Executive. The recruitment policy of the members belonging to the Judicial Branch was determined by the Local Government. Generally the appointments were made on the recommendation of the High Court and the candidates were required to be graduates in law, or to have passed an analogous examination. The members of this service held the posts of subordinate and small cause court judges, in number 21, and of Munsiffs

who numbered 156. It was the Local Government which gave promotions from the grades of Munsiffs to those of subordinate judges. The members of the Executive branch of the Provincial Civil Service were selected by the Local Government according to the rules approved by the Government of India. It comprised 165 Deputy Magistrates and Deputy Collectors (or Extra Assistant Commissioners, as they were called in Assam). It was decided to raise the strength of this service by an addition of 32 posts. Some of the appointments, detailed below, which were formerly reserved for members of the Indian Civil Service, had been thrown open to the members of this service.92

Headships of districts — — — — — — 2
District and Sessions Judgeships — — — 2
Junior Secretaryship to the Board — — — 1
Under or Assistant Secretaryship to — — 1

Subordinate Civil Service:— The Subordinate Civil Service was composed of 120 Sub-Deputy Collectors distributed in four grades. They were recruited by nomination in accordance with rules framed for the selection of the members of the Provincial Civil Service. These officers were mainly entrusted with duties connected with the administration of land revenue,

92Ibid.
settlements, cess revaluations, partitions, collection of rent in the Government estates, the superintendence of excise administration, distilleries etc. Many of them were vested with magisterial powers and took a share in the judicial work of the revenue while several of them also held charge of Subdivisional Treasuries. It was proposed to increase the strength of this Service by 13 officers. 93

Executive Administration: - As in other parts of India, the unit of administration was the District of which the District Magistrate and Collector, or Deputy Commissioner, as he was called in the non-regulation districts, was in charge. As District Magistrate, he was responsible for the administration of criminal justice in the district and was vested with certain well-defined original and appellate criminal powers; as Collector he supervised the collection of revenue of the various branches, and was the head of the Departments connected with it. The District Magistrate was the controlling authority of the District Jail which was placed in the immediate charge of an officer, usually the Civil Surgeon. As head of the police, he exercised a general supervision over the force at his disposal. He was the ex-officio chairman of the District Board and in the case of Assam

93 Ibid.
districts of the Local Boards, and as such, supervised over local education, sanitation and the execution and administration of all local public works.

In fact, he was the executive chief and administrator of the district committed to his charge. All powers were concentrated in the office of the District Magistrate. He was assisted in his work at the head or headquarters subdivision by subordinate Magistrates, who exercised both revenue and magisterial powers, and, in all but the smallest districts, by subdivisional magistrates, who were usually Joint, Assistant, or Deputy Magistrates or Assistant or Extra Assistant Commissioners, as they were styled in Assam.

However, in the hill districts, which were administered under special rules, some of the subdivisions were placed in charge of police officers. In Assam the sub divisional magistrate exercised within his own jurisdiction most of the functions of a District officer, but in Eastern Bengal, his duties were primarily of a judicial nature.94

The Divisional Commissioners supervised the District Collectors (except the Deputy Commissioner in the Garo Hills which was not included in any Division upto 31st August, 1909). They exercised a general

superintendence in almost all matters, more especially in revenue administration. They were the channels of communication between Local officers and Government.

In revenue matters, the Commissioners were, again, subject to the authority of the Board of Revenue, whose jurisdiction, however, did not extend to the hill districts of Assam. The Board which consisted of two members was entrusted with a general control over the greater part of the revenue. In other matters, the Commissioners were under the direct control of the Government.

The Lieutenant Governor, who was at the head of all was assisted in addition to his personal staff by three Secretaries in the civil departments, one Secretary in the Department of Public Works, two Under Secretaries and two Assistant Secretaries.96

Revenue Administration: As noted above, all matters relating to revenue were managed by the District Collectors or Deputy Commissioners. Their establishment consisted of Assistant Collectors and Deputy Collectors or Assistant and Extra Assistant Commissioners, Sub-Deputy Collectors and other subordinate officers. The District Collector or Deputy Commissioner (except in the Garo Hills) was controlled by the Commissioner, and in Excise and Salt administration, by the Commissioner of excise and salt. Each of these officers, in their turn,

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96Ibid. Pp. 36-37.
was subject to the authority and orders of the Board of Revenue, except in matters connected with the hill districts of Assam, in which they were under the direct control of the Lieutenant Governor. The two members of the Board exercised in administrative matters full powers independently of one another, each member being the head of the Department in his charge. Till the end of the year 1905-1906, the distribution of revenue business between the two members was as follows:

<table>
<thead>
<tr>
<th>First Member</th>
<th>Second Member</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Revenue, including settlement and survey, waste lands and land registration</td>
<td>Of the districts transferred from Bengal.</td>
</tr>
<tr>
<td>Excise</td>
<td>Throughout the Province.</td>
</tr>
<tr>
<td>Salt</td>
<td></td>
</tr>
<tr>
<td>Court of wards</td>
<td></td>
</tr>
<tr>
<td>Local rates</td>
<td></td>
</tr>
<tr>
<td>Agricultural and Land Improvement Loans, Stamps, Customs, Business of all classes unspecified above.</td>
<td>Throughout the Province.</td>
</tr>
</tbody>
</table>

In the permanently settled part of the Province, there were no mofussil revenue establishments, all

96 Ibid. P.37.
collections of revenue being made at the headquarters of the districts, except in Sylhet, where there was a collecting office at each of the Subdivisional headquarters for the payment of revenue and in Chittagong, where five circles were formed for the management of the large number of petty estates scattered all over the district. Only in Sylhet proceedings for the realisation of the arrear of revenue (which were generally recovered by means of the sale law) were also taken at the subdivisions.

In the districts of Lakhipur, Sibsagar, Nowgong, Karrup, Darrang, Cachar and also the Hill districts, the land revenue systems which prevailed during the Chief Commissionership continued.

Financial Administration:

The Local Government was entrusted with the financial management of almost every branch of revenue and expenditure. The receipts and expenditure on account of the general administration, courts of law, registration, police, jails, medical, education, political superannuation charges, stationary, printing and various minor items were made entirely provincial. Besides these, the province received one half of the revenue from land, stamps, excise, assessed taxes, and forests, and was responsible for half the expenditure under heads other than land revenue, the bulk of the charges under which were debited to provincial.

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An annual contribution of Rs. 5.1 lakhs was made in favour of provincial revenues. 98

Police:- The Inspector General, who usually belonged to the Indian Civil Service supervised the Police Department.

The duties entrusted to and the deployment of the Civil and Military Police remained the same as they were during the period of Chief Commissionership in Assam. With the addition of the Dacca Battalion, the number of such Battalions rose from five to six. The arrangements regarding the Rural Police also remained unchanged. 99

Jails:- In the province there were 21 district jails (including Dacca and Rampur Boalia, which were also central jails of the first and second class respectively) and 36 subsidiary jails. One whole-time superintendent was in charge of the Dacca central jail, and the remaining district jails were managed by the chief medical officers of the districts. An Inspector General of Jails was the controlling authority of the whole Department. 100

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99 See Chapter VII pp. 144-46 Supra.

Medical Department: - The medical institutions of the province were supervised by the Inspector General of Civil Hospitals while a Sanitary Commissioner was appointed to deal with all questions of a purely sanitary character. The medical staff consisted of 27 Civil Surgeons, 47 Civil Assistant Surgeons, besides over 300 Civil Hospital Assistants. The majority of the Civil Surgeons belonged to the Indian Medical Service. There were lunatic asylums at Dacca and Tezpur, and an asylum for the reception of lepers at Sylhet. 101

Criminal administration: - Stipendiary Magistrates were the foundations of the system of criminal administration throughout the province, except in the Hill districts. A considerable amount of work in East Bengal was, however, done by Honorary Magistrates sitting either singly or as Benches. All Magistrates were invested with first, second or third class powers and the highest punishment they could award was imprisonment for two years or fine unto Rs. 1,000, or both combined. Above the Magistrates stood the Sessions Judges, who tried, with the help of assessors or jurors, an offence deserving a more severe punishment or too heinous to be dealt with by the Magistrates. The powers of the Sessions Judges were limited only by the amount of punishment which could be inflicted under the Indian Penal Code, except that all

101Ibid.
sentences of death passed by them required the confirmation of the High Court at Calcutta. Appeals from the decisions of the Magistrates lay to the Sessions Judges, except in the cases of magistrates with second and third class powers. From them the appeals lay to the District Magistrate or to a magistrate who had been specially empowered in this behalf.\textsuperscript{102}

Civil Administration:— The system of civil administration was not the same throughout the province. In East Bengal and Sylhet, the civil work was entrusted to the charge of District and Subordinate Judges and a large staff of Munsiffs. In the Assam Valley and Cachar, Assistant and Extra Assistant Commissioners exercise the powers of Munsiffs, while the Deputy Commissioners discharged the functions of a Subordinate Judge.

The jurisdiction of a District Judge or Subordinate Judge extended to all original suits cognizable by the civil courts, but did not include the powers of a small cause court, unless these were specially conferred. The ordinary jurisdiction of a Munsiff extended to all like suits in which the amount of the subject matter in dispute did not ordinarily exceed one thousand rupees. The limit might, however, be raised unto suits valued at two thousand rupees. Appeals from the orders of

\textsuperscript{102}Ibid.
the District Judges lay to the High court and those from the orders of the Subordinate Judges and Munsiffs to the District Judge. But in the latter case, if the value of the subject matter exceeded Rs. 5,000, the appeal lay to the High court. It was within the jurisdiction of the High court to direct, with the approval of the Local Government, that appeals from Munsiffs, should lie to the court of the Subordinate Judge. An appeal from the High court lay to the Privy Council in England if the value or amount of the subject matter exceeded Rs. 10,000.

Subject to certain exceptions, the jurisdiction of the courts of small causes extended to all suits of a civil nature of which the value did not exceed Rs. 500, a limit which might be extended to Rs. 1,000 by an order of the Local Government with respect to any specified court. The Lieutenant Governor was empowered to invest Subordinate Judges and Munsiffs with small cause court jurisdiction for the trial of cases not exceeding Rs. 500 in value in case of the Subordinate Judges, and Rs. 100 in case of Munsiffs. 103

Civil and Criminal administration in Hill Districts and Frontier Tracts:— The system that was in force prior to the constitution of the province of Eastern Bengal and Assam continued unchanged. The

arrangements made in these respect for the Eastern Hills in Goalpara also continued unchanged. 104

The Departments where the form of administration remained, more or less, the same as they were during the Chief Commissionership were Registration and Excise, Land Records and Agriculture, Forest, Education and Public Works. A separate Department of Agriculture was, however, in the process of formation. 105

LOCAL SELF GOVERNMENT

Municipalities: - In 1905-06, there were 49 municipalities in the province, of which 39 were constituted under Act III (B.C.) of 1884 and 10 (5 municipalities, 2 stations and 3 unions) under Act V (B.C.) of 1876. The elective system was in full force in 27 municipalities in Eastern Bengal and 6 in Assam. The source of Municipal income remained, more or less, the same as they were during the Chief Commissionership. 106

District and Local Board: - There were two systems of local self Government in the province. Act III (B.C.) of 1885 was in force in the transferred districts. This Act had two objects, viz., (1) to educate the people

104 See Chapter VII, Pf. 238. and Chap. VI, Pf. 196-7
106 Report on Administration of Eastern Bengal and Assam, 1905-06, Part II, Pf. 39
106 Ibid. Pf. 40.
to undertake the responsibility of managing their own local affairs, and (2) to lighten the burden of administration. With a view to achieving these objects, 14 District Boards, 32 Subdivisional Local Boards and 9 Union Committees were constituted. In Assam 19 Subdivisional Local Boards were created under executive orders as the Act was not in force there. The constitution and powers and functions of the Local boards in Assam continued to be the same as before.

The Subdivisional Local Boards in Eastern Bengal were formed on the combined principle of election and nomination by Government. The head of the subdivision was appointed, as a rule, the chairman. They were generally agents of the District Boards.

Union Committees: - Union Committees had for the most part been entrusted with the control of roads, village roads, sanitation and water supply. In regard to primary schools, their authority was restricted to inspection. Their income consisted of (1) net receipts from pounds, (2) a grant from the District Boards, and (3) funds raised under section 118 of the Act. Their resources were very limited and not very striking results could be expected from them.\textsuperscript{107}

Subsequent important changes in the form of Lieutenant Governor's administration are noted below:\textsuperscript{107}

\textsuperscript{107}Ibid. Pp. 40-41.
With the growth of administrative work, serious pressure devolved upon the Magistrates in charge of certain districts of East Bengal. With a view to relieving them of such pressure, four Additional Magistrates were posted temporarily to those districts during 1907-08. A fifth officer was also placed on deputation to perform the duties of an Additional Magistrate in Hymensingh. The assistance thus given proved of the greatest value to heads of districts.

During the year 1907-08, the financial powers of administrative officers were materially enlarged by the decentralisation of authority to sanction expenditure. An important change in budget procedure was also inaugurated by the Orders of the Government of India dated the 1st January 1908, the effect of which would be to allow each Local Government to budget under Provincial heads as it pleased, deductions being made in the Finance Department from the estimate submitted under each local head, if this should appear necessary from the circumstances of the year, but in such a way that the deductions would be shown as "probable savings" and would not operate to curtail expenditure which had been duly approved and for which provision had been made in the reduced grant. 108

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With effect from the 1st January 1909, the Railway Police Jurisdiction over the following lines of railways were transferred from the Province of Bengal to this Province, and a general police district embracing the lands occupied by all the lines so transferred was created:

- The Assam Bengal Railway,
- The Bengal Duars Railway (including the portion lying in the state of Cooch Behar),
- The Dibrugarh Sadiya Railway,
- The Mymensingh - Jamalpur - Jagannathganj Railway,
- The Tezpur Railwa Railway,
- The Jorhat State Railway, the whole length of the Eastern Bengal State Railway lying within the province and in the State of Cooch Behar (with the exception of the portion of line from Katihar to Godagari lying within the districts of Malda and Rajshahi and of the portion of the lines between Boradah and Goalundo, including the branch line to Faridpur), the portion of the same railway between Kashua and Barsoi stations, and portion of the same railway between Siliguri and Darjeeling in the district of Bengal.

In 1908-09, an additional post was created in the second grade of District and Sessions Judges to provide for the appointment of Additional Judge of Dacca, Tippera and Sylhet.

Two outlying criminal courts were established at Silchar and Gopalganj in the Madaripur subdivision of the Faridpur district, in order to secure more effective administrative control and to make the courts more

109Ibid.
During the year 1908-09, the Secretary of State sanctioned the reorganisation of the Imperial, Provincial and Subordinate Forest Services in the Province, including the appointment of Second conservator. The staff then consisted of 16 Imperial officers besides two conservators, 16 Provincial officers, 41 Rangers, 66 Deputy Rangers and 719 beat guards. The Province was divided into two Forest circles with effect from April 1st, 1909.

A Provincial Forest School was opened for the first time at Kashugon in Goalpara district in October, 1908. Its object was to give a thorough practical training to Deputy Rangers and Foresters.\textsuperscript{111}

The most important change during the year 1910-11 was the adoption of measures for the improvement of Sadr-subdivisions of plains districts.

The recommendations of the Royal Commission on Decentralisation were given effect to by the appointment of members of the Provincial or Subordinate Executive Services to tour in the Sadr subdivision as subdivisional officers.\textsuperscript{112}

Of the five Additional Magistrates, three were placed on a permanent footing and one of the five posted to Sylhet. Immediately after the close of the year 1910-11, two Additional Judgeships were created. At the same time a redistribution of the jurisdictions of Additional Judges was made whereby an Additional Judge was allotted to

\textsuperscript{110}\textit{Report on the Administration of Eastern Bengal and Assam for 1908-09, Part II, P.1.}
\textsuperscript{111}\textit{Ibid.}
\textsuperscript{112}\textit{Report on the Administration of Eastern Bengal and Assam for 1910-11, Part II, P.1.}
Sylhet and a second to Tippera and Chittagong and a third to Dacca and Faridpur. The jurisdictions of the Additional Judges of Bakarganj and Mymensingh remained intact.113

Before we conclude, it will perhaps be worthwhile to introduce the Chief Commissioners and the Lieutenant Governors who held the highest Executive posts and whose social and educational background and, above all, personalities moulded and determined the nature and character of the administration of the Province during the period from 1874 to 1921.