Chapter 4

THE HILL REGIONS: A DISTINCT IDENTITY

The Hill regions comprising the Garo Hills, the Khasi and the Jaintia Hills - excepting Shillong Municipality, the Mikir Hills, the North Cachar Hills, the Naga Hills with its outlaying tracts, the North East Frontier Tracts and the Lushai Hills were excluded from the constitutional reforms scheme of 1919.\(^1\) The notification dated the 3rd January 1921 of the Governor General declared the hills districts and the frontier tracts of Assam to be treated as the backward tracts\(^2\) for the reformed Constitution.\(^2\) In 1917, the Montague Chelmsford Report recommended the typically backward tracts to be excluded from the jurisdiction of the Reformed Council. Paragraph 199 of the Report suggested the 'schedules' of the Scheduled District Act as the criterion for excluding the territories from the scheme. However, this criterion was not acceptable to Assam as the whole of the province had been scheduled under that Act. It was, therefore, suggested to examine the component parts of the province separately for the introduction of the reforms.\(^3\) Among the different parts of the province the hill areas comprising

\(^1\) Report of the Franchise Committee and the Committee on Division of Functions, 1919, op.cit., p. 75

\(^2\) Report on the Administration of Assam, 1921-22, op.cit.,p.51

\(^3\) Extract of a note on Indian Constitutional Reforms by the Chief Commissioner of Assam; Report of the Franchise Committee and the Committee on Division of Functions, 1919, p. 267
about two-thirds of the whole of the province were identified as unsuitable for any scheme of constitutional change. The positions of the different hill tracts and the rest of the province were thoroughly discussed and debated both in the official and the non-official levels. Sir Archdale Earle, a former Chief Commissioner of Assam was of the opinion that the hill districts where the ordinary laws were not in force needed to be excluded from the scheme. Two other senior officials of the Provincial Government Messrs Reid and Barlow strongly advocated for the exclusion of the frontier areas. Sir William Reid, however, was in favour of inclusion of the Garo Hills, the Mikir Hills, and the North Cachar Hills in the Reformed Constitution of Assam. Sir Beatson Bell, the then Chief Commissioner of Assam found in 50,500 sq. miles of the hills, inhabited by the simple tribes, governed under the patriarchal fashion, the distinct problems of constitutional reforms and wanted their exclusion from the scheme. However, practical considerations compelled the Chief Commissioner to suggest the retention of the nominal powers by the Reformed Legislative Council to make laws for the hill tracts. The compelling condition which demanded the exercise of nominal control by the representatives of the plains over the hill areas was the financial relations. It was felt in the official level that if the plains were to supply the funds for the administration of the

hills it would be equitable not to deprive the representatives of the plains to have voices in the spending of their money. This economic consideration also guided the approach of the leaders of the plains towards the hill regions. The reputed leader Rabin Chandra Bordoloi stressed that if the Hill districts were excluded from the constitutional reforms, the Government of Assam should not be compelled to meet the deficit in the hill budget. He advocated that in case of retention of the hills in Assam, they should be placed under the control of the council. Chandranath Sarma, another leader wanted the Lushai Hills, the Garo Hills and the Naga Hills to be maintained by the Government of India as frontier areas. He contended, "It would be a grievous wrong done to the people of Assam to saddle them with the cost of administering the hill districts with which they were not very much concerned." While the Government of the province and the leaders of the plains were busy with adjusting the positions of the plains and the hills in the light of the constitutional reforms proposals, a section of the inhabitants of the Lushai Hills, within the hill regions made efforts to get themselves included in the reform scheme. In 1920, a group of people of Aizal organised a meeting and asked for the inclusion of the Lushai Hills in the Reformed Government of Assam. But initiative of the hill people to

5. N.D. Beatson Bell's Note dated 24th October, 1918, op.cit., p. 3

build up political partnership with Assam was crushed and the organisers were arrested and imprisoned.  

Under the provisions of the Government of India 1919, all the hill areas were placed under the status of 'backward tracts' within the provincial administration of Assam. As the 'backward tracts' the territories were subjected to the jurisdiction of such laws, central and provincial as were made specifically applicable to them by the Governor-General-in-Council. The Governor of the province was also authorised to make necessary modifications and exceptions of the laws passed by the provincial legislative council affecting these tracts. The Instrument of Instructions attached to the Act enjoined the Governor of the province to see that due provisions were made for the advancement and welfare of the people of the tribal areas. The rules made under the Instrument of Instructions required all proposals affecting the backward tracts, directly or indirectly; all proposals for posting to these tracts; any appointment which involved functioning in such tracts; the transfer and grants of leave to officers of these tracts to be submitted to the Governor. The Ministers were not responsible for the administration of these areas.  

7. Pahlira, Mizo Hills in Indian Union (Tribal Mirror, Silchar, vol. VI, p. 1) cited by S. Chaudhury - 'Social Background of Mizo Insurgency', Special Lecture Series, No. 1, Indian Council of Social Science Research, Shillong, 1988  

8. Rao, A Century of Tribal Politics, op.cit., pp. 52-53
the backward tracts were excluded from the scope of the Reformed Council, the Franchise Committee and the Committee on Division of Functions, 1919 (Southborough Committee) recommended the inclusion of a representative from the excluded areas in the legislative council of Assam through nomination. ⁹

In the first Reformed Council Babu Jangin Sangma Laskar, a distinguished Garo was nominated by the Governor to represent the highlanders of the Province. ¹⁰ But the nominee resigned as he could not follow the language of the proceedings of the Council. In 1924, a Welsh Missionary Rev. Evans was nominated to represent the hill areas. He too failed to represent the hill people's problems in the council as his experience about the hills was limited to those of the Khasi Hills only. ¹¹ However, the location of the General Urban Constituency of the Reformed Council offered the scope for the election of a tribal leader to the Council. The sole non-communal General Urban Constituency of Assam was located in the Capital town of Shillong within the British area of the Khasi and the Jaintia Hills. In the first election to the Council Rev. J.J.M. Nichols Roy, a Khasi leader, was elected from that constituency. He was elected

⁹. Report of the Franchise Committee, op.cit., p. 78
¹⁰. ALCD, 1921, vol. I, Governor's address, p. 5
¹¹. Rao, A Century of Tribal Politics, op.cit., p. 456

Rev. James Joy Mohan Nichols Roy was born in Shella. The inhabitants of Shella were known for having the mental acumen of a plainman and the courage and frankness of a Khasi Hillman. He became a member of the Congress in 1926 and was also the member of the Reception Committee of Indian National Congress Session held at Gauhati in 1925.

- Hindustan Standard, vol. IX, No. 97, January 9, 1946, p. 2
through a direct contest and secured 350 votes against Sivarath Dutta, who secured 112 votes. The constituency contained 950 votes.\textsuperscript{12} Rev. Nichols Roy, the first elected representative of the hills to the Legislative Council of Assam, was elected through a general non-communal constituency. He was also successful to retain the constituency under his control till the formation of Assam Legislative Assembly in 1937.\textsuperscript{13} In 1926, when Rai Bahadur Promode Chandra Dutta, the then acting Hindu Minister of the Surma Valley was defeated in the third council election and the Governor looked for a successor, who could satisfy the valley as well as the communal claims of the Province, Rev. J.J.M. Nichols Roy appeared to be the most capable alternative. Nichols Roy was appointed a Minister of the Province on 16 February, 1927.\textsuperscript{14} Thus a Hill leader came to hold the equilibrium between the two rival plain valleys of Assam.

Reformed Council's Approach to the Hill Regions during 1921 and 1936:

The entire hill regions termed as the 'backward tracts' were excluded from the scope of discussion in the general agenda.

\textsuperscript{12} ALCD, 1921, op.cit., p. 11

\textsuperscript{13} The Hindustan Standard, January 8, 1946

of the Legislative Council. However, a few issues having relevance to these territories were debated and discussed in view of their special constitutional positions. The individualistic position of the hill areas in the general administrative set up of Assam worked from the very beginning of the British Rule in the North East. The Inner Line Regulation (Regulation V of 1873) as referred to earlier, for the first time introduced administrative differentiation between the plains and the adjoining hills. It demarcated the plains as the limits of the regular British administration and prohibited the British subjects from moving beyond the line without official permission.

As an administrative measure the Inner Line, which was the result of a long drawn correspondence between the Government of Bengal and that of India, was adopted as a frontier policy towards the Hills. The British administration realised the complication that arose due to the penetration of the people of the plains into the hills and mountain tracts inhabited and frequented by the free tribes. So, the need of exercising stringent control over the commercial relations between the outsiders and the hill tribes was felt seriously. The line that was drawn along the foot hills of the whole of the northern

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*At the time of the passing of this regulation there had been a great demand and competition for Indian rubber in the forest reserves of Lakhipur and Darrang. It was one of the most valuable products of Assam in India and British had revenue interest on it. - An Account of Assam and Its Administration, Shillong, 1903, p. 32

15. Physical and Political Geography, op. cit., p. 232
and the north-eastern tribal areas tried to protect the tribal people and the settlers of the plains. It prevented the encroachment on the tribal land and checked the irritation that incited the tribesmen to resort to rebellion and raids on the regular British territory in the plains. The 'Inner Line' thus defined the jurisdiction of the regular British administration and carried no ideological principles to isolate the tribal people from the people of the plains. In reality it was the outcome of genuine and sincere thinking as well as of dire necessity of the British administration in the north-east.

The special position of these areas under the Assam administration was later secured under the provision of section 14 of the Assam General Clauses Act, 1915 and also through the Assam Frontier Tract Regulation, 1880.  

These specially treated areas, technically termed as the 'backward tracts' under the Government of India Act, 1919 were deficit areas. As Assam was one of the poorest provinces and the 'backward tracts' were extensive, the legislative council consisting of the representatives of the plains grumbled to meet the deficit of these areas. On 11 April 1923 in view of

16. Elwin, Nagaland, op.cit., pp. 43-44
   *Section 14 of the General Clauses Act provided that no local Act passed either before or after 1915 would come into force in the Scheduled districts unless extended under the Scheduled District Act.
18. Rao, A Century of Tribal Politics, op.cit., p. 52
the acute financial constraints of the province the Council unanimously adopted a resolution demanding two-thirds of the cost of the administration of the Hills districts from the Centre or in lieu thereof the remission in the contribution of the province to the Government at the centre. The council though regarded the hills districts as the parts of the province it declined to shoulder the cost of its administration for general financial hardship as well as for the nature of civil administration of these areas. The following table explains the extent of deficit and the cost of administration of the different Hills districts of Assam during 1923-24.

Table No. 1

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<tr>
<th>Expenditure and Revenue</th>
<th>Garo Hills</th>
<th>Khasi and Jaintia Hills</th>
<th>Lushai Hills</th>
<th>Naga Hills</th>
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<td>3</td>
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<td>Expenditure:</td>
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<td>Communication</td>
<td>₹ 42,377</td>
<td>78,271</td>
<td>49,807</td>
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<td>₹ 42,371</td>
<td>37,942</td>
<td>13,147</td>
<td>16,052</td>
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<td>Medical relief</td>
<td>₹ 45,154</td>
<td>89,247</td>
<td>53,790</td>
<td>62,996</td>
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<td>including Sanitation</td>
<td></td>
<td></td>
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<tr>
<td>General administration</td>
<td>₹ 49,061</td>
<td>1,06,635</td>
<td>83,548</td>
<td>63,573</td>
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<td>Miscellaneous</td>
<td>₹ 2,69,587</td>
<td>2,05,823</td>
<td>1,61,600</td>
<td>1,05,704</td>
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<tr>
<td>Total</td>
<td>₹ 4,48,550</td>
<td>5,17,918</td>
<td>3,61,892</td>
<td>4,27,041</td>
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Table No. 1 (Contd.)

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<tr>
<td>Revenue</td>
<td>Rs. 4,95,573</td>
<td>3,04,681</td>
<td>1,50,582</td>
<td>1,34,355</td>
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N.B.: Cost of exercising control over Sadiya and Balipara Frontier tracts in the North East Frontier Tracts was paid by the Government of India. - ALCF, 1923, vol. VII, p. 478

The Council not only resented the burden of maintenance of the hill areas but the representatives of the plains also differentiated themselves from the conditions of the hills for the purpose of realisation of the Constitutional reforms in the form of responsible Government and the provincial autonomy in the province. In 1924, though the hill leader from Shillong shared similar sentiments and demanded the introduction of a full responsible Government in Assam, the representative of the plains claimed immediate introduction of the same, if needed through breaking the tie between the hills and the plains of Assam. The plains councillors suggested the building up of a new Assam covering the districts having the rights to send representatives to the Council and separating the hill tracts to form a separate frontier province. In the same year the

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21. ibid., pp. 75-76
Council adopted a resolution recommending the substitution of the diarchical system by full provincial autonomy. While forwarding their claims the plains members suggested the transfer of the non-British parts of the Khasi Hills and the other hill areas to the Governor to be governed by him as the agent of the Government of India, the cost of which was to be borne by the Centre. The plains members also suggested the transfer of the non-British parts of the Khasi Hills and the other hill areas to the Governor to be governed by him as the agent of the Government of India, the cost of which was to be borne by the Centre. Assam proper was very much perturbed for the liability of financing the deficit regions of the province, viz., the district of Sylhet and the Hills districts. Its representative, thus, wanted not only the separation of the district of Sylhet but also suggested as follows:

"before long the Assam valley will have to see its own way to disjoin itself from the hill districts which occupied the two-thirds of the whole of the province."  

The Legislative Council was, thus, generally indifferent towards the problems of the hill areas. There were only forty-eight questions relating to the administration of these areas from 1920 to 1927, of which several were asked only by the two members who were residents of the hill areas.

22. ibid., p. 1365
23. ibid., pp. 595-96
24. Rao, A Century of Tribal Politics, op.cit., p. 54
Approach of the Hill Areas to the Provincial Issues (1921-36):

Among the hill tracts, the British area of the Khasi and Jaintia Hills was directly related to the Assam administration. It also shared certain privileges with the rest of the province. The Khasis and the Syntangs of the hills were recognised as a community entitled to have a percentage of posts under the Government of the province as per the communal representation in the services. The Khasis were treated as a single community for the purpose of recruitment and on the basis of their numerical strength they were entitled to hold 2.52 posts in the Assam Civil Services. The initial grant of the small ratio in the Government employment granted to particular segment of the tribal people seemed to have commensurated with the demands of the rising aspirants of the community and they were more or less contented.

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The Khasi and Jaintia Hills occupied a peculiar position under the British rule. It consisted of partly Indian States in varying degree of independence regulated through Sanads on paramount power and partly of British territory. The Shillong cantonment was a British enclave. The Civil Station of Shillong was also a British part. The remainder was not. The Municipal laws were applicable to the non-British part of Shillong under the procedure of the Foreign Jurisdiction Order. - Simon Commission Report on India, vol. XIV, op.cit., pp. 80-81

Among the other issues of the province the involvement of the hill regions was opium. The hill leaders shared considerable concern over the gradual increase in the consumption of opium in the hills. Traditionally the hill people were inveterate chewers of betel-leaf and betel-nuts. They were also fond of home-made rice-beer, but the opium made its way to the Hills. Amongst the hills districts, the Khasi and the Jaintia Hills became the worst affected followed by the Mara Hills District. The Lushai Hills and the Garo Hills were free from the scourge. Rev. Nichols Roy, the elected councillor from Shillong Urban Constituency, who also participated in the temperance movement of the province, played an encouraging role on behalf of the hill people in this regard. In the first Reformed Council he piloted a resolution in order to introduce opium rationing. His resolution advocated for the registration of the opium eaters with the aim of eradicating the evil from the Province within ten years. He, like his colleagues of the Brahmaputra Valley, criticised the British Government for its weakness over the revenue derived from the large scale consumption of opium in the province. In the budget speech of 14 March, 1922 he identified it as a discredit of the Government.


*The trends of increase may be seen in the chart attached to Chapter 3, p. 115


29. Ibid., p. 53
to depend on the revenue collected from the vicious habit of the poor, uninformed people. He co-operated with the Assam Opium Enquiry Committee of 1924 and pleaded for a total prohibition of opium. He demanded the introduction of the 'Dangerous Drugs Act' in Assam to deal with the menace. Rev. Nichols Roy as the Chairman of the Assam Opium Enquiry Committee 1933 recommended the policy of ten per cent cut in opium ration as introduced in the Assam Valley to be enforced in the 'backward tracts' of Assam. The general measures suggested by the committee headed by him, were, however, viewed in the Brahmaputra Valley as mild. It alleged that Mr. Nichols Roy had adopted a pro-government policy.

Another vital issue confronting the province was the Sylhet separation moves. The moves were appreciated by the different regions of the province differently. In the perpetual rivalry between the representatives of the two valleys the representative of the hills took a most liberal and dispassionate stand on this issue. The claim for separation of Sylhet as a deficit district of the province found no favour in the hill regions. Rev. Nichols Roy opposed the resolutions on Sylhet separation as detrimental to the interests of the province as


32. ibid., p. 213
well as the nation. He opposed the idea of demarcating Indian provinces or the basis of race and language. He even ridiculed the emerging leadership of the province on this demand and remarked,

"Here are our future rulers - they are going to rule India - some of these friends are - and they are going to advocate Bengali nationalism, Madrasi nationalism and what is going to our Indian nation? Shall we not repeat the same thing which Europe has gone through by fighting against one another? We shall add to communal differences these racial and linguistic differences.\(^{34}\)

The location of the Capital of Assam in the Khasi Hills had its impact on the middle class Khasi politicians. To preserve the identity and the privileges of the Khasi states a meeting of the Khasi Chiefs was held in August 1924 and the Khasi National Durbar was formed.\(^{35}\) In the face of this development Rev. Nichols Roy, the Minister of Local Self-Government of Assam faced a no confidence motion in the Council. It was

\(^{33}\) ALCD, 1924, vol. IV, p. 568; ALCD, 1926, vol. VI, pp. 18-19

\(^{34}\) ALCD, 1926, vol. VI, pp. 118-19

\(^{35}\) Rao and others, A Century of Government and Politics, vol. II, op.cit., p. 27
alleged that he had an unholy alliance with the Khasi Chiefs who were advocating "Khasi Hills for the Khasis". Though the motion was defeated the allegation offended the sentiment of the hill leader. He also became a target of attack in the council for his political position. As a consequence after the fourth general election to the Council Nichols Roy was not inducted as a Minister. He evoked the hostility of the elected members of the Council as well.

The Khasi Hills as a tribal territory was opposed to the move for the inclusion of the Shillong Civil Courts under the jurisdiction of the Calcutta High Court. Though the criminal cases of Shillong were under the jurisdiction of the Calcutta High Court since 1930 the placement of the Civil suits under the jurisdiction of the said High Court was opposed. It was contended that the High Court Judges of Calcutta would not understand the Khasi customs. The tribal leaders were, however, ready to place themselves under the jurisdiction of a High Court built in Assam. The Khasi leader was, thus, allied with the Assam Valley to demand a separate High Court for Assam and extended his support to the resolutions moved from time to time.

37. ibid., p. 297
in this regard. The Hill representatives also shared the sentiments with those of the Assam Valley to have a separate University for the people of Assam.

The Backward Tracts and the Simon Commission:

The Indian Statutory Commission on Constitutional Reforms under the Chairmanship of Sir John Simon was appointed by the British Government on 8 November, 1927 to examine the inadequacies of the Constitutional reforms of 1919. The visit of the Commission opened the flood gate of claims and counter claims not only in the plains but also in many hill districts of Assam. In the memorandum to the Commission the Government of Assam recommended that with the exception of the Shillong Municipality the 'backward tracts' should be excluded from the province of Assam in regard to introduction of a new constitution. The Government contended that the 'backward tracts' possessed nothing in common with the rest of the province and no sympathy developed for each other on either side. The union between the two remained artificial and resented by the both. It was also pointed out that the Council, indeed the rest of the province, generally resented the burden which

40. ibid., p. 1493; ALCD, 1936, vol. XIV, p. 228
41. ALCD, 1935, vol. XV, pp. 538, 964
42. Bhuyen and others (ed.), Political History of Assam, vol. II, op.cit., pp. 120-21
the administration of these areas placed on the provincial revenue. It was also brought to the notice of the Commission that the plains of the province felt that their own political and material growth had been impeded. The position was likely to turn worse further if they remained yoked to the 'backward tracts'. The Government advocated the development of the hill areas on their own way as well as promised protection against their exploitation. It was also stressed that the subversion of their rules and customs by different civilizations would be unsuited to their present state of development. The Assam Government memorandum suggested to the Commission that the 'backward tracts' of Assam be administered by the Governor-in-Council as the agent of the Governor General at the cost of the central revenue.\footnote{Simon Commission Report on India, vol. XIV, op.cit., pp. 99-101} As an expert on the tribal way of life of the province Dr. J.H. Hutton highlighted the distinctiveness of the hill areas and opined in favour of withdrawal of these areas from the reform scheme altogether. He pointed out that this step should not be treated as a retrograde one. He suggested the introduction of the local Durbars to provide reasonable opportunities for the development of the village administration in these areas. He concluded that such a measure would help to cultivate rudimentary co-operation between the different and often antagonistic tribes. He held that the true solution to the question of their administration would be the gradual
creation of the self-governing and the semi-independent communities among them. Treaties with them or the line of relationships in the Khasi Hills or the Shan states in Burma, however, should entrust the external relations to the authority of the Governor of the Province. In this regard he cautioned that the history was replete with such instances of combination of alien population into a political unit which contained certain obvious and palpable dangers for the future. It was his considered opinion that the hills would suffer acutely at the hands of the self-seeking persons of influence under the popular Government in which the votes of the hills would be of no real importance. 44 While the Government of Assam and the British experts were stressing on the differences between the hills and the plains, there were also certain significant moves within the hills themselves on the issue relating to their position in the proposed reforms.

Rev. L. Gatphoh and several Khasi leaders demanded the inclusion of the Khasi and the Jaintia Hills within the reformed legislature of Assam. Rev. Nichols Roy claimed that the district was as much advanced as any other district of the plains regarding certain matters, like education and therefore, it was entitled to a share of the political rights as granted

to other districts of the province. He laid emphasis on the fact that the Khasis and the Jaintias would be able to sail in the same boat with the people of the plains. He, however, favoured the retention of the safeguards and the restrictions on the power of the legislature in regard to the 'backward tracts'.

In the Lushai Hills petitions were submitted in protest against the Government proposal. A section of people of the Lushai Hills demanded the representation of the Lushai Hills in the Assam Council. The Government received two such petitions - one in December, 1933 which was signed by 256 persons and another in February, 1934 which contained a list of 3882 names. An association styled as the 'Aizal Association' was formed by the Lushais at Aizal and in some interior places to inform the people about the advantages of being connected with the Assam Council. The Government treated the move badly. It was alleged that the officials in the Lushai Hills treated the Association as anti-Government and warned the people about its activities.

In the Naga Hills the development exhibited some maturity. As back as 1918 an organisation called the "Naga Club" was formed in Kohima and Mokokchung. It was an organisation of a few Government servants and leading headmen of the

46. ALCD, 1934, vol. XIV, J.A. Denson's reply, 17th September, pp. 920-21
villages and looked after the social and administrative problems of the Nagas. As there had been no other organisation, it in course of time turned into an effective political forum of the Nagas. The Naga Club submitted a memorandum to the Simon Commission when it came to visit Kohima and demanded the exclusion of the Naga Hills from the proposed reform. 47 The Naga Club demanded direct British rule in order to "save them from being overwhelmed by the people of the plains." The memorandum concluded with the following claim:

"If the British Government, however, want to throw us away we pray that we should not be thrust to the mercy of the people who could never have conquered us ourselves and to whom we are never subjected, but to leave us alone to determine for ourselves as in ancient times." 48

But contrary to this demand an educated section of the Nagas favoured their connection with the Assam Council under the new reforms. This section insisted for an assurance that if they were excluded their exclusion would not be for ever. They anticipated their partial or complete inclusion in the future.

47. Elwin, op. cit., p. 49

constitutions of Assam.\textsuperscript{49}

Under the provisions of the Government of India Act, 1919, by 1928 the 'backward tracts' in the British India as a whole were extended over an area of 1,20,000 square miles with a population of over eleven millions. All these areas, governed under the special regulations, were treated equally for the purpose of the constitutional reforms. The members of the Simon Commission objected to the use of the term 'backward' in regard to the tribes and their territories on the basis of their food habits and customs. Sir John Simon called its use as 'nauseating' and Mr. Cadogan described it in the House of Commons as 'misleading'. Mr. Cadogan explained, 'It is true that some of these tribesmen eat food which, if you or I eat, would give us ptomaine poisoning at once, but you and I have no right to say that because a third person can digest food which we cannot digest, that person is, therefore, backward. It might be that his inside had reached a more advanced state of evolution than yours or mine, but it is a mistake to imagine and I am speaking seriously that, because their customs are different from ours, they are backward in every sense.'\textsuperscript{50}

The Simon Commission recommended the classification of the backward tracts into two kinds: 'Excluded' and 'Partially

\textsuperscript{49} ALCD, 1934, vol. XIV, pp. 721-22

\textsuperscript{50} Elwin, op.cit., pp. 35-36
Excluded'. The principle of their selection was partly the 'backwardness' but even more than that was their administrative convenience. An enclave or a definite tract of country inhabited by a compact tribal population was classified as an 'Excluded Area'. The areas containing a substantial tribal population less homogeneous but undeveloped, was classified as "partially Excluded Areas". For the administrative purposes both the categories were excluded from the competence of the provincial and the Federal Legislatures. The administration of the 'Excluded Areas' was vested in the Governors acting in their discretion and that of the 'Partially Excluded Areas' in the Ministers subject to the Governor. The Commission's Report observed that 'The stage of development reached by the inhabitants of these areas prevents the possibility of applying to them methods of representation adopted elsewhere. They do not ask for self-determination, but for security of land tenure, freedom in pursuit of traditional methods of livelihood and the reasonable exercise of their ancestral customs. 51

The recommendations of the Commission, though were not fully accepted by the Government of India, yet in pursuance to what was stated in the Report, a separate chapter was devoted to the administration of these areas in the Government of India Act, 1935. Accordingly, the North-East Frontier Tracts, the

51. ibid., p. 36
Naga Hills district, the Lushai Hills district and the North Cachar Hills sub-division of Cachar District became the 'Excluded Areas' within the province of Assam, and the Garo Hills District, the Mikir Hills in Nowgong and Sibsagar District, and the British territory of the Khasi and the Jaintia Hills District other than the Shillong Municipality and the Cantonment emerged as the 'Partially Excluded Areas' of the province. The 'Excluded Areas' were not represented in any legislature but the partially Excluded Areas were granted representation in the Assam Legislative Assembly.

The Hill Areas of the Province under the Constitutional Reforms of 1935:

The Government of India Act, 1935 introduced divisions within the Hill areas of the province and placed them under separate politico-administrative status. The administration of the Excluded Areas was placed under the Governor who carried the administration from 1937 to 1947 independently of the Government of Assam with a separate Secretariat under his control. The partially Excluded Areas were integrated, though restricted in extent, with the Legislative Assembly of Assam. The Assam


Legislative Assembly was composed of 108 members under the Act. In the House of 108 members, the backward tracts and the tribal people of Assam were provided with nine constituencies. The backward tribal people of the plains of Assam were for the first time allowed separate representation and they were granted four constituencies - one each in the district of Goalpara, Kamrup, Lakhimpur including Majuli and Nowgong. The backward hill areas were allotted five constituencies, one each in the Garo Hills (North), Garo Hills (South), Shillong, Jowai and the Mikir Hills. The partially Excluded Areas were represented in the first Assam Legislative Assembly by Benjamin Chandra Momin from the Garo Hills (North), Jobang D. Marak from the Garo Hills (South), Rev. J.J.M. Nichols Roy from Shillong, Rev. L. Gatphoh from Jowai and Khor Sing Terang Mauzardar from the Mikir Hills. The sole non-communal Women Constituency of the Province, situated at Shillong returned Miss Mavis Dunn to the Assam Legislative Assembly. Thus the inauguration of the provincial autonomy on first April, 1937 opened a new chapter in the history of the tribal people of the plains and the hills as well as of the legislative process of the Province of Assam as a whole.

54. Report on the Administration of Assam for the year 1937-38, Shillong, 1939, pp. 7-8

55. List of Members of the Assam Legislative Assembly attached to Assam Legislative Debates, 1938, vol. I
The Hill Areas and the Assam Legislative Assembly

The elected representatives of the hills to the first Assam Legislative Assembly viewed the new privileges granted to them by the Government with all seriousness. A hill representative expressed that the process would gradually remove the stamp of inferiority labelled against the tribal people. The scope of association with the people of the plains was accepted by the hill representatives as a training ground for the people of the hills. The hill representatives, thus, came forward with their particular demands. Khor Sing Terang, the representative of the Mikir Hills, participating in the general discussion of the budget highlighted the backwardness of the Mikir people living in the district of Darrang, the Khasi and the Jaintia hills, Nowgong and Sibsagar. He, thus, claimed immediate steps for the amelioration of the condition of these backward people. In the new set up the representatives of the tribals of the plains viewed their hill brethren as somewhat fortunate since they enjoyed certain benefits from the Government in the form of specific free-studentships, educational grants and share in the appointments. The plains tribal representatives on behalf of their people identified themselves as the most neglected populace of the province. The newly

57. ibid., K. Terang's Speech (Assamese), pp. 690-93
represented plains tribal segment of the polity came forward with the claim that Assam really belonged to them and charged all, who were directly or indirectly in the helm of provincial affairs for the past hundred years, for neglecting their real development.  

However, the general functioning of the Assembly during the period under review demonstrated understanding, mutual good-will and reasonable recognition to the demands of all sections of the polity. Under the policy of the Government the tribal people of the plains and the hills were treated as a single community for the purpose of distributing the proportions of appointments in the Government services. This long prevailing system of sharing appointments by the tribal communities of the province as a single entity came to be reviewed in the Assembly through a resolution of the plains tribal representative. In 1938 the issue was raised and a resolution was moved for keeping the proportionate percentage of all the government appointments reserved for the backward tribal people of the plains on the basis of their population. The move found favour with all the hill leaders on the ground that the progress of the tribal people of the plains was somewhat different from

59. ALCD, 1940, vol. IV, B. Deori, pp. 102-03
that of the people of the hills. Thus the claim for separate grouping and separate allocation of appointments on the basis of respective population ratio of the two tribal communities was accepted by the concerned parties as well as by the Government. The ratio of the two communities, thus, under the census figures of 1941 was 12 per cent for the plains tribes including the tea garden tribes and 7.3 per cent for the tribals of the hills. The tribal representatives of the partially excluded hills and those of the plains came to share berths in the Ministries headed by the leaders of the Brahmaputra Valley. Rev. Nichols Roy was a Minister in the first and the second Saadulla Ministry from 1 April 1937 to 18 September 1938 and also in the Gopinath Bordoloi Ministry of 1946–47. Rupnath Brahma, the plains tribal leader, was a Minister for four terms—once under Gopinath Bordoloi and thrice under Sir Muhammad Saadulla. Miss Mavis Dunn also worked as a Minister for two terms in the Saadulla Ministry. Bhimbor Deuri, another plains tribal leader was appointed Minister in the Bordoloi Ministry of 1946–47. In 1939 two tribal leaders, J.J.M. Nichols Roy and Rupnath Brahma took initiative to form an alternative Ministry in the province with the help of the Congress.

62. ibid., pp. 889–92
63. ALCD, 1942, vol. VI, pp. 95–96
64. Guha, op.cit., see Appendix 16, pp. 358
65. The Hindustan Standard, vol. III, No. 61, December 2, 1939
the political set up of Assam of 1937-47 the representatives of the tribal areas held a balancing position in the rival claims of the different political parties and the groups of Assam. 66

**Hill Politics Outside the Assembly:**

While the inhabitants of the 'Partially Excluded Areas' were reconciling themselves to their position in the political structure of Assam, the inhabitants of the Excluded Areas were left to lead the life under the paternalistic supervision of the British as before. They were subjected to the administrative manoeuvring on the question of their future political status. Some high officials of the British Government like J.H. Hutton, the Deputy Commissioner of the Naga Hills, M.E. Parry, Superintendent of the Lushai Hills and J.P. Mills, the Adviser to the Government of Assam on Tribal Affairs made suggestions for the separation of the Hills from the plains and constitution of them, more or less, into a North East Province or Agency. They wanted its administration to be conducted under the British guidance. 67 In 1943, R. Coupland, a British constitutional expert, in the name of 'British obligation' recommended a separate political epithet for the north

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66. ibid., No. 68, December 9, 1939
67. Barpujari, S.K., Assertion of Naga Identity: A Historical Background, op.cit., p. 6
east. He highlighted it as follows: "There is one major area which seems to call for special treatment - the hill tracts of the eastern frontier of Assam. They adjoin similar hill tracts on the north-west frontier of Burma. The inhabitants of both areas are alike in race and culture. They are not Indian or Burmans, but of Mongol stock. In no sense do they belong to the Indians or Burman 'Nation'. They constitute a single problem. The relations of this area with the future of free India will be similar to those of the other areas with the future of free Burma. The neighbourhood of both being China it demands a common frontier policy. These considerations have inspired a suggestion that the two areas might be united into a single territory, the administration of which would be separated in some way from the Government of India and Burma. Since the security and stability of the frontier zone area is of highest importance to both countries, it seems possible that India and Burma might welcome some special arrangement. "68 The scheme, in the name of protecting the tribal institutions and, their way of life and homogeneity, envisaged to keep them and their territories under the British control so as to counter the future expansion of China and Soviet powers.69


This scheme which formed the basis of the British politics in Assam in the last part of the British rule evoked mixed reaction in the hill regions. In April 1945 the Naga District Tribal Council was established by Charles Fawcett with the aim of uniting the Nagas as well as for repairing the damages done to them during the World War II. In March of the following year this council in its Wokha session changed its name to Naga National Council. The original political objectives of the Naga National Council were to achieve local autonomy and train the Nagas for self-government. The Naga National Council as the representative body of the educated Nagas, particularly of the Angamis and the Ao tribes demanded an interim Government over their hills on the eve of independence of India. Their claim envisaged the interim government to be under the control of the British. The Naga National Council was of the opinion that the placing of the hill tribes under a Central Indian Government would mean their subjugation to the politicians at Delhi to whom they would have no access. The Delhi leadership was identified as more unaware about the needs of the tribal people than the politicians of Assam. The Naga National Council, however, agreed to share a common Government with Assam subject to suitable safeguards for them. In that case it was expected to have their access to and

70. Elwin, op.cit., p. 51
influence over the Government. The attempts to incorporate the tribal areas with Burma was opposed by a section of the Nagas. They organised the Naga Federation, which subsequently passed a resolution to form a United Assam.

In the Lushai Hills, the Mizo Union, the earliest political organisation, was in the vanguard of the political activities. J.J.M. Nichols Roy inspired the Lushais to agitate for their inclusion in the new reform. The Mizo Union was formed in 1946. The aims and objectives of the Union were, the protection of the identity of the Mizos, establishment of cordial relations between the Chiefs and the commoners, integration of the Mizos living in different political units into a harmonious one, codification of the Mizo customary laws and enrichment of the Mizo language. However, in course of time the Mizo Union suffered a split into radical and the conservatives. The radical wing demanded the abolition of Chieftainship, representation of the Lushai Hills in the Assam Legislative Assembly and the improvement of the socio-economic conditions of the Mizos. This section, gradually became immensely popular among the Mizo commoners. The other wing remained steadfast to separate existence of the hills. This wing in its memorandum of 17 April 1947 claimed that the Lushai Hills would like to be


a part of India for a period of ten years, after which she would decide her future. In order to express the views of the Misos, unfettered by any restriction, a conference of the Miso people was held on 21-22 November, 1946 at Lakhipur in the district of Cachar about 20 miles off Silchar. It was attended by delegates from the Lushai Hills, Manipur State and Cachar. It was also attended by R.N. Aditya, the Chief Whip of the Congress Legislative party of Assam as the representative of the Premier of Assam, B.K. Das, the Home Minister of Assam and Rev. J.J.M. Nichols Roy, the P.W.D. Minister and other leaders of the plains. The conference raised a number of demands of the Misos of the North East. The important demands were as follows: recognition to the Misos as a minority; opposition to the Grouping of Assam with Bengal; demand for complete independence under one Indian Union; naming the Lushai Hills District as 'Misoram'; annexation of the Miso inhabited areas in Cachar, Manipur and Tipperah into Misoram. The conference demanded the inclusion of Misoram as a free and regulated district in the province of Assam within Indian Union. The Misos, however, demanded adequate provisions for the maximum local autonomy, safeguards to their culture, tradition and language and also protection against economic exploitation by the non-Miso people.


The North Cachar Hills, another Excluded Area favoured its inclusion in Assam with safeguards for local autonomy. The people of the North Cachar Hills also submitted a memorandum to the members of the North Eastern Tribal and Excluded Areas Sub-Committee of the Advisory Board of the Constitutional Assembly. The memorandum was drafted in a conference of the tribal council attended by different Hill tribes held on 16 April 1947. It pleaded for an administration ensuring specific statutory protection to the minorities in the form of local autonomy. The memorandum also dealt with the redistribution of the boundaries of the sub-division and held that for the benefits of the different hill tribes of this sub-division and of the adjoining places it should be redrawn on the cultural-linguistic basis.

The North Cachar demanded the inclusion of Beiti area of the Jaintia Hills, adjacent portion of Nowgong and the Naga Hills district where the Kacharis and the allied tribes were majority including Dimapur, the Hill mauza of South Cachar including Khaspur, as the inhabitants of these places were all hill tribes, speaking the same dialect and having similar manners and customs. 75

In the Partially Excluded Areas the dominant trend was one of growing desire for local autonomy within Assam and India. In the Mikir Hills, the first political organisation was the

75. The Assam Tribune, Gauhati, June 2, 1947
Karbia Durbar, formed in early 1947. It stressed on the protection of the local customs, consolidation of the Mikir dominated areas into a single administrative unit and extension of their franchise. In the Garo Hills, the Garo National Conference, the first organisation, was formed in 1945 at the initiative of Singdam Sangma, an employee of the Garo Baptist Mission Centre to devise ways and means for the promotion of welfare of the Garos. The Garo National Council, the political organisation, came into existence only in March 1946 and it submitted a memorandum to the Bordoloi Sub-committee of the Constituent Assembly on Tribal Affairs. The Garos demanded the formation of a Garo Union consisting of the areas contiguous to the Garo Hills District inhabited by the Garos. The Garo Hills Union was to be an autonomous body linked with Assam. The Khasi and the Jaintia Hills preferred to remain within India. It demanded political status of an autonomous unit within the province of Assam. Rev. Nichols Roy in his memorandum to the Cabinet Mission suggested not to convert the hill areas into a "Crown Colony". He claimed these areas to be closely connected with Assam and its Legislative Assembly. He was, however, against the system of uniform land laws and judicial system. He pointed out that as the Khasi people had their own territory, language

76. Guha, op.cit., p. 325


78. The Hindustan Standard, vol. IX, No. 312, August 14, 1946
and culture they should have their own rule within the province of Assam. In 1946 Nichols Roy suggested Unitary Governments for all the hill districts with certain measure of autonomy in the future constitution of Independent India. The scheme suggested the connection of the administration of the hills with that of the province of Assam in subjects like education, medical and public health, agriculture and communication.

Though the British plan for creating a North East Frontier Province comprising the tribesmen of the north-east was abandoned with the establishment of the 'Interim Government' at Centre, the British game over the idea had, in course of time, contributed much to cultivate a spirit of separatism among certain sections of the tribal communities. For example, the Naga National Council, which was not advocating for separation from India, changed its attitude rather quickly, and by June, 1947 it issued an ultimatum declaring that the Naga Hills would cease to be a part of India with the attainment of India's Independence. The Executive Committee of the Naga National Council also urged the people of Assam, irrespective of caste, creed or religion to set up an independent Assam State, free

81. Ibid., No. 46, November 23, 1946
82. Elwin, op.cit., p. 51; Guha, op.cit., p. 326
from Pakistan or Hindustan to preserve the identity and integrity of the Assamese people. 83

The ideal future constitution for Assam visualised by the Hill leaders, was a federal structure with the Surma Valley, the Assam Valley and each Hill District forming component federating units. The scheme envisaged that each unit would have its own national council to administer the local affairs. The provincial subjects would be different for different units according to their peculiar needs. The law and order would be the provincial subject. The National Council would have full control over the local revenue and the representation in the provincial council would be in proportion to the amount of revenue contributed to the provincial exchequer by the federating units. The scheme favoured the retention of the Surma Valley in Assam and offered option to Manipur and Tripura States to join the federation. 84

The political and constitutional development in the Hill areas, thus, followed a distinct course from that of the other north-east areas. Failure to appreciate their hopes and aspirations in proper perspectives led to part ways with the

83. The Assam Tribune, Gauhati, June 8, 1947

province and national mainstream. The All India political parties and the organisations also failed to draw these areas into their fold excepting Shillong. The problem, thus, remained to weld them into the body politic of India with sufficient protection for their institutions and way of life. The British policies were, however, successful to a considerable extent in kindling an urge in them for autonomy and political participation. Above all, the British officials and the experts on tribal affairs were successful in sowing the seeds of suspicion against the developing neighbours of the plains.85 In Assam, after the Independence of India, the main problem remained the removal of all misunderstandings created by ignorance about the hill regions of the North East.

85. Guha, op.cit., see pp. 323-24