The head of a local authority is generally known as a Chairman, President or Mayor. Whatever may be his designation, he is the 'boss' to borrow the American terminology, and Chief Executive of the body concerned. Hence the office is of immense significance. However, the personality of the incumbent determines the nature of the office.

From 1879 it was the policy of the Government to have an official chairman for the Shillong Municipality.

In 1909, the Shillong Station Committee resolved that it should be converted into a municipality under the Municipal Act, 1884. While forwarding the resolution to Government, the Commissioner of the Surma Valley, recommended that the Chairman of the proposed municipal board should be an official as in Darjeeling. His argument was that Shillong being the headquarters of the Government, its sanitary condition must be kept "at a high standard of efficiency - a standard which I am afraid is very rarely maintained in the average municipality of the Province. Inefficient management and insanitary condition of the place would be intolerable at a place which is at once a health resort and the summer headquarters of the Government."
Therefore, the Commissioner urged that every conceivable precaution should be taken to safeguard the authority of Government. He thought that the best means by which that could be done was by appointing an official as chairman. Government agreed with the views of the Commissioner and appointed the Deputy Commissioner, K & J Hills as the Chairman of the board. The Municipal Commissioners went a step further and elected another official, the Civil surgeon, as the Vice-Chairman. In 1910, the Vice-Chairman was a non-official in all places but not in Shillong. The enlightened citizens of Shillong simply accepted the decision of the Government without a single protest.

Till 1914, the Civil Surgeon of Shillong was the ex-officio Vice-Chairman. But this practice was discontinued in 1914 and R.N. Thompson, Extra Assistant Commissioner, Shillong was unanimously elected Vice-Chairman on 12th October, 1914.

In 1920, the Municipality was removed from the first schedule of the Bengal Municipal Act, 1884, and put on an

2. Letter No.694 Municipal 6.9.1910, from L.J. Kershaw, Secretary, Municipal Department.
elective basis, but with the Government retaining the right to appoint the chairman. Hence the Government stuck to its old decision that like Darjeeling, the Chairman continued to be an appointed official, but the Vice-Chairman was elected. Sometimes an official was foisted by backdoor methods on the Board as Vice-Chairman. Here is an interesting incident in regard to the election of Vice-Chairman of the Shillong Municipal Board. A meeting of the Board was held on August 2, 1920 to elect the Vice-Chairman. F.M. Clifford, the officiating Deputy Commissioner presided. Clifford enquired from the Commissioners whether they would like to have a non-official or an official as Vice-Chairman. Without waiting for a moment to know the wishes of the Commissioners, he proposed that the Senior Assistant Commissioner, (himself) might be elected as Vice-Chairman. The proposal was seconded by another. It appears that Clifford came to the meeting with a prepared plan. The voting was seven to six Clifford did not exercise his franchise at first. So he gave his vote in favour of an official Vice-Chairman and thereby brought about equality in voting. Clifford as Chairman of the meeting had a casting vote in case of equality of votes. He gave that vote also in favour of an official Vice-Chairman. Thus an official was foisted on the Shillong Municipality.

5. A.R. Municipal 1920-21, P.1
against the wishes of the elected Commissioners. There were protests. Clifford regretted his action and suggested to the Government the re-election of the Vice-Chairman. The Government did not agree to the suggestion and thereby, perpetuated the injustice done to the Board by one of its own officials.  

There was a debate in Assam Legislative Council on 21st March, 1925, about the continuation of an official as the Vice-Chairman of the Shillong Municipal Board when the Minister P.C. Dutta moved for a grant of Rs. 1,800 for the payment of a monthly allowance to the official Vice-Chairman. S. Barua moved a cut motion. He contended that the Board could elect a non-official as Vice-Chairman and in that case there was no necessity for the payment of the allowance. The Minister admitted that under Assam Municipal Act, 1923, the Vice-Chairman could be a non-official, and that after the next election there would be no official Vice-Chairman. But the cut motion was carried by 22 to 11 votes. Therefore there was public resentment against the practice of having an official vice-chairman when competent non-officials were available to render service without any payment.

6. No.3-71, L.S.G.- A November, 1921, for detail see; The Assam Tribune, 3.11.1963, Article by Dr. V. Venkata Rao.

In 1925 the office of Vice-Chairman was thrown open to election. Election was held on 20 June, 1925. There were two candidates, Sivanath Dutta and Wilson Reade. Dutta was a retired Government servant and Wilson Reade was a teacher. The contest was very close. Dutta polled 5 and Reade 4. During his term of office Dutta rendered great Service to the Board. Dutta was paid a conveyance allowance of Rs.150 per month.

Sivanath Dutta completed his term of office in 1928. He was succeeded by Prafulla Sankar Guha, a Bengalee lawyer of Shillong Bar. He was, elected in June, 1928, and completed 3 years' term successfully. His most important achievement was the establishment of Laitumkhra Municipal Market. His relations with the official chairman S.N.Mackenzie, I.C.S., were cordial. Both of them used to solve many a municipal problem over a cup of tea. The Commissioner in his inspection report of July, 1928, mentioned about the ability of the Vice-Chairman.

Guha completed his term of office in 1931. He was succeeded by Wilson Reade, a Khasi, the Headmaster of a High School. He was elected vice-chairman in August 1931. Reade's relations with the official chairman K. Cantlie, I.C.S., were good. The Commissioner in his annual report of 1931-32, had mentioned about the good work done by K. Cantlie and Wilson Reade.

Though the vice-chairman was elected, the Chairman continued to be the Deputy Commissioner. There was a demand that the Chairman also should be elected. But the Minister K. L. Barua, informed the House that the Deputy Commissioner as Political Officer should be the Chairman of Shillong Municipality as it includes the territories of the Sylhet of Mylliem. Hence the Government had no intention to throw open the office to election. But the real reason for not permitting the Shillong Municipal Board to elect its own chairman was the unwillingness on the part of Government to part with power.

The fourth elected non-official vice-chairman was H. Philip, a Khasi under-graduate retired Government servant. After his resumption of office in August 1931.

17. Rao, V.V.- A Hundred Years of Local Self-Government In Assam, 1967, P.144
he was getting on well with the official chairman. But he was overshadowed by the giant personality of the Deputy Commissioner, K. Cantlie.

Philip was succeeded by R.C. Das Gupta, a Bengalee lawyer in August 1937. The Commissioner in his inspection report of October 1939, mentioned about Das Gupta for his active interest in Shillong Municipal affairs.

Kieth Cantlie, the Deputy Commissioner had the Unique distinction of being the official chairman for the longest term from 1930 to 1940. It was obvious that during early war years he had very little time to devote for municipal affairs.

After R.C. Das Gupta, T. Cajee was elected vice-chairman in August 1941. Cajee was a Khasi educationist. Hence with the election of Cajee municipal leadership went to a teacher from a lawyer. During his tenure of office the Municipality was threatened by the Chief Secretary that if within a fortnight the Fire Brigade was not improved the Government might invoke the Defence of

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21. A.R. Municipal for the years concerned.
23. Shillong Municipal Office records and A.R. Municipal for the years concerned.
India Rules. Another episode took place in 1942. One morning all the sweepers left Shillong. Cajee along with chairman Macdoland immediately left for Gauhati and brought them back.

Since 1914, the official chairman performed only one function, presided over the deliberation of the Board. The entire routine administration was entrusted to the vice-chairman. In other words chairman assumed the role of a friend philosopher and guide for obvious reason.

With the outbreak of war the functions of the Deputy Commissioner increased enormously. He could find no time to look after the Municipal affairs. Therefore the vice-chairman became the defacto chairman of the Board. Further there was also the criticism that a non-official should be the chairman of the Board. One of the ways by which the criticism was met was by transferring all the administrative function to the vice-chairman.

Just before independence leadership was assumed by an Engineer - A.C.Sen, the Managing Director of Shillong Hydro Electric. Nothing significant happened during his tenure. The same observation is true in the case of the next vice-chairman N.Swett, a Khasi Licentiate physician - who held


the office for a brief period from early 1949 to August, 1950. After the sudden death of Swett, on 13 August 1950, P.M. Roy, a Khasi landlord, was unanimously elected vice-chairman of the Board. Roy held office for 1 year 6 months. It was a period of status quo.

After the municipal elections of 1952; K.C. Pal Choudhury a Bengalee lawyer was elected vice-chairman after a keen contest in April, 1952. He secured 9 votes; whereas his only rival P.M. Roy obtained 7 votes. Pal Choudhury had to face many a hostile criticism due to existence of groupism. Therefore the official chairman M.E. St.John Perry withdrew all the powers delegated to the vice-chairman. There was a strong anti vice-chairman group in the Council. On the 27th June 1953 a motion expressing confidence in the vice-chairman was defeated by 7 votes to 6 votes. However, a compromise was arrived at in December, 1953. A.R. Pariat, a Khasi member, would share the executive responsibility with the vice-chairman. Thus Polygamy came into existence in Shillong Municipal Politics. Instead of sticking on to office Pal Choudhury

should have gracefully resigned it. But politics is opium.

In October, 1954 the Municipal Board demanded the abolition of official chairman. The relation between the official chairman C.S. Booth and the Board was far from cordial. It was alleged that the Deputy Commissioner interfered with the administration of the Board too frequently.

For the first time the election of vice-chairman took place on party line in August, 1955, when the newly elected Board met. Albin Pariat a retired Government employee and the Deputy Leader of the Congress Municipal Party was elected unopposed as vice-chairman. The Board in its meeting held on 5th September 1955 adopted a resolution for the replacement of official chairman by an elected non-official chairman. Pariat was not efficient. Therefore the Board was superseded from November, 1958 for a period of 5 years for gross mismanagement. The newly elected Board was sworn in on 16th October, 1962, and in the same meeting B.C. Gogoi a retired physician was elected as vice-chairman. But the Chairman continued to be the Deputy

34. P.S.M., 5.9.1955.
36. Ibid.
Commissioner. Gogoi was the first Assamese Vice-Chairman of the Municipality.

In early 1964, the Assam Municipal Act of 1956, was amended and Shillong Municipality was authorised to elect one of its own non-official member as Chairman. The Board in its special meeting held on 11th May, 1964, elected B. Bareh, a matriculate contractor of Jaintia origin as its first elected Chairman. Hence 11th May, 1964 was a red letter day in the annals of Shillong Municipality.

There was tension between vice-chairman B.C. Gogoi and chairman Bareh. The Board in its special meeting held on 26th November, 1965 discussed certain allegations brought forward by Gogoi against the Chairman. But the allegations were found baseless and the Board expressed confidence in the Chairman. But the matter reached a climax when Gogoi filed a writ petition in the High Court against the Chairman and the Board. The Municipality discussed the issue in its emergent meeting on 30th November, 1965, and decided the ways and means for the defence of the case. But B.Bareh had to relinquish his office on 20th August, 1966 under orders of the High Court, and Vice-Chairman

38. P.S.M., 11.5.1964.
Gogol began performing the duties of the Chairman from 31st August, 1966 under the orders of the Government. After the elections of 1967 the Board met on 29th July, 1967 and in the same meeting P.R. Kyndiah was unanimously elected as the second non-official chairman. Kyndiah was a graduate Khasi businessman and a front rank A.P.H.L.C. leader. He was a popular personality. His relations with the members in general and the Vice-Chairman Mrs. N. Choudhury were cordial. Kyndiah resigned on 18th April, 1972, after holding office for a period of five years. The Board in its meeting held on 24th May, 1972, elected Srimati Narmada Choudhury unanimously as its third non-official Chairman. Mrs. Choudhury had the unique distinction of being the first lady Chairman of the Board. Mrs. Choudhury was a Nepali lady and wife of the then Minister Prabin Choudhury. Although she was not a graduate but her background in local politics was well founded due to her renowned husband. Her brief tenure of two years was significant for municipal administration. Her relations with vice-chairman A.B. Diengdoh were good.

42. P.S.M., 30.9.1966.
44. Ex-member Prof. K. Chatterjee; interviewed on 24.5.75.
Procedure for the Election of Chairman.

The date of election was fixed by the Commissioner and the Deputy Commissioner appointed one of the members of the Board to preside over the meeting. Fifty percent of the total number of elected members should be present. Otherwise the meeting should be adjourned. The adjourned meeting must be held after three days. For adjourned meeting there was no quorum. Nomination papers should be submitted to the magistrate one day earlier before the date of actual election. If there were more than two candidates there should be more than one ballot. In the first ballot the candidate who got the lowest number of votes should be eliminated. The process of elimination must continue until a candidate got absolute majority of the total strength of the Board. For instance in 1964 when election was held on 11th May, 1964 for the election of Chairman, there were three candidates, Bareh, Goenka, and Roy. In the first ballot Bareh polled seven votes, M.P. Goenka 6 and B.K. Roy 2. B.K.Roy who polled the smallest number of votes was eliminated. In the second ballot there was straight contest between B.Bareh and M.P.Goenka; Bareh polled 10 votes and

Goenka 5 votes - since Bareh polled an absolute majority of the votes, he was declared elected chairman.

**Approval of Election.**

The elected chairman must obtain the approval of Government. This power may be considered as undemocratic and there was every possibility of it being misused for political reasons by the party in power. But this provision was made with a view to prevent the election of undesirable persons. This was a mere formality. The Government did not abuse this power at any time. There was no criticism against this provision.

**Terms of Office.**

Under the Assam Municipal Act, 1956, the term of office is four years but the Chairman continues in office until his successor is elected.

**Removal of Chairman.**

The State Government had no power to remove a chairman till 1956. It was in 1956 that it acquired this. An elected Chairman or Vice-Chairman may be removed by a resolution of the Board passed by two-thirds of its strength. The first elected chairman of the Board B.Bareh was

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removed from office by a special requisitioned meeting held on 27.9.65 and attended by 10 members out of the total 15. No other Chairman was removed.

Leave of Absence.

Under the Act of 1956, the Chairman and the Vice-Chairman are entitled to three months' leave in a year. If the chairman over-stays his leave period, he will no longer be the Chairman, but he will be an ordinary member of the Board.

As regards the functions of the Chairman, he being the Chief Executive, his role is more or less that of a philosopher and guide. Moreover, he being the agent of Government he performs some delegated functions - but as a Chief Executive he exercises legal and formal functions.

The statutory functions of the Chairman, may be divided into three; he is the presiding officer of the Board; as the Chief Executive he is responsible for the implementation of the resolutions passed by the Board; last, he should call meetings at stated intervals. Failure to comply with a valid requisition may result in his removal.

The first elected Chairman B. Bareh was removed from office.

49. Ex-Vice-Chairman B.C. Gogol; interviewed on 21.11.1975.
50. Rao - V.V.-op.cit, P.166.
by Assam High Court for failure to convey requisitioned meetings.51

As regards the powers of the Chairman he should exercise such powers subject to the approval of the Board. He may delegate his powers to the Vice-Chairman.

He has some independent powers i.e., a casting vote in case of a tie. He can appoint and punish some of the employees. Apart from these he had some emergency powers. Under the Municipal Act, 1956, he could execute any work which the Board was empowered to execute and immediate execution of it was essential for public safety. But the chairman shall forthwith report the matter to the Board at its next meeting along with the reasons for his action.

Under the Municipal Acts the chairman is also the executive authority. So far as the Shillong Municipality is concerned the Deputy Commissioner was the official chairman upto early 1964, therefore, the desirability of combining political and executive functions in the same person was not relevant. With the election of non-official chairman since May 1964 the problem arose. The fact remains that the elected chairman for a term of four years, will not possess all the qualities of a seasoned executive officer. The basic objective of the administration in general and

Shillong Municipal administration in particular is the accomplishment of the work with speed and minimum expenditure of men, money and material. A politician is not capable of accomplishing the objective. Organisation, methods of planning and budgeting, specialisation of details are functions which a non-official chairman cannot do properly due to his political and allied activities. Moreover, co-ordination of the activities of various departments is very much essential for successful municipal administration. The Chairman is not the fit person to be entrusted with this important function. From the above it may be observed that administration of Shillong Municipality must be entrusted to a paid and permanent officer. Therefore the Shillong Municipality should have a permanent and independent Chief Executive Officer.

Theoretically, the Chairman of the Shillong Municipality is endowed with enormous powers, but his liberty of action and decision-making depends on various factors which are really very complex for analysis. The official chairman is better educated and impartial than the non-official chairman. Probably the key note of his success lies in the fact that he does not owe his position and power to the support of the members of the Municipality.
The elected chairman of the Shillong Municipality comes to office and remains there so long as he retains support of the majority of members. In these circumstances he is not the boss of the Municipality like the American City Manager. He is rather a paper-tiger without real biting teeth. He can persuade and threaten but lacks the controlling authority, if he has no majority support. The real reason for the downfall of first elected Chairman B. Bareh was the withdrawal of majority support. Bareh was a Matriculate and was guided by a section of his lawyer friends. Naturally other members became jealous. He could not understand the limits of his powers. Whereas P. R. Kyndiah was elected Chairman of the Board in July, 1967 and he held office for 5 long years. He was a resourceful personality - and that was the sole factor for his success.

It is difficult to suggest whether like Madhya Pradesh the Chairman of Shillong Municipality should be directly elected and removable by a motion of no-confidence. The present writer thinks that it will not improve the situation. In fine, the position of a non-official chairman in general is a difficult one like that of a Chief Minister of a State. It requires enormous tact, patience and perseverance. A person who had no such quality will not
remain in power long.

The Chairmanship of the Khasi Hills District Council.

The District Council shall be presided over by a Chairman or by a Deputy Chairman in case the Chairman is absent. The Chairman and Deputy Chairman shall be elected by the District Council. The Chairman or Deputy Chairman has a casting vote in the case of an equality of votes. Here is a point of similarity between the Municipal Chairmanship and the District Council Chairmanship. Both of them have a casting vote in case of a tie. On the other hand the municipal chairman is not only a presiding officer but also a political executive with administrative functions. The District Council Chairman had no such functions. Moreover there is no salary for the Municipal Chairman - whereas the Chairman of the District Council is drawing a salary of Rs. 550 per month.

Election of the Chairman.

The first District Council met on 27th June, 1952 and elected by a unanimous vote Fredishon War. On 1st July 1952, it elected by an unanimous vote Humphrey Hadem as

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53. Ibid.
54. Ibid.
56. P.H. Batheu, Secretary, District Council interviewed on 19.8.1975.
Deputy Chairman. But Hadem held office for less than two years and resigned to become an Executive Member. In his place another Jaintia R.K.Tariang was elected by an unanimous vote as Deputy Chairman on 27th May 1954.

On 22nd March, 1955, a no-confidence motion was moved against the Chairman Fredishon War. But the no-confidence motion was withdrawn on 1st April 1955. On 31st August 1957, War resigned on health grounds. On 5th September, Rosaijah Nongrem was elected chairman by an unanimous vote. On 5th November, Tariang, the Deputy Chairman resigned.

The second District Council met on 3rd January 1958 and elected Wilson Reade as chairman by an unanimous vote. But the election of the Deputy Chairman was held immediately. It was held on 24th March, when Oswald Lyngdoh was elected Deputy Chairman by an unanimous vote. On 13th August 1959, a no-confidence motion was moved against the Chairman Reade but it was defeated. After the death of T.Cajee, the Chief Executive Member, in 1963, Reade resigned the Chairmanship to become the C.E.M. But Edwingson

57. P.H.Bathew, Secretary, District Council interviewed on 19.8.1975.
61. Information supplied by the Secretary, District Council, on 17.9.1975.
Bareh also aspired for the post of C.E.M. Wilson Reade could not become the C.E.M. On 5th October 1963, the election of the chairman was held. There were two candidates, Wilson Reade the former chairman and H.E. Poshna. Both of them polled equal number of votes - eleven. Lots were drawn to decide the fate of election. The lot favoured Reade.\(^{62}\)

After the formation of a separate Jowai District Council, the C.E.M. Edwinson Bareh and the Deputy Chairman Oswald Lyngdoh had to relinquish their respective offices as they belonged to the Jaintia Hills. After the departure of Bareh the election to the C.E.M. was held, Wilson Reade resigned the Chairmanship for the second time to become the C.E.M. on 6th January, 1966. In the place of Reade, Gilfred S.Giri was elected Chairman on 23rd March 1966;\(^{63}\) without contest. For the Deputy Chairmanship there was a contest. There were two candidates, Henry Cotton and Wordingson Blah, Blah was elected by a narrow majority of two.\(^{64}\)


\(^{63}\) *Assam Gazette*, Part-I, 11.5.1966.

\(^{64}\) Rao - Ibid.
The election to the third District Council was held in 1967. The A.P.H.L.C. won 23 of the 24 seats, it contested. Rokendra Dkhar was elected chairman on 23rd March 1967. The election to the Deputy Chairman was not held immediately. It was held on 18th April. L.H. Shangdiar was elected Deputy Chairman without contest. But on 27th November he was removed from office by a vote of no-confidence motion. He was the first Deputy Chairman of a District Council in North East India to be removed by a vote of no-confidence motion. Usually, the office of the Deputy Chairman of the District Council was the least attractive. Shangdiar was not considered fit even for this post. The vacancy caused by the removal of Shangdiar was filled up by an unanimous vote by Emerson Thangkhiew.\[65\]

The fourth District Council was elected in April 1972. On 23rd May 1972, Backstarwell Wanniang was elected Chairman.\[66\] The election of the Deputy Chairman as usual, was not held immediately. It was held two months and four days after the election of the Chairman, on 27th July, Markus Lyngdoh was elected Deputy Chairman by an unanimous vote. When L.G. Shullai the C.E.M. resigned on 14th June 1975, the Chairman Backstarwell also resigned to became the C.E.M. The Deputy Chairman Markus

\[65\] Dr. Rao - op.cit, P.208.
\[66\] Gazette of Meghalaya, Part-I, (Extraordinary), 29.5.1972.
aspired the office of E.M. But Backstarwell did not take him into the Executive Committee. In a fit of anger Markus Lyngdoh not only resigned the Deputy Chairmanship but also his membership of the party and contested the chairmanship of the District Council. But he was defeated by a slender majority of two by Jungai Khongjoh. On 26th July 1975, E.Sangriang was elected Deputy Chairman by an unanimous vote. 67

From the above it is clear that there were frequent changes in the office of Chairmanship and the Deputy Chairmanship. On two occasions there was a neck to neck race. On two occasions no-confidence motions were moved against the chairman. One of the Deputy Chairman was removed from office. But except one all others were men of ability and character. One of them was a renowned teacher.

Generally, the election of the chairman of the District Council was by an unanimous vote because the Chairmanship is like the Speakership of a State Assembly. Ambitious politicians do not want to wither away as a presiding officer.

Procedure for the Election of Chairman and Deputy Chairman

When a new District Council is elected or when the office of Chairman falls vacant, the Governor shall fix

a date for holding the election. The Deputy Commissioner or Secretary of the District Council, as the case may be, shall send every member, notice, informing him of the date of meeting for the election of Chairman. Any member of the District Council may nominate another member for election as chairman. The nomination paper should be delivered at any time in the fore-noon of the day preceding the date of election to the Deputy Commissioner or the Secretary personally by the candidate himself, his seconder or proposer. The nomination paper should be signed by the proposer and seconder. It should clearly state the name of the member nominated.

The Deputy Commissioner or any officer authorised by him in his behalf shall preside over the first meeting of the District Council. He shall read out the names of the candidates nominated for election as chairman. If only one member has been nominated he shall declare that member to have been elected. If more than one member has been nominated, the Council shall proceed to elect a chairman by ballot. When two or more candidates obtain equal number of votes, lots should be drawn for the selection of a chairman. The candidates must first take the oath and then contest the election. 68


the prescribed oath shall not be allowed to contest. The election shall be by a simple majority.

But there are certain defects in the procedure for the election of the Chairman by a majority. If there are three or four candidates, the successful candidate is likely to be elected by a minority vote. He will be unable to command the confidence of the majority. As a result, there may be frequent attempt to topple him down by a no-confidence motion. It is therefore suggested that the successful candidate should be elected by an absolute majority of the total strength of the Council so that future deadlocks may be avoided. 70

So far as the Deputy Chairman is concerned, the procedure for the election of chairman is adopted except that the meeting called for the election of the Deputy Chairman shall be presided over by the Chairman. The Chairman fixes the date of meeting. 71

The person elected as Chairman or Deputy Chairman need not receive the approval of the Governor. He enters the office immediately.

**Term of Office.**

The Chairman and the Deputy Chairman shall hold office as long as they command the confidence of the

70. Rao - V.V. - *A Century of Tribal Politics*, 1976, P.211
District Council. They may be removed by the District Council. But the Government has no power to remove them from office. Any resolution to remove the chairman or the Deputy Chairman from office must first obtain leave of the council. If leave is not granted the resolution cannot be moved. At least one-fourth of the members present must support the resolution. If less than one-fourth of the members rise, leave is not granted and the resolution cannot be moved.\textsuperscript{72} If leave is granted the resolution must be supported by a majority of the members present and voting provided quorum is present. The quorum is six or one-third of the total number of members of the Council, whichever is greater.\textsuperscript{73}

We think that the majority prescribed for the removal of the chairman and the Deputy Chairman is not adequate. We suggest that it should be at least two-third of the total strength of the Council so that the Chairman may not be plagued by no-confidence motions.\textsuperscript{74} During last 24 years however there were only two no-confidence motions. But the number may increase in future. So, a special majority should be prescribed.

\textbf{Resignation.}

The chairman and the Deputy Chairman may resign at any time in writing. The Chairman must submit his

\textsuperscript{72} Rule 107 (1) & (2) of the Rules of 1951.

\textsuperscript{73} Rule 27 (1) of the Rules of 1951.

\textsuperscript{74} Rao - A Century of Tribal Politics, 1976, P.212.
resignation to the Deputy Chairman and the Deputy Chairman to the Chairman. The resignation shall come into force with immediate effect.

**Functions of the Chairman.**

The Chairman has no executive functions. He has to conduct the business of the Council in session and preside over its meeting. In his absence the Deputy Chairman should preside. If he is a candidate for election to the office of Chairman he should not preside over the meetings called for the purpose. Nor should he preside over the meetings called for the discussion of a no-confidence motion against him.

Again, the chairman should call for meetings at stated intervals. He may call for emergency meetings also but he must call meetings requisitioned by members.

Not only the chairman has power to summon meetings he may also prorogue the Council.

Regarding the powers of the chairman, the chairman may exercise all the powers vested in the members. But he should not act in contravention of any order of the council. He should not exercise any powers which should be exercised by the District Council. He may delegate his powers to the Deputy Chairman.

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78. Ibid.
Over and above this general rule, he is endowed with certain special powers which he can exercise at his discretion. First he has a casting vote in case of equality of votes. Second he decides all points of order which may arise and his decision is final. The chairman decides the admissibility of questions and motions. He also decides the method of taking votes by division. Finally, he may order the withdrawal of members. In fine he regulates the proceedings of the District Council.

The Chairman shall vacate his office when he ceases to be a member of the District Council. A person who is not a member of the Council cannot be elected as its chairman.

When the office of the Chairman is vacant or during the absence of the Chairman, the Deputy Chairman shall perform his functions. If the Deputy Chairman also is absent a member of the Council nominated by the Chairman shall discharge his functions. At the commencement of every session the chairman shall nominate two persons to

81. Ibid.
82. Ibid.
83. Ibid.
85. Ibid.
preside over the session during the absence of the chairman and Deputy Chairman.  

After a brief review of the various aspects of the office of Chairman of the District Council - we come to certain conclusions. First, most of the Chairman and the Deputy Chairman were elected by a unanimous vote except in two cases. Disappointed politicians were dropped into it.

Second, all the chairmen and Deputy Chairmen except two held office for a single term. Thus there was a strong tendency for a single term, a tendency based on the idea that no one is indispensable in a democracy and that everybody must have an equal chance of serving his community.

Third, nominated members were not elected as Chairman or Deputy Chairman.

Fourth, of more than a dozen Chairman and the Deputy Chairmen elected so far, not even one was a member of the fair sex. This is very unusual because in the Khasi Hills there is absolute equality between the two sexes in socioeconomic life. There is high literacy among the Khasi women. But women do not take active part in politics.

Finally, a close study of the Chairman and the Deputy Chairmen reveals that many of them have experience in public life. They did not involve themselves in any controversy to undermine their great office. However, only one Deputy

Chairman incurred the displeasure of the members of the District Council. By and large most Chairman adopted strictly neutral and impartial attitude in the conduct of business of the Council.

The Chairmanship of the village Council.

The most important organisation in the village is the village council or village Durbar. In the Khasi society Durbar or Council plays a vital role. Nearly at every stage of the society there is a Council. Village Council is known as 'Ka Durbar Shnong'. Each village Council shall be presided over by a Headman or Chairman known as 'Rongbah Shnong'.

Procedure for the Election of Headman.

The election of Headman should be in accordance with the existing custom prevailing in the village concerned. All adult males of the village are the members of the Village Durbar. The Durbar or Council also acts as the electoral college for the purpose of election of Headman. Generally one of the eldest member is chosen as the chairman or Headman of the Village Durbar. The Choice is unanimous. But in case of division simple majority will decide the issue. 88

88. Deputy Secretary, H.W.Nongbet, interviewed on 18.3.1977.
The Chief of the Elaka Concerned shall report the result of election or selection of Headman to the District Council for approval. On receipt of the approval, the chief shall issue appointment letter to the Headman concerned. In other words, he enters the office subject to prior approval of the District Council.89

**Term of Office.**

Rongbah Shnong or the Headman shall hold office for one year but the same person can be re-elected for the next term.90

The Headman may be removed from office or suspended by the Chief of the Elaka Concerned for dereliction of duty or misconduct subject to approval of the District Council.91 We think that this provision is necessary because the Headman has also executive powers. He is not merely a presiding officer and he may be tempted to misuse his powers.

**Resignation.**

The Headman may resign at any time in writing. The Headman must submit his resignation to the Chief or Syiem of his Elaka. But the final authority for the acceptance

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of resignation is the District Council.

**Functions of the Headman.**

The Headman is the presiding officer of the Village Durbar. In his absence one of the eldest member presides. He should call for meetings of the village Durbar. He opens the Durbar by referring to antecedents that caused them to meet. The Headman explains the object of the gathering and some selected spokesmen are engaged for classification of matters associated with the agenda. Debates follow. A session may be adjourned till midnight, if the problems remain unsolved, the session is adjourned till a consensus is arrived at.92

There are certain conventions which must be observed during the sessions of the Durbar. The Headman had to maintain dignity and decorum of the assembly. No one can leave the Durbar without the permission of the Chair. Contempt of Durbar is treated as a serious offence.93 In other words, the Headman occupied the central position in the Durbar.

In his administrative capacity the Headman is responsible for the maintenance of peace and order in the village.

93. Ibid.
It is his duty to look after the sanitation of the village.

Finally, as a presiding officer of the village Court, it is his duty to settle minor disputes between the villagers in accordance with the customary laws of the village. But the power of the village court is very limited. It may inflict fines upto Rs.50 only.

The Headman shall vacate his office when he is no more a resident of the village. A person who is not an inhabitant of the village cannot be chosen as its Rongbah Shnong or Headman.

After a brief review of the various aspects of the office of the Headmanship of the village council we came to the conclusion that there was no contest for the office. The villagers selected one of the eldest person by consensus.

Second, the term of office is for a brief period of one year. Thus, everyone is getting a chance of serving

95. Ibid., Rule 38.
96. Ibid., Rule 11.
97. Deputy Secretary H.W. Nongbet; interviewed on 18.3.1977.
his community by rotation.

Third, the Headman is always guided by the Village Council or Durbar. He cannot do anything individually.

Fourth, the Headman must be a resident of the village. Residential qualification is justified on the ground that a person is interested in the affairs of the village when he is a permanent inhabitant.

Fifth, only males were entitled to the office. The fair sex was excluded.

Sixth, persons who have been removed from the Headmanship for misconduct cannot become Headman again without the consent of the District Council.

Finally, the Headman and the Durbar are ultimately responsible to the District Council through the Chief of the Elaka concerned. An appeal against the decisions of the Headman and village Council rests with the chief of the Elaka and ultimately to the District Council.