CHAPTER - II

SYIEMSHIP

Syiemship is a unique institution. In 1876, there were twenty-four Khasi States. The head of the Khasi state is the Syiem.

1. The Khasi States presided over by Syiem are

1. Bhawal
2. Cherra
3. Khyrim
4. Lyng-rim
5. Malai-soh-mat
6. Maha-ram
7. Ma-ri-ao
8. Mao-iong
9. Mao-syn-ram
10. Myl-liem
11. Nong-soh-phoh
12. Nong-Klow
13. Nongspung
14. Nong-stoin
15. Ram-brai

2. The Khasi States presided over by Sirdars are

1. Dwara-nong-tyr-men
2. Ji-rang
3. Mao-long
4. Mao-don
5. Pom-sangut

3. The Khasi States presided over by Lyngdohs

1. Lyn-long
2. Mao-flang
3. Nong-lywai
4. Soh-long


1(a). Ibid.
1(b). Ibid.
4. Thus at present there are twenty-five Khasi States. 2

The Khasi states may be classified into four types: one presided over by Syiems — derived from the Khasi word 'Mynsim' meaning 'the soul' 'the life', who though taken from one family are appointed by election, the second presided over by Wahadadar; third by Sirdars, and fourth by Lyngdohs. These offices are entirely elective. The election of Syiems and others was subject to confirmation by the Paramount Power — the British Government which reserved to itself the right to remove them in case of oppression or misconduct. 3 From 1952 onwards this power rests with the Khasi Hills District Council.

According to tradition the Syiemship remained in one family but the succession was originally regulated by a special electoral body consisting of the heads of some priestly clans. In the recent past, there was a tendency towards broadening the elective basis. In each state there is an electoral College. It has the power to disqualify the heir to Syiemship on certain valid grounds.

Succession was originally controlled by a small electoral body consisting of Lyngdohs of certain priestly clans, who sometimes rejected candidates on religious grounds. Later on there was a tendency to broaden the basis of the electoral college by the inclusion of Sirdars and Basans. In some cases the Syiems were elected by the people when the electoral Durbar could not come to an unanimous decision. The electorate consisted of all adult males.

Though Khasi Syiems are elected, the mode of election differs from place to place. The same applies to all other chiefs like Lyngdohs, Sirdars and Wahadadar. In most of the states there are electoral Durbars or electoral councils for the purpose. Before independence the election was subject to ratification by the British Government. From 1952, elections are conducted by a returning officer of the District Council and all appointments of Chiefs is subject to the approval of the District Council. The procedure for the election of Syiem is as follows:

In Bhowal, Syiems have been nominated by the heads of eight clans. They are the electors of the Syiems. In case

4. For details see D. Herbert Report, 1903, forwarded to the Secretary to the Chief Commissioner, Assam, under Letter No. 327A of 4.2.1903.
the electoral Durbar fails to arrive at a unanimous decision, the people assume the power to elect their Syiem. It is presumed that the Syiem should be elected unanimously. If the electors disqualify the first heir to Syiemship for sufficient reasons, they must nominate the second one.

In Cherra the mantris of the twelve ruling clans can nominate a Syiem, and recently the forty-eight Kurs assumed the responsibility there with 12 mantris, when the original twelve failed to reach an unanimous decision. If an heir is disqualified from succeeding to the Syiemship, the next in the order of succession must be appointed.

Jirang was upgraded from Sirdarship to Syiemship in the recent past. Here the appointment of Syiems was the free choice of the people. The entire male population participated in deciding the question of succession.5

The electoral Council of Khyrim is headed by a Lyngskor, who is the head of the Mylliem Ngap clan. At present the total number of electors is thirty-one, i.e., One Lyngskor, six Lyngdohs, and twenty-four Mantris representing the six Rajs or Units of Khyrim State. He need not be elected by an unanimous vote but by a majority of the electors. Neither the members of the Syiem family, nor the

people of the State other than the electors, have a voice in the nomination of the Syiems. The electors might disqualify any heir for strong reasons. If the first is disqualified the next was preferred.

All the male adults of the State have the right to vote in the election of a Syiem of Langrim. The appointment rests entirely with the people, who can disqualify any heir, and appoint a Syiem from any branch of the Syiem family.

In Mylliem there is an electoral college consisting of five Mantris, two Basans, one Lyngdoh, and the rest are the headmen known as matabors. The total number of electors is twenty-five. But the U.K. & J Hills Autonomous District (Elections from the twenty-three clans of Raid San Shnong Mylliem Syiemship) Act, 1957 - provides for the inclusion of representatives of the twenty-three clans of "Raid San Shnong" in the electoral college. The present total strength of the electoral college is forty-eight. The Syiem of Mylliem may be elected by a simple majority. As in the Khyrim State, an heir, may be disqualified by the electors for sufficient reasons.

In Mawsynram the electors are the heads of the four clans - namely Marbaniang, Langpen, Nongkinter and Nongdisiar clans. They have the right to nominate the Syiem.

But the decision should be unanimous. They may disqualify the first heir for sufficient reasons in that case the next is preferred.

The Syiem of Mariaw is appointed by the Durbar of the State, consisting of four Lyngdohs, twelve Sirdars and seven elders\(^7\) by a simple majority. The electoral Durbar has power to disqualify the first heir for sufficient reasons but then the second in the line of succession must be selected.

One Lyngdoh and five clansmen formed the electoral college of Mawiang.\(^8\) If the electoral college is not unanimous in the selection of Syiem he should be elected by the adult males of the State, including the males of the Syiem family. The electoral body and the people of the State may disqualify the next heir for any reason. If the first is disqualified the second in order of heirship must be appointed.

In Malaisohmat the nomination of the Syiem rested with a council of five. A bare majority is sufficient for the appointment of a Syiem. The heads of the five clans may disqualify the first heir for any reason. In that case the Durbar must elect the next in the order of succession.

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8. Ibid.
In Maharam originally there were five Lyngdohs who appointed the Syiems, but as in other states the number of electors has increased by the inclusion of Mantris, Sirdars and Basans. The electors now number seventy-two. The Syiem must be elected by an unanimous vote. If the first heir is disqualified, the next in the order of succession should be elected.

Five Lyngdohs constituted the electoral college in Nongkhlaw, and the members of the Syiem's family had no voice in the appointment. In case of a contested succession if the five Lyngdohs were unable to decide the issue unanimously the elders of the whole state have to be appealed to. If the first heir is disqualified, the next one should be elected.

In Nongstoin there was a large electoral Durbar consisting of sixty members two Mantris, thirty-one Lyngdohs, twenty-five Sirdars, one Lyngskor, and one Basan. The Lyngdohs are the heads of the priestly clans by whom they are chosen. The Sirdars are chosen by the Syiem, Lyngskor the agent of Syiem for the collection of revenue is appointed by the Syiem with the consent of the male adults of the village. A simple majority in the electoral Durbar is sufficient for the election of a Syiem. If an heir is disqualified, the Durbar is bound to nominate the next in the
succession; if he is also disqualified, the next in the order of succession should be elected.

The Syiem of Nongspung is appointed by an unanimous vote of a small electoral college consisting of five Lyngdohs. If they are not unanimous, there should be an election by all the adult males of the State. The five Lyngdohs have no power to disqualify the first heir. If he is unable to perform the duties, the next in the order of succession is appointed.

The Syiem of Nobosophoh should be elected by an unanimous vote of the electoral college of four Lyngdohs. Otherwise popular elections should be resorted to. The people of the State can disqualify any heir for any reason. His term of office was for life, subject to good conduct. Since 1952 he has been holding office during the pleasure of the District Council.

In Rambrai, three Lyngdohs and two Mantris were the original electors, but later on Sirdars were added to it. The State electoral college of Rambrai propose a candidate. The people decide the question by a simple majority. If an heir is disqualified the electoral Durbar must nominate the next in the order of succession, and so on. All the Syiems in general and Syiem of Rambrai in particular hold office
for life on good conduct. Since 1952 the office of Syiemship was subject to the pleasure of the District Council.

In Lyniong, Mawphlang and Sohiong, the Lyngdoh was elected from the Lyngdoh clan by all the adult males of the State. They were holding office for life, on good conduct. Since 1952, the term of office rests with the pleasure of the District Council.

In the Shella Confederacy formerly there were four Wahadadars. These chiefs were elected for periods of three years each by the people. At present only one Wahadadar is elected from the whole confederacy on the basis of manhood suffrage. His term of office is five years. He may be elected for any number of terms. The candidate must be a native of Shella.

The Sirdar of Dwara - Nongtyrmen is elected for a term of five years by the vote of adult males of the area. He was eligible for re-election any number of terms. He must be a native of the Sirdarship.

In Mowlong the Sirdar was elected for a term of five years by the votes of adult males. He was also eligible for re-election. A candidate shall be a male voter who has permanent residence in the Sirdarship.12

The Sirdars of Mawdon, Nonglwai, and Pamsanngut were elected by the adult males of the State.

It may be noted that in nine states - Gherra, Khyrim, Mylliem, Mariaw, Maharam, Malaisohmat, Nongkhlaw, Nongstoin and Rambrai the Syiem is elected by a small electoral college by a simple majority. In the case of Bhowal, Mawiang, Mawsynram, Nongspung and Nobosophoh, the Syiem should be elected by an unanimous vote of the electoral college concerned. If unanimity is not possible, the Syiem should be elected on the basis of man-hood suffrage. At Jirang and Langrin, the Syiem is elected by all adult males.

Another interesting feature is that the electors have the power to disqualify the next heir for good reasons according to the Khasi custom.

The Khasi women inherit and hold property - but they have no right to vote in the election of chiefs. The present writer thinks that there is no justification for this discrimination. Khasi women have a right to vote to the

Assembly and Parliament and the District Council but not for the election of Chiefs. This is anomalous. By prohibiting Khasi women the right to participate in the election of the Chiefs, fifty per cent of the population is denied a right to which they are entitled. We therefore suggest that the Act should be amended and women should be given the right to vote for the election of Syiems.

**Rules of Succession of Syiemship.**

The succession to the Syiemship is from the female side, except in Khyrim. But the rules of succession differ slightly from place to place. However they should observe two basic principles. First the deceased Syiem should be succeeded by the eldest of his uterine brothers. Failing such a brother, by the eldest of his sisters' sons; failing such, nephews by the eldest of the sons of his sisters' daughters; failing such, grand-nephews by the eldest of the sons of his mother's sisters; and, failing such, first cousins by the eldest of his male cousins on the female side, other than first cousins, those nearest in degree of relationship having prior claim. If there were no male heirs women are eligible, in that case the eldest of his uterine sisters would become ———

Syiem, and failing such sisters and maternal cousins the eldest daughter would rank next. In the absence of the collaterals, the eldest grand-daughter of the sister of Syiem would be the heir. The above observation applied broadly to Langrin, Mylliem, Mariaw, Malaisohmat, Nongkhlaw and Nongspung Syiemships. The second rule applied to Cher-ra and Rambrai provided that the eldest male maternal cousin could rank as equal with the eldest uterine brothers. Failing such, nephews grand-nephews became eligible.

In Khyrim a high official called Lyngskor proposed a new syiem to the six Lyngdohs and to the heads of the twenty-four mantri clans. The latter will decide in a electoral Durbar, whether the proposed syiem should be elected. They may reject the candidate proposed by the Lyngskor and elect another as syiem. The electors might disqualify any heir to Syiemship on grounds of bad character, change of religion etc.

Prior to Independence the Deputy Commissioner as the Political Officer used to supervise and control the entire process of election and succession. Since 1952, this power was wholly vested in the District Council. So far we have dealt with the election of the Syiem. Let us now

consider the second type i.e.; administrative Durbars. Under the Act of 1959, Durbar means a body constituted by the District Council under any law to assist the Chief in the administration of the Elaka concerned. These Durbars were known, for their freedom of speech and majority decision - "where every member was entitled to speak and vote. Capt. White, assistant to David Scott, attended one such Durbar, and he was amazed at the decorum with which the debate was conducted for two days and admitted that he had not seen these surpassed in any European Society. This testimony coming from an European Officer of note shows how advanced the Khasis were in the art of self-Government." The composition of this small executive body varies from place to place. For instance, in Mylliem, 5 Mantris assist the Syiem, in Khyrim the strength of the Durbar is 31, whereas in Cherra 12 mantris constituted the Durbar. Durbars were entrusted with the responsibility of management of markets, forests, and arrangement for festivals and realisation of revenue.

There was a Durbar called Ka Durbar Hima Pyllun - it was a gathering of the entire male population of a particular State. Generally, elders of the clans and officials

attended the Durbar. In that case it was called Ka Durbar Ki Shnong, a Durbar of villages. This Durbar was summoned for deciding some vital issues.

Before Independence the Syiems had jurisdiction over all cases, civil and criminal, in which their own subjects were concerned. Cases of homicide and disputes involving people of different states were decided by the Deputy Commissioner. By Clause II of the sanad, the jurisdiction of the Syiem and his court was confined to cases arising within the State in which the subjects of the State alone were involved. The Syiem was further precluded from taking cognisance of even criminal cases in which his subjects alone were concerned, if the offence was one punishable under I.P.C. with death or imprisonment for 5 years. The jurisdiction in all cases, both criminal and civil, in which one of the parties was a subject of another state, and in the serious criminal cases had to be taken to the Deputy Commissioner. At present all the Syiems are treated to Additional Subordinate District Council Court. The Additional Subordinate District Council Courts, constituted

18. During the British period the Appointment of the Syiem requires the confirmation of the Government, on such confirmation he is given a sanad.
19. No.1 - 4, Political A. September, 1927.
under rule 17 of the K & J Hills Autonomous District (Administration of Justice) Rules, 1953, was delegated with powers of a Magistrate as noted against each.  

(1) The court of Syiem of Mylliem ... powers of a Magistrate Class - I.

(2) (a) The courts of the Syiem of Nongklaw,... Power-Cherra, Khyrim, Nongstoin and Maharam Shiemships and  
(b) the courts of the Wahadadars of the Sheela confederacy.

(3) (a) Courts of the Syiems of Nongspung, Langrin, Mawsynram, Mariaw, Ram-brai, Mawiang, Bhowal, Malaisohmat, Nobosophoh and Jirang Syiemships.  
(b) Courts of the Lyngdohs of Sohiong, Mawphlang and Lyngiong Lyngdohships and  
(c) Courts of the Sirdars of Mawlong, Mawdon, Dwara - Nongtyrmen, Pirm-sangut and Nonglwai Sirdarships.

Village Administration.

The pivot of village administration is the Headman. Headman means a Mantri, a Syiem Raid, a Basan, a Lyngdoo Raid, a Matabor, a village elder and a Rongbah Shnong. The election of headmen shall be the statutory duty of the District Council in accordance with the existing custom prevailing in the Elaka concerned.  

A unit or a sub-division has a Durbar called Durb ir Raid, composed of Raid elders and presided over by a Syiem Raid, Lyngdoh Raid or a Basan Raid. Whereas the village unit has a village Durbar headed by its headman, in their administrative capacity they were responsible for the maintenance of peace, improvement of roads, markets and collection of market revenues. They also arrange festivals and send their offerings to the Syiem for state ceremonies. In their judicial capacity they acted as village courts. The quorum is three and a simple majority shall decide the issue. The court shall try cases in accordance with the customary laws of the village. An appeal shall lie to the subordinate or Additional Subordinate District Council Court.

The most significant feature of village administration is that the headman alone has no power to decide any issue. There was always a long discussion on all disputes in Durbar with the headman presiding. Then a consensus is arrived at. The same procedure is adopted in all villages. In fine, collective wisdom was preferred to arbitrary decision by the Headman.

Sources of Revenue.

In the Khasi Hills there is no land revenue, land is mostly treated as the property of the different clans and villages. The chief is entitled to receive the income from the Raj or State lands only. All the Syiems usually receive from their subjects the state subscription, or Pynshok, literally means gratification. Even this is supposed to be a voluntary contribution. This tax is intended to meet the expenses of the State Ceremonies, but is also a source of income of the chiefs. The rate of contribution is determined by the financial position of the villagers. The Syiem's principal source of income is the toll or Khrong which he takes from the vendors at the markets in his Elaka. The Chief formerly raised no excise revenue - but at present a "still tax" is an additional revenue raised in some places having distilleries. Another source of income is judicial fines, but these are divided between the chief and the members of the Durbars. 24

The lease of limestone quarries also constitute a reasonable source of income to the Syiem of Cherra and Sirdar of Sohbar. Before the establishment of the District Council royalty accruing from coal mining was an important source of income of the Cherra Syiem. There

are some other sources of income like income from grazing fees, pound fees, exise fines and land rents. In 1956-7, the actual receipt of the Mylliem State was Rs. 1,58,517. The second position is occupied by Cherra with Rs. 96,600 and all other chief's income was below Rs. 26,000 per annum - the annual income of Nongspung was the lowest Rs. 750 only. In general there was no uniformity in the income of the Syiem. This was due to the fact that there was no taxation in the Khasi Hills and the income of the Syiem was mainly from Voluntary contributions.

**Items of Expenditure.**

Expenditure was incurred on administration and State ceremonies. A portion of the income was set apart for the maintenance of the chief and his officials. Market revenues are shared between the Syiem and their Mantries. But the most important item of expenditure was on the performance of customary ceremonies. Festivals were classified as state, local and village festivals and revenues were assigned to each one of them. The actual expenditure incurred in 1956-57, by the Mylliem Syiemship: On ceremonies was Rs. 1,9,726, Cherra Rs. one lakh and all other states below Rs. 26,000;

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25. District Council's reply to Vaghaiwalla Committee, 1959-60-Annexure F, PP. 24-27, also 47 and 77.
the lowest expenditure was incurred by Nongspung Rs. 730 only. In the case of first two syliemships the deficit was Rs. 1,119 and Rs. 3,400 respectively whereas in the case of lowest one there was a surplus of Rs. 20. From this sample survey it may be concluded that the financial position of these states was not satisfactory. The present Syiem of Cherra informed the present writer, that most of the important sources of revenue like forests and minerals are now shared between the Government and the District Council; This was one of the reasons for poor financial condition of the Syliemships.  

Relations Between the Khasi Hills and the British.

Till 1869 the relations between the Khasi Chiefs and the British Government were regulated by agreements executed by the Chiefs. In 1859, side by side with agreements Sanads also were issued and tendered to the Chiefs for their acceptance. In 1877, the agreements were abolished and Sanads were retained. They were the only means by which relations between the Khasi chiefs and the British were regulated except in the case of Lyngdohs and Sirdars with whom relations were regulated by Parwanas.

Why was this done? Perhaps the British Government wanted to reduce the status and influence of the Chiefs. By abolishing the system of agreements, the Chiefs were not recognised as a contracting party. A sanad, in political parlance, was generally issued indicating a grant of recognition from the Crown to the Ruler of the State. A sanad was also intended to create a feeling and foster the idea of absolute sub-ordinate position occupied by the Chiefs in relation to the British authority.

The phraseology used in the Sanad granted to the Chiefs was also not happy. The opening sentence of a Sanad runs as follows:—"You having been elected Syiem of the State of ... in the District of Khasi and Jaintia Hills, this Sanad ratifying your election and appointing you as Syiem is conferred upon you on the following conditions". This sentence makes it clear that the Government assumed to itself the right to appoint the Syiem and not merely ratify his election. In other words, the Syiemship was a gift in the hands of the British. Since the Government had the power of appointing the Syiem it automatically follows that it had the power to dismiss him at any time without assigning any reason. This is evident from the following sentence in the Sanad. "You shall be subject to the orders and control of the Deputy Commissioner or any other officer authorised in that behalf, by
the Government may issue to you."

Another sentence goes to the extent of saying that the local Government shall have the power to punish the Syiem for misconduct or breach of any condition of the sanad, subject to the control of the Government of India.

The Sanads were issued to the Chiefs and not to Sirdars and Lyngdohs. They were given Parwanas. The Parwanas issued to the Sirdars and Lyngdoh were brief and enjoined the person concerned: "You shall carry out all orders issued to you by the British Government". There is another sentence which treated them as if they were the servants of the British Government. "In the event of misconduct on your part, you will render yourself liable to dismissal from the Sardarship or Lyngdohship."

Again, the clauses of the Sanad were confiscatory in nature. Under the clauses of the Sanad, the mines and minerals, waste lands and forests were ceded to the Government on the condition of receiving one half of the profits that it might be able to make. What remained to the Syiem and his people was the land they had actually occupied. Even the right to hunt and capture elephants was taken away on similar conditions.

Further, clause I of the Sanad authorised the Deputy Commissioner to entertain appeals against the decisions of
the Syiems even in cases where his jurisdiction was absolute. Again, the laws made by the Indian Legislative Council could be introduced into the Khasi States. Further, the local government was at liberty to establish civil and military sanitaria, Cantonments, Posts and Telegraphs in the Khasi States and occupy lands necessary for the purpose rent free. If the Government wished to construct a railway through their territory, the Syiems must provide the land required for the purpose without compensation except for the occupied lands and should render all help to the Government for this purpose.

The Sanad concludes by saying, "If you violate any of these conditions of the Sanad, you shall be liable to suffer such punishments as the local government, subject to the control of the Government of India, think proper to inflict."

The Sanad was signed not even by the Commissioner but by the Deputy Commissioner. At first the Sanad was signed by the Viceroy. But from 1878 it was signed by the Commissioner of the Surma Valley and Hill Division. The Parwanas were signed by the Deputy Commissioner. Still later the Sanad also was signed by the Deputy Commissioner. This indicates the position occupied by the Syiems before 1947.
Although, in theory, the Khasi States were semi-Independent States in subsidiary alliance with the British Government, in practice, they were reduced to the status of messenger boys. So wide were the powers of the British Government over the Khasi States that they might be regarded as parts of the British India.

The Sanad clearly demonstrates the subordinate position occupied by the Syiems. The Rulers of the Khasi States were not sovereign. They were placed under the orders and control of the Deputy Commissioner. They were deprived of the powers to try cases in which their subjects were not involved. Even in cases against their own subjects they were not authorised to try murder cases. As stated earlier such cases were decided by the Deputy Commissioner.

In 1924, there were 25 Khasi Chiefs with a total population of 1,80,000 of whom 1,63,000 were Khasis. There were about 75,000 Khasis in Mylliem and Khyrim and about 45,000 in Cherra, Nongkhlaw, Nongstoin and Manaram. None of the remaining States had 4,000 inhabitants. Four of them had just 500 persons. They were all too small to provide public services. Maintenance of footpaths by forced labour, employment of watchers for fruit groves, cleaning of markets, decision of petty disputes, and occasional religious functions were the only functions of the State. The Christian ------------------------------------
Missions provided education. The Government maintained dispensaries. The Khasi people did not expect many services from the State. They paid no fixed taxes except market dues. The Syiem had no power to levy taxes on land. Revenues not earmarked for special purposes were appropriated by the Syiem for the maintenance of his family, the officials of the State and other expenses of State. There was no such thing as Civil List. There was very little taxation in the Mylliem and Khyrim States. Therefore, there was practically nothing for public works after providing a meagre amount for the maintenance of the Syiem, his family and the officials.

In 1934, Keith Cantlie, the Deputy Commissioner of K & J Hills, suggested the reunion of the States of Mylliem and Khyrim under a single Syiem. Till the middle of 19th Century they were one. A rivalry between the two branches of the family brought about a division. He also suggested that the three Lyngdohship adjoining the Mylliem and Khyrim States might be merged with it.

In their address presented to the Viceroy on 3 October, 1933, the Khasi Chiefs requested him to define the Status of the Khasi Chiefs so that they might be represented in the federal legislature. They also requested him to place them in direct relation with the Viceroy through the Political Agent and not under the
Deputy Commissioner. The Viceroy replied that the total population of the Khasi States was so small in comparison with that of the large States in India that they would not be able to secure representation in the proposed federal legislature. He, therefore, advised the Khasi States to form a federation. "This was obviously the first and the most useful step which should pave the way towards your entry into the greater federation," said the Viceroy. As regards the suggestion that in future the Khasi States should be placed under a Political Agent, the Viceroy promised to consider the request.

As advised by the Viceroy the Khasi States met and passed a resolution as follows: "We the Chiefs of the Khasi States, the Sylems, the Lyngdohs, the Wahadardars, the Sirdars, on behalf of the Khasi States whom we represent have now associated and made a federation of these States ... which will be called the federated Khasi States. The aim and object of this federation is to form a body politic to discuss and consider political questions and matters of common concern and interest and to take united action in such matters for the consideration of the British Government." But the real intention in forming the Khasi Federation was to secure a better status for
themselves. The Chiefs desired to occupy the position occupied by the native princes and free themselves from the grand-motherly authority of the Deputy Commissioner and thereby increase their own social status among their own subjects.

With this aim the Khasi Chiefs presented a memorandum to the Viceroy Lord Linlithgow, praying that they should be placed in direct relation with the Viceroy. In other words, they should be under a Political Agent and not under the Deputy Commissioner. In support of their demand the Khasi Chiefs advanced certain untenable reasons. First, that the Deputy Commissioner was generally selected from the I.C.S. with experience in the plains where the conditions were radically different from those of the Hills. As a consequence he was not able to understand the psychology of the hill people. This was not a fact. Generally an European I.C.S. Officer with experience in district administration in the Hill areas for considerable periods was appointed Deputy Commissioner of the K & J Hills. Some of them had profound knowledge of the Khasi Customary Law, Khasi Political Systems and Khasi history. P.R.T. Gurdon and Keith Cantlie are the outstanding examples. Their publications are still considered as standard publications. Evidently the Khasi Chiefs were anxious to get away from the control of the Deputy Commissioner.
The Khasi Chiefs also represented that in enumerating the Khasi States, the Government enumerated only 16 States as States proper. The Lyngdohs, the Sirdars and the Wahadadars were not included in the list of States. They demanded that all of them should be included in the list of States so that they might also be represented in the proposed federation. The Viceroy did not accede to any of the requests. This was the constitutional position of the Khasi States before 1947.

Control by the Deputy Commissioner.

It is clear from the facts stated above that before 1947, Khasi Chiefs had very limited powers - and the appointment of the Syiem required the confirmation of the British Government through the Crown's representative. This was conveyed by means of Sanads granted to the Chief. Sanads makes the Syiem subject to the orders of the Deputy Commissioner. The Viceroy can remove the Chief in case of misconduct or dereliction of duty. Before taking such an action the wishes of the Durbar were consulted. Further


29. Letter No.Pol.517-2783 A.P., of 30.4.1927, from the Chief Secretary, Assam.

30. Ibid.

para 3 of the sanad reserves to the Central Government liberty to establish civil and military stations and cantonments in any part of the State and to occupy the lands necessary for that purpose rent free. Moreover no transfer or lease of land in a Khasi state to non-Khasis was permissible unless it was made with the approval of Government through the Deputy Commissioner. The Chiefs were therefore under the control of the Deputy Commissioner of K & J Hills District. This was the position upto 15th August, 1947, when India became a Dominion. Thereafter the paramountcy of the British Government lapsed and the 25 chiefs established a Federation. Thereafter a new relationship was established between these chiefs and the Government of India by means of an Instrument of Accession which was accepted by the Governor - General of India on August, 17, 1948. By this Instrument, the Chiefs acceded to India by which all existing administrative arrangements were made. Further in the matter of legislation, the Central Legislature and the Assam Legislature had the power to pass laws concerning subjects of common interest.

33. Letter No.3729J, of 19.8.1908 from Secretary Judicial Deptt, Assam.
34. Cajee, Chief Executive Member vs. C.Jormanik Syiem and another C.A. 394, 1960 (S.C).
This position continued till the Constitution came into force. After the Constitution came into force the Chiefs lost whatever administrative powers they had by the merger of these 25 States in Assam and the Governance of these States is carried on according to the provisions of the Sixth Schedule.35

Control By The District Council.

K & J Hills District Council was inaugurated on 5th June, 1952. All the Chiefs are placed under the jurisdiction of the Council. At present appointment and succession of Chiefs and Headmen is wholly regulated by the District Council under the Act of 1959.36 The Supreme Court of India had observed in 1960, that the Syiem was a functionary under the District Council.37

As mentioned earlier all the Chiefs were now Presiding Officers of the Additional Subordinate District Council Courts. But their decisions are subject to appellate jurisdiction of the Subordinate District Council at Shillong.

As regards financial matters the Chiefs pay one-eighth of the total income to the District Council.38

36. Appointment And Succession of Chiefs ... Act, 1959.
37. Cajee, Chief Executive Member Vs. C. Jormanik Syiem and another C.A. 394 (S.C.).
38. District Council's reply to Vaghaiwalla Committee, 1959-60, PP. 300 and 27.
Council has certain control over the Budgets which are to be submitted to it for approval. But the control of the Council appears to be nominal. 39

In conclusion a question may be raised whether the institution of Siemship should be abolished? According to a section of the Khasi elite Siemship was a stumbling block in the path of Socialism and economic development. But the present writer does not subscribe to this view. In the Khasi Hills there was no land revenue because the land was treated as clan's property. Revenue hungry state Government and Khasi Hills District Council are desperately searching for additional resources; and in the near future the institution may be in great danger from the above quarters in the name of agrarian reforms and for the imposition of land revenue. In the absence of Siemship, who will administer the customary laws, settle village disputes, perform religious and conventional festivals as well as various clan's rights and obligations and determination of question of heirship? Therefore, it will be a sad day in the annals of Khasi Local Government - if Siemship be crucified at the altar of so-called progress.

39. District Council's reply to Vaghaiwalla Committee, 1959-60, PP. 300 and 27.