The British entry into the Khasi Hills -

The Annexation of Jayantia Parganas - Major

David Scott as Agent of the East India

Company - His negotiations with the Sylems

of Sutnga and Sohra:

On the 10th March 1824, a treaty was concluded between David Scott, Agent to the Governor General on the part of the East India Company and Raja Ram Singh, the Ruler of Jaintia¹ by which first Ram Singh acknowledged allegiance to the Company and placed his country under its protection. Mutual friendship and amity shall be maintained.² Secondly, the internal Government of the country shall be conducted by the Raja and the jurisdiction of the British Court of Justice shall not extend there. The Raja promised to abide by the rules and customs of the country and should any discrepancy occur in the administration of the country, he agreed to rectify with the advice of the Governor-General in Council.³ Thirdly, the Company agreed to protect Jaintia from external enemies and to arbitrate any differences that may arise between the Raja and the states.

1. Aitchison, C.U.: Treaties, engagements and sanads relating to India and neighbouring countries No. LXXIII.
2. Ibid: Articles I-V.
3. Ibid: Articles I-V.
The Rajah agreed to abide by such arbitration and to hold no political correspondence or communication with foreign powers except with the consent of the British Government. Fourthly, in the event of the Company being engaged in war to the eastward of the Berham-pooter, (Brahmaputra) the Rajah agreed to assist with all his forces, and to afford every other facility in his power in furtherance of such military operations. Fifthly, the Raja agreed in collaboration with the British local authorities to adopt all measures that may be necessary for the maintenance in the district of Sylhet of the arrangements in force in the judicial, opium and salt Departments.

A separate article of the treaty was concluded between the Company and Raja Ram Singh that Raja Singh agreed to assist in the war commenced in Assam between the troops of the Company and those of the King of Ava. He would march a force and attack the enemy to the east of Gauhati, and the Company agreed upon the conquest of Assam, to confer upon the Raja a part of that territory proportionate to the extent of his exertions in the common cause. After the treaty was signed, David Scott marched through the Jaintia territory with an escort of three companies of the 23rd Regiment Native Infantry.

4-6. Ibid: Articles I-V.
under Captain Horaburgh. David Scott opined that the reception he received from the Raja was one of grandeur and friendly attitude as one dependent on the good will of the Company. But soon after, Ram Singh was found to violate the terms and conditions of the agreement by permitting a Burmese detachment from Assam to occupy his territory in direct violation of the treaty. Again, in 1830, it is said, according to Pemberton, that Ram Singh refused to remove a Chokey which he had established at the confluence of the Kopili and the Dimla rivers.

Two years after in 1832, four British subjects were seized and three of them were barbarously immolated at the shrine of Kali temple within the boundaries of Goba, the fourth one escaped to tell the tale of the horrible sacrifice. The incident has also been officially recorded as follows: "In the year 1832, two British subjects were passing along the high road in Assam when they were suddenly seized and carried up into the hills in the neighbourhood of Goba, in your territory, and after having been decked out with new clothes and jewels, they were led away to be sacrificed together with two other persons also subject to the Government. One of the individuals first named succeeded in making his escape.

9. Ibid.
10. Ibid - p.221.
11. Ibid.
12. Ibid.
and on his return to the plains he gave information of what occurred and his statement corroborated with many collateral circumstances, there is no reason whatever to doubt the truth of what he said. The crime was perpetrated, it is to be feared, as regards the other three individuals as they have never since been heard of. The Government immediately demanded the release of the culprits which Ram Singh refused. It so happened that during this critical period, Ram Singh died in November 1832 and was succeeded by his nephew Rajendra Singh. 14

Rajendra Singh remained as stubborn and adamant as ever and set the authority of the British at defiance. Tradition tells us that the Raja of Jaintia understood the shrewd statesmanship of the British when they arrived at an agreement with Ram Singh in 1824, perhaps he was forced by the British to come to terms with them or they were played fast and loose by the crafty Bengali interpreters. Rajendra Singh, therefore, imbued by the air of freedom and independence, by the struggle of the Khasi Syiemts to overthrow the yoke and allegiance of the British, was determined to have his country compact and undivided. But the British resolved to proceed to the extreme measure of dispossessing the Rajah of his territories in the plains and confining him to the hilly

tract where fewer opportunities would be offered of
again committing so serious an offence. An official
letter was accordingly forwarded to Rajendra Singh
from William Bentinck, the Governor General of India
which runs as follows:

"You have been repeatedly required by
my agent in Assam to surrender the guilty
individuals but all to no purpose, and there
is every strong reason to suspect that you
have, not only wilfully screened the perpe-
trators of the horrible crime but you were
cognizant of it yourself, while you were heir
apparent during your father's life time ...
By this conduct you have incurred the penalty
of which you were told in the year 1821,
namely that you would render yourself liable
if you failed to deliver any person who
might after time perpetrate this horrible
atrocity in your dominion. But I have con-
tented myself on this occasion with order-
ing the confiscation of all your possessions,
of whatever descriptions they may be, which
are situated in the plains and you will
accordingly be pleased to make overcharge
of them to the neighbouring British autho-
rities in the manner which Captain Lister
shall direct you. You continue as before
to exercise your rule over your district in
the Hills."  

In accordance with the order from the Imperial
Government, on the 23rd February 1835, Captain Jenkins
was empowered to confiscate all the possessions of the
chief in the plains, leaving him to exercise jurisdic-
tion as before in such parts of territories in the
hills. With two companies of the Sylhet Light Infantry,
they took possession of Jaintiapur, the capital of the

15. Ibid.
16. No.10(b) 1835 (Volume of Letters received from
Government).
country and the decision of the Government to annex the plains to the British territory was made known by proclamation. The whole of the Rajah's personal property amounting to more than one and a half lakhs of rupees was made over to him.

The district of Goba, the scene of the horrible massacre was taken possession of by the Assam Light Infantry. Rajendra Singh retired to Sylhet and a pension of Rs.500 per month was granted to him. Captain Jenkins was also asked to furnish a report on the amount of revenue likely to be derived from the newly acquired territory and other circumstances which seemed deserving of notice.

Although the Jayantia Pargannas of the plains were annexed by the British and the work of consolidating the administration of the newly acquired territory was contemplated, we must not forget the fact that the treaty of 1824, contained no provision of any renewal of the pledge between the Company and the subsequent successors of Ram Singh. Again, perhaps when the British annexed the Jayantia Parganas, they must have thought that they have hit the target, but it was not so. The

18. Ibid.
19. Ibid.
20. (a) Ibid.
   (b) Correspondence from Lt.Col.J.H.Haughton(officiating agent)to the Government of Bengal No.30(c) dt. 3.7.1831.
the freedom loving people of Jaintia could not erase the memory of their 'Syiem' who preferred "to die a common man rather than rule as a slave king" - the same words used by Tirot Singh of Nongkhlaw. The British soon had to reap the harvest they had sown with bitterness and resentment because the local people were always ready to strike a blow at the imperialists, at subsequent periods of their relationship.

The conquest and occupation of the Khasi Hills started from 1829.\(^{22}\) When the agreement was made between the East India Company and Dewan Singh Syiem of Sohra\(^{23}\) (No. LXXVI) on the 12th September, 1829, according to which Dewan Singh and his Durbar promised to conduct the affairs of the country according to usages, customs and traditions and to have no concern in such matters with any of the Company's court but should any person come to Sohra and commit any wrongful act in the Government territories, Dewan Singh promised to deliver the said person to the Company. Secondly, if Sohra had any dispute with any other country, the Syiem of Sohra promised to abide by and submit to any judgement given by the Government. He would not enter into any quarrels with the Rajahs of other countries without the permission of the Company. Thirdly, if there should be any hostilities in the Hills with the Company, the Syiem of Sohra

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23. Aitchison, C.U: "Treaties, Engagements and Sanads".
and the Durbar would immediately proceed there with his forces to render assistance to the Government.  

David Scott, Agent to the Governor General, promised to protect his territory if the Syiem of Sohra should act according to the aforesaid conditions, would dispose of and settle any dispute arising between the Syiem of Sohra and the other Rajahs.  

Another agreement of 1829 (LXXVII) was executed between Dewan Singh of Sohra and David Scott, the provisions of which are as follows:

"Some land having been required of me for erecting Government edifices and for gentleman to build houses on, I voluntarily cede this land, and enter into the following agreement:

1st: For the erection of these buildings etc. I have given up some land in a place to the East of Cherra Poonjee on one side by the dell or below the rest of the valley, and on the other side by the Seit Oodoi river, where bamboos have been put upon the part of Government and if more land is required, it will be furnished to the east of that spot, but in exchange for as much land as I may give up altogether in my territory, I am to receive an equal quantity of land in the vicinity of Punduah and company gunge, within the boundary of Zillah Sylhet.

2nd: I am to establish a haut in Mouzah Burryaile on a spot of ground that I have purchased, pertaining to the aforesaid Zillah, and I am always to manage the haut and to make investigations there according to the customs of my country;

25. Ibid.  
26. Ibid.
and in such matters I am to have nothing to do with the Honourable Company's Court. This place is more over to be transferred from the aforesaid Zillah, and made over, as a rent free grant, to my Cossiah territory; and if any person who has committed wrongful act in the Government territories should come and stay on this land belonging to me, I will apprehend him and deliver him up on demand.

3rd: Wherever limestone may be found on the Cherra Poonjee Hills in my territory, I will allow the Government to take it gratis when required for their own use.

4th: If any quarrels and disturbances should take place between Bengalees themselves, it will be necessary for you to investigate and I am to investigate disputes occurring between Cossiahs. Besides which, if any disputes should occur between a Bengalee and a Cossiah, it is to be tried in concert by me and a gentleman on the part of the Honorable Company.

Let us examine this agreement of 1829 and its impact on the subsequent Anglo-Khasi relations. This agreement executed with the Syiem of Sohra with the knowledge and consent of his Durbar - "U Syiem bad ka Durbar" voluntarily ceded the portion of the territory of Cherra State known as Saitsohpen to the British in lieu of lands at Pandua given to the Cherra State in Sylhet district. The British treated Saitsohpen as their own territory, denied unitarily the rights of the people over the land and obliterated their administrative and judicial system within the elaka.27 The English deceptively and craftily encroached upon the rights and

privileges of the people by making the Syiams as owners of land and paying no compensation for these lands to the owners. One year after on the 19th October 1830, another agreement was signed by Sobha Sing, Syiem of Sohra\textsuperscript{28} renewing the pledge of the deceased Syiem to David Scott, with T.C. Robertson, Agent to the Governor General. In 1840, a perpetual lease was executed by Sobha Sing, Syiem of Sohra and the hills called Oosider, Oocksan and Nowkren\textsuperscript{29} pertaining to Cherra Poonjee where coal was discovered, would be ceded to the British Government. For this, the Syiem of Sohra was to receive taxes from the Government at the rate of one rupee per hundred maunds. He agreed that he would never demand more than the rate prescribed by the Government and the local people (Khasis) would be permitted by the Government to work in these localities, they must work free of charge and would settle with the Syiem of Sohra regarding taxes, but no Khasi or any other person would be permitted to quarry coal in these places without the sanction of the Government nor would have the right of granting such permission to any other person.\textsuperscript{30}

The British Government, on the other hand, could

\textsuperscript{28} Aitchison, C.J. Treaties, Engagements and Sanads - p.237.
\textsuperscript{29} Ibid (LXX)
\textsuperscript{30} Ibid.
quarry coal in the places according to the terms and conditions of the pattā and no new objections would be entertained. The British Government also had the right to the coal in other places within the territory of Sohra Syiemship and a perpetual lease was executed in accordance with the terms of the pattā.³¹ The Sirdars of Byrung Poonjee also executed another perpetual lease of agreement to the coal fields of Byrung Poonjee on 20th April 1840 which was later confirmed by Sobha Singh, Syiem of Sohra.³² In 1857, Ram Singh Syiem of Sohra made an agreement with the Company on the demise of his uncle, the late Sobha Singh, Syiem of Sohra that having "taken his place as his successor and come into the possession of the Raj, I have been required by the Principal Assistant Commissioner of Cherra Poonjee to furnish a new Agreement based on those given by my predecessors and as all the conditions of the engagement entered into by my predecessors, the late Dewan Singh Raja on the 10th September 1829 and the late Sobha Singh Raja on the 19th of October 1830 are acceptable by me, I will act according to them hereafter". Shortly speaking, in conformity with the agreement made by the Syiem of Sohra Dewan Singh and the Government in 1829 – the third article of the agreement is:

"Wherever limestone may be found on the Cherra Poonjee Hills, in my territory, I will allow the Government to take it gratis when required for their own use".

³¹. Ibid.
³². Ibid (LXXXI)
³³. Ibid (LXXXII)
The term 'Cherra Poonjee' would generally be the equivalent term for any part of Khasi and Jaintia Hills and the words 'Wherever in my territory' fixed the particular limitation in a sense about which there could be no dispute. It goes beyond doubt that the East India Company tried to bring home the desired objective, playing fast and loose on the Khasi Syiems who were mostly illiterate and on the other hand, the Khasi Syiems would have believed in good faith. It was only as late as 1932 that the Khasi rulers realised their mistakes.

The subsequent agreements executed for perpetual lease according to the terms and conditions of the Pattas had coloured or changed the customary land system of the Khasis like the issue of Pattas, levy of land revenue, claiming of Salami or 'Key Money' and they have been accepted as a fact of custom or customary practice rather than a change brought by the British to suit their convenience. The first agreement of 1829 forced the Syiem to cede lands to the British or his judicial power would be curtailed. Accordingly in 1906, a Khasi Paper, 'U Nongphira' remarked "The first treaties with the Honourable company in 1829 were entered into with the consent of the people and were executed by the Chiefs and the Nobles. It was not stipulated therein

34. Appendix No.4(a) page XIV of the report of Mr. J. Allen.
35. Memorandum to the Indian States Inquiry Committee 1932
that the coal mines, limestone mines (quarries) would be handed over to the Government. The Chiefs themselves leased them to Mr. Harry Inglis, a servant of the Company without any condition that the Government would have any share ...... In 1858, one year after the Sepoy Mutiny, Her Majesty, the Queen Empress, after her Government had taken over from the Hon'ble Company, made a Proclamation that all the treaties and engagements entered into with the Company would be respected and would not be changed. But in the year 1867, thirty eight years after 1829 and only nine years after the Proclamation, the Government Servants had surreptitiously formulated by themselves another form of treaty ignoring the guarantees of the previous treaties".

As pointed out earlier, any important deliberation or any treaty could be signed only with the consent of "U Syiem bad ka Durbar" - the Syiem and the Durbar. But the custom was evaded by the British for their own gain. First, there were times when the British regarded the Syiem as the owner of the lands, paying no compensation for the lands whatsoever and encroaching upon the rights of the people.

It is almost needless to point out the well known fact that the Syiem and other functionaries in the State are in no sense Zamindars, for lands belong exclusively to the people of the soil, who can do as
they like with them under their inherent and customary right. Colonel Lister, Colonel Bivar, Colonel Clarke witnessed this customary right of the people of these democratic states when it was still genuine and untainted. 37

Secondly, issue of pattas, levy of land revenue, claiming of 'key money' or salami were all created by the British and have now been accepted as a fact of history and custom. Colonel Bivar himself stated "a land State tax is an unknown thing amongst the democratic subjects of the Khasi Hill States and as regards land and rights thereto, the Sylol is just in the same footing as any individual of the Common Wealth. That is to say, that unless he can establish a proprietary right he has no authority to demand rent". 38

As regards the Pattah system, it started only at the time of Hain Manik Sylem (1868-1896). According to Political Case No. 17 of 1907, the situation was explained thus, "The Pattah system has not the sanction of immemorial custom of our State. Pattahs were first granted by the late Sylem only to enable Bengali Babus and other Government servants to get building advance."

37. Letter from Mr. Chandranath Roy, Mawkhar Shillong to the Political officer, Khasi States, Pt. Shillong the 30th May 1940.
38. Colonel Bivar's Order dated 29th August 1874 in "Litang Case".
The Pattah system is therefore only an innovation created by the British to suit new elements and factors that have crept into with the influx of non-Khasis into Shillong.

The first treaties signed with the Company in 1829 were entered into with the consent of the people and executed by the Syiems and the nobles. There was no such provision that coal mines, quarries would be handed over to the Government. But according to the third article of the agreement made by Ram Singh Syiem of Sohra in 1857 a new article was inserted that the term "Cherra Poonjee" would be the equivalent term for any part of Khasi and Jaintia Hills; in other words the Company would be in a position to use any coal mine, or quarry without any dispute from the Syiem. Again from 1867 onwards, the Chief Commissioner adopted an arbitrary attitude towards the Syiems and they had to hand over to the Government, mines and minerals, forests and lands. In 1869, a new universal form of Sanad was introduced wherein a clause was inserted showing the Syiems handing over mines, minerals, forests, elephants and lands on a profit sharing basis of fifty fifty. This was however repeated in 1875. But whatever might be the case, it was the Syiem and the Durbar, the Syiem and the children of the soil who have the right to enter into
any treaty or hand over mines or minerals or forests to any Government. The British used the Khasi Syiem as mere instruments or tools to project their objective, they wilfully twisted the provisions and clauses of the various treaties signed in good faith by the Khasi rulers. As pointed out earlier it was only in 1932, that the Khasi rulers realised their mistakes.