Chapter I

ENVIRONMENTAL & HISTORICAL SETTING

1. Situation & Extent

Situated in the north-western lap of the Himalayas, Himachal Pradesh is one of the Union Territories of India. It came into being on April 15, 1948, as a result of the integration of twenty-one erstwhile feudal hill states or the 'protected hill states' as they were originally (in 1840) called, into one centrally-administered unit under the charge of a Chief Commissioner. Before 1948, these states were ruled by petty chiefs, who had feudal relationship with the Paramount Power and held their territories not by virtue of any treaties with the East India Company or the Crown but subject to conditions stipulated in the Sunnuds (or Deeds of Allegiance) which bound them to strict obedience, loyalty and attachment to the British Government.


Himachal Pradesh lies between $30^\circ\ 22'\ 40''$ and $33^\circ\ 12'\ 40''$ north latitude and $75^\circ\ 47'\ 55''$ and $79^\circ\ 04'\ 40''$ east longitude.\(^1\) It is bounded on the north by the picturesque valley of Kashmir; on the south, by the fertile plains of the Uttar Pradesh; on the west, by the Ambala District of Haryana and by the Hoshiarpur and Sirdarpur Districts of the Punjab; and, on the north-east, by Tibet. Most of the Pradesh is included in the Himalayan region though a small part lying between the north latitudes of $30^\circ\ 23'\ 33^\circ\ 13'$ and east longitudes of $70^\circ\ 55'\ 79^\circ\ 50'$ forms a part of the Sivaliks\(^2\) merging in the vast Indo-Gangetic plains below. 'In between the snow-covered peaks of the Himalayas and the low hills of the Sivaliks are the innumerable mountain ranges and peaks with altitudes ranging from 2,000 feet to 21,000 feet above the sea level.\(^3\) This reduces considerably the resources potential, such as the land area available for utilisation, adding at the same time to the problems of economic development arising from different altitudinal regions.

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2. Forests of Himachal Pradesh, Simla, date not given, pp.2-3.
Himachal Pradesh can be divided into three zones - Outer Himalayan, Inner Himalayan and Alpine pasture. The rainfall in the first zone varies from 60 to 70 inches and in the second from 30 to 40 inches. The Alpine zone remains under snow for about five to six months in the year and this compels the inhabitants to become migratory. The average rainfall is 63.45 inches.¹ The climate varies from cool to cold with areas under snow during winter. Five big rivers flow through the State - the Beas in Mandi, the Sutlej in Nahan and Bilaipur, and the Ravi in Chamba, the Jamna with its source in Kinsen and along the borders of Sirmur, and finally, the Chenab flowing through Kanga. All these rivers are of great economic value to the Pradesh as a source of irrigation, power, fisheries and communication. Of the three stages - mountain, plain and delta- that mark the course of a river, the Himalayan region exhibits the mountain stage only. The rivers in this stage are roaring torrents. They descend in a series of rapid slopes, and carve out their own narrow channels amid the masses of hard rocks, carrying great boulders along with them in the fury of their downward course.

A greater part of the Pradesh falls entirely within the higher mountain zone, and is a mass of tangled peaks and valleys. It consists of a succession of deep gorges and steep and precipitous hill sides covered with snow. The distant scene is one of apparent confusion, with ranges of mountains piled one above another in endless succession, until they fade into a dark blue haze in the far distance. Beyond, the snow peaks glitter along the entire northern horizon. The scenic beauty and healthy climate make Himachal Pradesh of more than local importance. The mountains are important sources of irrigation, valuable timber, fuel and grass. Their influence, both as barriers and as a refuge, is apparent. They have bred hardy mountaineers, and have divided them into small clans having separate dialects, customs and social habits which are of singular anthropological interest.

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1. A small canal for irrigation purposes.
From the point of view of soil, Himachal Pradesh can be divided into five zones: the low hill soil, the mild hill soil, the high hill soil, the mountainous soil and the dry hill soil. The Paonta tahsil of Sirmur, the Bahl area of Mandi, the Bhattiyat tahsil of Chamba, the Junihar area of Mahasu and the larger portions of Bilaspur and Kangra have low hill soil which is suitable for the growth of wheat, maize, sugarcane, ginger, paddy and citrus fruits. Palampur tahsil of Kangra is ideal for tea plantation. The mild hill soil, found in Kahan and Parbhana, parts of Chamba and Churah tahsils, Jorindernagar and Sarkazmat, tahsils of Mandi, Rampur, Kasumpti, Solan and Kotkhai tahsils of Mahasu, is suitable for table potatoes, stone fruits, wheat and maize. The high hill soil, which is good for seed potatoes and temperate fruits, is found in Theog, Jubbal, Chopail and Rohru tahsils of Mahasu, Kinna tahsil of Sirmur, Choshiot and Karsog tahsils of Mandi and parts of Sharmaur and Churah sub-tahsils and around Dalhousie in Chamba. However, districts of Mahasu and Aula are ideal for this crop. The mountainous soil, not suitable for agriculture,
is found in parts of Sharmaur, Churah and Chamba tahsils of Chamba District and the Karson and Chuchiot tahsils of Mandi District. The dry hill soil area with heavy snowfall but ideally suited for dry fruit cultivation is found in Chini and Dandi sub-tahsils.

2. People and Society

The people of Himachal Pradesh like those of the sub-Himalayan hills from western Kashmir to eastern Nepal are referred to by the generic term "Pahari" (of the mountains). Two major ancestral stocks, the DONS and the KHASA are generally believed to have contributed to the present "Pahari" population. The DONS constitute the low-caste groups like the blacksmith, carpenter, musician, shoemaker, weaver, tailor, basketmaker, etc., while the KHASA include the high-caste groups like Brahmin and Rajput. The DONS are believed to be the indigenous people of the hills and the predecessors of the KHASA.1 "In the hills

and in the Duni, writes Salton,1"they (the DOLs) comprise all classes who do menial and more or less degrading duties such as are performed by separate occupational castes in the plains. They are a depressed race, seldom cultivate and practically never own land". They have for ages been the "serfs of the Ahraiya race in Kumaon, Garhwal and along the hills to the westward as far as the Indus valley".2

The people of Himachal Pradesh are predominantly Hindus. Family, caste and community are the most significant social units of society. "From the point of view of social life", writes D.N. Majumdar, "the whole of the cis-Himalayan region behaves as a culture area, as there is a homogeneous social code to which both the higher and lower groups subscribe. ... But

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the hill culture differs from that of the plains and all cultures that surround them. ..."¹ The supernatural is almost as pervasive in the minds of the people as is the natural. Difficulty of any kind—crop failure, killing animals, economic reversal, mysterious loss of property, persistent family troubles, disease, sterility, hysteria, death—is attributed ultimately to fate and more immediately to the machinations of one or another of a host of supernatural beings. Disappointments are nearly always rationalised in terms of fate as determined by misdeeds in previous lives. In every day life, the people think about and deal with religion in terms of

¹. Majumdar, D.N., The Fortunes of Primitive Tribes, Universal Publishers, Lucknow, 1944, p.139. The social life of the people of Himachal Pradesh as well as their beliefs and practices connected with their religion do not identify them with the Hindus of the plains. They re-marry their widows, practise levirate, sororate and polyandry, recognise divorce as legal. While they worship Hindu gods and goddesses, they have a partiality for ancestor spirits, queer and fantastic demons and gods and for the worship of stones, weapons, dyed rags and symbols. (ibid., p.150).
immediate problems of their welfare and that of their families. The supernatural agents who are closely involved in these matters are personal, personified beings whose behaviour influences and can be influenced by the people. A sizeable amount of time, effort and money is invested in activities designed to influence a host of supernatural beings. Most of these activities are carried on at the joint family level, some at the community level, but practically none at the caste level. The effective social unit is the household. As in economic activity, so in religious worship, the extended family is the most significant element of social organisation.

The people, by and large, are caste-ridden. The 'Pehori' caste system is characterized by a two-fold division into high caste (Brahmin and Rajput) groups and the low caste groups (the DOW), who are accorded the status of 'ASHWAS'¹ and include most of the occupational groups found among both the clean shudras and the untouchables of the plains. Within

1. Untouchables.
each of these classifications, there are status distinctions. The range of castes in the hills, as in any other particular locality in India, is but a small segment of the total of endogamous castes and sub-castes found in India. "All over the dis- 
Himalayan region, the Simla states, the Doon valley, 
ulu and Kangra valleys", writes D.N. Majumdar¹, 
there exists a hierarchy of social status, though the rigidity of the caste system as in the plains 
does not exist. The upper class consists of Brahmans 
and Rajputs (ashatriyas) ... the lower strata is composed of innumerable social groups who form the 
artisan elements in the population of these parts. 
... These suffer from a number of disabilities and 
are treated as serfs or dependents and thus provide 
a dual organisation of economic classes in these hills".

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¹. Majumdar, D.N., The Fortunes of Primitive 
Tribes, op. cit., p.137.
However, with the dawn of independence, introduction of universal adult franchise, spread of education and increase of social mobility, a new spirit of competition has been introduced among the various castes for political power and patronage. There is a growing feeling among the low-caste people to free themselves from the dominance of the high-caste people and to reduce the extent of their dependence upon them. In fact, the people are increasingly becoming conscious of the possibility of seizing political power through the ballot box. While casteism as a traditional form of relationship is vanishing, it is playing an integrative as well as divisive role in the broader perspective of political life of the people. This is a natural trend because with the growth of political consciousness, there is integration on the basis of occupational, territorial and sanguine considerations. Caste, which has been an agency of integration in a traditional society, has assumed a new significance in a transition from the traditional society by aligning itself with the new modern agency of integration, the political party. To bring about a consensus in a modernizing political community, a shrewd use is made of caste, which is the traditional integrative agency.
All political parties and their leaders, although most vocal in condemning casteism and castelist politics, accept the powerful influence of caste in the body politic.

Conversely, caste works as a divisive force also, as for instance, if a particular caste numerically predominates in a certain region or constituency, it would naturally form a political majority, and therefore, the political representation would, more or less, be permanently ensured for the members of that caste. This would create a sense of resentment and helplessness amongst the members of the minority castes and if a certain caste happens to be in a minority in one region, it would try to reinforce itself in those constituencies where it happens to be in majority with the result that a caste rivalry would develop in the State with its repercussions in the legislature as well as in the majority political party. This group dynamics operates because of the application of universal adult franchise in a traditionally caste-bound society. The analysis of the four General Elections in Himachal Pradesh, discussed elsewhere¹, illustrates this pattern of behaviour.

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The caste works as a divisive factor in another respect also. It is the outcome of the reservation of seats for the 'backward classes' under the Constitution of India.¹ The measures designed to bring about equality of opportunities and to give the scheduled castes and other backward classes a chance of raising their social and economic status, rightly observes C. Von. Furer-Haimendorf², tend to perpetuate the caste system, the ill effects of which they try to combat. Groups which have been classified as 'backward' and enjoy such privileges as reserved seats in the legislatures and an assured quota of posts in the government services, are naturally reluctant to forego these benefits and, holding on to their 'backwardness', are in the process of becoming a new privileged class.

3. Politico-Historical Background

1) Ancient Period

In ancient times, as the tradition goes, the Simla Hill States or the 'protected' hill states (as they were originally called), were ruled by petty chiefs bearing the title of RANA or THAKUR. The domain of a Rana was called 'Bakhana' and that of a Thakur, 'Thakuri' or 'Thakurai'. The duration of their rule was spoken of as the 'apthakuri' or 'apthakurai'. The Simla Hill States were collectively called the 'Thakurain' and the rulers of all but four bore the ancient title of Rana or Thakur. The political organisation was patriarchal very much like the clan


system of the highlands of Scotland, down to the eighteenth century. "When this organisation came into existence, we cannot say; but its primitive character suggests the possibility of its having been the earliest form of government in force in the hills." ¹

Ethnologically, Thakurs are all indigenous to the hills or more likely, incipiently by half-blood to the aboriginal races, and it is more than probable that the ancient Thakur rulers rose to power from among them. These tribes were settled in the hills long before the Janas (who were Vaishnavas, i.e. rajputas) appeared on the scene. The title of Thakur must, therefore, have been older than that of Janas, and was probably in use even in primitive times. The Janas came in at a later period and conquered the territory of the Thakurs, just as, at a still later time, the ancestors of the hill Rajas established

their rule over both the Thakurs and the Runas. This interpretation given by Hutchison and Vogel\(^1\) to the sequence of historical events in the hills appears to be more probable. The petty chiefs simply acknowledged the supremacy of the jaja while they continued as before to rule their own baronies, were war on one another and generally to act as if they were quite independent. Tradition holds that for centuries, the jajas were not able to establish anything like a real supremacy over them.\(^2\)

After their subjection, the Runas and Thakurs were ranked as feudal barons under the jajas. They held prominent positions in the administration.\(^3\) In the order of precedence, the Runas were mentioned.

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2. ibid., p.19.
3. The old copper plates and slab inscriptions of Chamba read with the old records of other states prove that down to the twelfth century, and even later, the Thakurs and Runas had lost nothing of their ancient prestige. From the thirteenth century, however, the petty chiefs all through the hills began to decline in influence, and lapse into the condition of obscurity. (ibid., pp.25-26).
after the laja and above all the state officials. "It thus appears", write Hutchison & Vozel\(^1\), "that like their contemporaneous princes in Europe, the lajar sought to attach the feudal barons to their court, and from turbulent chieftains to convert them into assiduous officials".

The authority of the laja was three-fold: religious, feudal and personal. Its nature was largely analogous to that of the Inca and Incas, who, within their limited sphere, were invested with the same attributes of primitive kingship, involving two qualities: divinity and absolutism. Divinity functioned as the ideological means for justifying absolutistic ends. The state was proclaimed to be a microcosmic representation of the macrocosm, ruled by a 'magnificent theocrat', who, in a real sense, was the 'Lord of Life'.\(^2\). This relationship between social order and cosmos worked to legitimize political

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authority and to ensure its widespread acceptance. An intimate connection between state and religion appears to have been recognised in the hills from the very early times. Tradition has it that the Raja of昌ral was identified with and worshipped as the national deity but the more common relationship makes for the rightful ruler and the Chief, his vice-regent. ¹ The recognition of the Raja's divinity by the people is proved by the fact that the Raja enjoyed the power of ordering excommunication from caste and could similarly direct the restoration of an excommunicated person to the brotherhood. ² The Raja's divinity is further proved by an oath 'raja-ki-barahi' (revolt against the ruler) which was common throughout the hill states, disobedience of oath was regarded as treason. ³ The Raja frequently had to resort to the oath as a means of constraining the action of their subjects and, when pronounced publicly, it provided a simple means of ensuring obedience to executive orders. ⁴

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2. ibid., pp.63-64.
3. ibid., p.64.
4. ibid.
The raja was the supreme and sole owner of the land, the fountain from which issued the right of the cultivator to a share of the produce. Each principality formed a separate and independent domain of which the raja was recorded as the sole proprietor. All the subjects of the state were his servants and held their lands under obligation of military and other service according to the terms of their tenure. On the death


2. In Chamba, for example, the jaulars owed the state service as horsemen in attend the on the raja, providing their own horses, and were bound to accompany him with their retainers on military expeditions or for other service. The obligation to retain a horse was later on computed into a money payment, called SHOMRA, the state being bound to provide a horse when required. The tenants of the Chief and of the Jaulars held their lands on the same tenure but later on, their service was partially computed into a cash payment, called CHAKTUKDA, from the word CHAKT, i.e. a servant. Outside the jaulars were the crown tenants, who also held land direct from the raja. Many of these sub-rented their land to a lower order of agriculturists, called JUWINAK. (see Hutchinson & Jowar, op. cit., pp.58-69).
of the jagirder without an heir, his jagir lapsed to the state. The heir could ret it back only after he had obtained a "P.T. H" (i.e. Charter, from the Raja. The nature of the feudal system in the Simla Hill States has been explained thus:

"All land belongs to the state, and individual ownership does not exist. Thus the holder is possessed of a jagir rather than of its land. He has a hereditary right to cultivate land allotted to him or his ancestors by the Raja himself, and alludes to his holding as his patta or tenure. It follows that such possession is not transferable at will, and that sales and mortgage require the Raja's sanction. Waste land can be acquired and broken up, only on payment of "W. F." though the pattahs conveying a holding (which included a portion of grass land) give an indefinite right of user in adjoining unclosed waste lands and jungle. The right is permanent so long as the holder discharges the duties connected with it, in default of which the land is granted to the bidder of the highest "W. F.""

"The Raja", writes J.B. Lyall, "was not, like a feudal king, lord paramount over inferior lords of manors, but rather, as it were, memorial lord of his whole country. ... The waste lands, great or small, were the Raja's waste ... The rent due from the holder of each field was payable direct to the Raja, unless he remitted it as an act of favour to the holder, or assigned it in jatir to a third party in lieu of pay, or as a subsistence allowance. So also the grazing fees due from the owner of each herd or flock were payable to the Raja, and these were rarely or never assigned to any jatirdar. ..."

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Besides being the head of the state religion and the sole owner of the land, the Raja was the "master of his subjects" who owed him "personal allegiance and service". The nobles, locally known as 'MALKATS', were his personal servants and no one, regardless of station, was exempt from showing servitude towards the 'divine' person. As such, the Raja's merest caprice was absolute law. The ruler performed the rule-making, the rule application and the rule adjudication functions. Decisions were made from above. The flow of social and political influence was thus a 'one-way street', to use the term of James W. Vosel\(^2\) - from top to bottom - with very little feedback in the upward direction.

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2. Vosel, James W., "Thai Administrative Behavior" in William J. Safian, Toward the Comparative Study of Public Administration, p.231.
ii) The Mughal Period

Due to their isolated position and the inaccessible character of the Pradesh, the Sinke Hill States maintained their independent political status for hundreds of years. With the advent of the Mughals, however, they were compelled to bow to a foreign yoke. Each Chief, on his accession, had to acknowledge the supremacy of the Mughal Emperor by the payment of the fee of investiture, which entitled him to receive a SHAIKHAN (or patent of installation) with a KULAT (or dress of honour or other gifts), from the Imperial Court. A yearly tribute, called PASHTAVA or PISKASH, had also to be paid to the Mughal Emperor. To ensure their fidelity, the Hill Chiefs had to keep as hostages at the Mughal Court, a Prince or near relative.

3. The practice of keeping hostages at the Mughal Court was started by Akbar. (See Hutchison & Vogel, op. cit., p. 74).
For nearly 200 years from the time of their subjugation by Akbar, the Hill Chiefs remained tributary to the Mughal Empire. Throughout the entire period of Mughal supremacy, they seem to have experienced generous treatment at the hands of the imperial authority. They were left very much to themselves in the government of their principalities and were allowed to exercise the functions and wield the power of independent sovereigns.

The mutual contact, however, has had much cultural impact. The Islamic influence on the Princes, for example, is reflected in their recreational activities like hunting, hawking, etc. and their dress — shalwar (a long coat coming down to the knees, a long-sleeved shirt and trousers). The dress was practically the same as that of their Mughal counterparts, the only marked difference being that whereas the Muslims tied

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strings of their QABA on the right side, the Hindu rulers did it on the left. The most remarkable Islamic impact is in the domain of fine arts, particularly in architecture. The Hindu temples of Himachal Pradesh and the palaces of the erstwhile rulers bear ample testimony to the Islamic influence. Politically, the Mughals recreated an all-India political authority. A single public service banded into "MAHIKAS" ran the administration throughout the country. The princes reconciled themselves to continuous direction by and subordination to the central authority. Besides, administrative concepts like 'Pargana', 'Tehsil' and official titles like 'Tahsildar', 'Khavanchi', 'Siyaha Davis', 'Samungo', 'Patwari' etc. were adopted by the rulers of the erstwhile states of Himachal Pradesh and continue intact till today.¹

¹. For a general study of the Turko-Mughal administrative legacy, see Sharma, O. L., Turko Mughal Government and Administration, Hind Kitabs Ltd., Bombay, 1951, Chapter XVII, pp. 273-294.
On the decline of the Mughal power and the cession of the Punjab to Ahmed Shah Durani, by his namesake, the Mughal Emperor of Delhi in 1752, the Raja of Kanars, namely, Sansar Chand, assumed independence and recovered all the territories of which his ancestors had been deprived. He "overruled the hill chiefs, made them tributary and compelled them to attend his court on fixed occasions and to accompany him with their contingents on his military expeditions". He also claimed from the hill chiefs the surrender to himself, as superior, of all the fertile tracts included in the imperial desenee in the time of the Mughals. In this way, he completely established his power in the hills, won for himself a renown which has not been surpassed by any of his ancestors and ruled despotically, none daring to resist his will.

3. Ibid., p. 70.
4. Ibid.
Raja Sansar Chand turned his arms, inter alia, against the State of Behlur (Silapur) in 1805, and annexed a portion thereof on the right bank of the Satluj.1 His action aroused keen resentment among the hill chiefs, and smarting under the many wrongs they had endured at his hands, they formed a coalition against him and sent a united invitation, through the Raja of Silapur, to Amur Singh, the Commander of the Gurkha forces, to invade Behlur.2 "All of these rajahs", writes Vigne, "took an oath of fidelity to Amur Singh, the Chorkha Chief ... on the understanding that he was to retain possession of the Behlur, and they were to be un molested in their own territories". The siege had lasted four years.

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when Sansar Chand, in despair, appealed to Maharaja Ranjit Singh for help. The latter advanced into the hills with a large army in May 1809 and compelled the Gurkhas to retire across the Satluj.

iii) The British Period

Having been driven from the Kangra Valley, Lekh Singh Thapa, Commander of the Gurkha forces, steadily advanced through the cis-Sutlej hills, and by the middle of the year 1814, he had "overrun virtually the whole area". To the invading Gurkha forces, the hill chiefs and their people seem to

have offered little or no resistance as is clear from
the following letter dated August 29, 1814, written
by Ochterlony, the then Political Agent at Ludhiana,
to the Governor-General at Port William:

"The history of the conquest of the country
between the Jumna and the Sutlej from
Kalsee to Jempoor in Bishahar exhibits a
most singular want of energy, of courage,
of common activity and of every quality
which are generally the characteristics
of a highland people. Whatever, therefore,
it is said to be expected from them is under
the impression that a formidable protector
stepping forward in their favor will
inspire different sentiments and excite a
different conduct from what they have shown
in the defence of their country against the
late invaders, who seem to have created such
a terror of their prior conquests that all
opposition was considered hopeless."

1. Letter No. 193 dated August 29, 1814, from
Colonel J. Ochterlony, Agent, Governor-
General, Ludhiana, to J. Adam, Esq.,
Secretary to Government in the Secret,
Political and Foreign Department in the
Punjab Government Records, Ludhiana Agency,
1808-1815, Superintendent, Punjab Government
It was at this stage that the English appeared on the scene. Colonel Ochterlony was directed by his government to start military operations against the Gurkhas after the issue of a proclamation assuring the hill chiefs of a "perpetual guarantee against the Gurkha power" and a "scrupulous regard for all their ancient rights and privileges" in return for their "zealous and cordial co-operation during the continuance of hostilities against the Gurkhas".1

The Nepal War of 1814 followed. Amar Singh Thapa, the Commander of the Gurkha forces, was completely defeated and made to sign a convention on May 15, 1815, by which he agreed to withdraw his army from the cis-Sutlej hills and to surrender all the possessions and forts which he had seized between the Sutlej and the Jamna.2 With the eclipse of the Gurkhas,

2. Ochterlony to Adam, May 15, 1815: Punjab Government Records, op. cit., Vol. II, pp.435-38. The Treaty of Sagouli, which confirmed this Convention, was signed on December 2, 1815.
the English were left in possession of the whole tract of hills from the Sone to the Sutlej. The Sun and
Dehra Dun were annexed to the British dominions, and
the rest of the territory — with the exception of
Subathu, Reingarh, Sandoch (now known as Kotwarh,
which is famous for apples) and a few other military
posts — was restored to the hill chiefs from whom it
had been conquered by the Nepalese.

According to the proclamation of 1814, the
hill chiefs were reinstated in their former hereditary
domains but were subjected to the "vicious control"
of the East India Company to prevent "the revival
of ancient feuds and animosities leading to commotion
and disorder" and to avoid "the inconvenience and

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1. Ritchison, C.J., compiled, A Collection
of Treaties, Engagements and Sandads,
op. cit., Vol. IV, p.111.

2. Ibid.
embarrassment of arbitrating and settling their disputes and mutual claims.\textsuperscript{1} They were brought under the general protection of the East India Company and were placed with respect to each other as nearly as possible in the position they had occupied before their subjection.\textsuperscript{2}

The SUNNUGS granted to the hill chiefs conferred on them and their heirs in perpetuity the domains of their states with all the rights and appurtenances belonging thereto on condition of their paying annually a fixed tribute (for defraying the expenses of protection by the British troops) and of joining the British army with their sepoys and 'WAGONS' (porters) in time of war.\textsuperscript{3} They were also required to promote the welfare of their ryots, to look to the security of the roads, to pay strict obedience to the British

\textsuperscript{1} Adam to Ochterlony, May 28, 1815; Punjab Government Records, op. cit., Vol.II, pp.443-44. Details at pp.442-455.

\textsuperscript{2} Aitchison, C.U., op. cit. The Sundugs granted to these chiefs are given at pp.126-160.

\textsuperscript{3} The Sundugs stipulate identical obligations. (See Aitchison, C.U., pp.111-185).
Government and to restrain from encroaching on land beyond their territories. Failure to perform any of these obligations rendered them liable to be deposed.  

States under the British Crown: With the transfer of power from the hands of the East India Company to the British Crown in 1858, the Simla Hill States (like other states of India) came under the protection of the Crown of England, who "stood forward the unquestioned ruler and paramount power in all India and was for the first time brought face to face with the feudatories. ..." The theory of Crown as the sole link between the central government and the states was systematically developed by British statesmen so that the whole of India came to be

2. Ibid.  
considered as a single charge. Paramountcy of the British Crown thus became "the corner-stone of the imperial edifice in India".\(^1\) This implied the subordination of Indian rulers and the denial of their sovereign rights. The sovereignty of the smaller princelings like the Simla Hill States "vanished almost to the point of nothingness".\(^2\)

The post-mutiny period was a period of hopes and disappointments, growing national ferment and discontent. The British Government realized that the states could play a crucial role as a "bulwark against the forces of Indian nationalism".\(^3\) To neutralise, or at least to isolate, any mass movement of national urge, the

\begin{itemize}
  \item \textbf{2.} Panikkar, K.R., Indian States and the Government of India, op. cit., Chap.X, p.144. The Simla Hill States had little in common with the independent states like Hyderabad, Aymore, etc. though they also enjoyed rights and privileges which belonged to the feudal lords of medieval Europe.
  \item \textbf{3.} White Paper on Indian States, 1950, p.12.
\end{itemize}
British Government devised a way whereby it could keep the feudal chiefs on its side. A Chamber of Princes consisting of 120 members was brought into being as a deliberative, consultative and advisory body on February 8, 1921. The Simla Hill States were represented by six rulers, of whom five were members in their own right while the sixth one was the elected representative. The establishment of the Chamber of Princes marked an important stage in the development of relations between the Crown and the Indian States. It involved a departure from the policy of 'subordinate isolation'.

1. As a result of fresh admissions, the membership of the Chamber was enlarged to 140. (See White Paper on Indian States, 1950, op. cit., p.20). Constitution of the Chamber is given in "A Handboook of the Chamber of Princes", Narendra Nand, Simla, 1942.


4. The laja of Jubbal was the elected representative of the Simla Hill States from 1921 to 1924. (See Memoranda on the Indian States, 1939, p.256) and the laja of Sachbat, from November 1924 to March 1933 (ibid., p.251). The laja of Jubbal was again elected representative member in September 1933 (ibid., p.256).
followed by the British Government and a first step permitting 'joint consultation' between the Indian states on matters pertaining to their territories generally and those that affected their territories jointly with British India or with the rest of the British Empire.¹

Paramountcy of the Crown, however, remained unaffected.² The relationship of the states with the Paramount Power, the Butler Committee report (1929) stated, was a relationship with the Crown; the treaties made with the states were treaties made with the Crown and those treaties were of a continuing and

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2. In a famous letter dated March 27, 1926, addressed to the Viceroy of India, Lord Reading pointed out that "the sovereignty of the British Crown is supreme in India. ... Its suzerainty is not based only upon treaties and engagements but exists independently of them. ..." (Full text given in Report of the Indian States Committee, 1928-29, Government of India, Central Publication Branch, Calcutta, 1929, Appendix II, pp. 56-58).
binding force as between the States which made them and the Crown. On the other hand, the report added, the relationship of the Paramount Power with the states was not merely a contractual relationship, resting on creation made more than a century ago. It was a living, growing relationship, shaped by circumstances and policy, resting ... on a mixture of history, theory and modern fact. The Report simply expressed the view that "paramountcy must remain paramount; it must fulfil its

obligations, defining or adapting itself according to the shifting necessities of the time and the progressive development of the states.¹ However, a new concept of personal relationship between the states and the Crown found expression in the Government of India Act, 1935, so that the states were delinked from the Governor-General-in-Council and ceased to be British Crown. A new functionary, the Crown Representative as distinguished from the Governor-General (although the two offices continued to be vested in the same person till 1947) was now brought into existence to conduct the relations of the Crown with the Simla Hill States, as with others in the rest of the country.²

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The Indian Independence Act, 1947, terminated the suzerainty of the Crown over the Indian States. Treaties and engagements between the states and the Paramount Power, their mutual obligations and all rights, authority and jurisdiction of the Crown were brought to an end.¹ This clearly meant complete independence for the Indian States - legally and technically. But India as a whole had developed into an economic entity in all matters of common concern because of the system of co-ordinated administration that had grown up under the British rule. If nothing were to take its place, chaos would have resulted. The danger was more serious because practically all the states were situated within the geographical limits of India. Further, without the co-operation of the states, India could neither achieve political stability nor plan her economic development. It was thus of utmost importance for India to bring the states into an organic constitutional relationship with herself before August 15, 1947.

¹ The Indian Independence Act, 1947, Section 7(1)(b).
With this object in view, the States Ministry was brought into being on July 5, 1947. In a memorable and stirring statement on that day, Sardar Patel as the minister in charge of the Ministry of States defined the policy of the Government of India and invited the states to accede to the Indian Dominion on the three subjects of defence, foreign affairs and communications in which the common interests of the country were involved. He assured the states that it would not be the policy of the Ministry of States to conduct the relations of the states in any manner which savoured of domination of one over the other; and that if there were any domination, it would be the domination of mutual interests and welfare. Sardar Patel expressed the hope that the Indian states would bear in mind that the alternative to co-operation in the general interest was anarchy and chaos which would overwhelm the great and small in a common ruin.

The task of conducting negotiations with the princes was entrusted by the Government of India to Lord Mountbatten, who was then the Crown representative. At a special full meeting of the Chamber of Princes on July 25, 1947, Lord Mountbatten in a highly persuasive manner advised the rulers to accede to the appropriate Dominion in regard to the three subjects of defence, foreign affairs and communications. He assured them that their accession on these subjects would involve no financial liability and that there would be no encroachment on their internal sovereignty.

Lord Mountbatten admonished the rulers thus: "You cannot run away from the Dominion Government which is your neighbour any more than you can run away from the subjects for whose welfare you are responsible". At the end of the meeting, Lord Mountbatten announced the personnel of the Negotiating Committee which was set up to negotiate on behalf of the states the terms of their accession to the Dominion of India. The Committee included His Highness the Maharaja of Sirmur from amongst the Simla Hill States.

2. ibid. Full text given at pp.160-64.
3. ibid., p.164.
The rulers woke to the peril of their very existence. It did not take them long to read the signs of the times. The impending transfer of power brought about the realisation to the princes in general that they must come to terms with the new rulers and that the sooner they did so, the more goodwill they were likely to expect from them. They accordingly rose to the occasion and all of them, except Hyderabad, Kashmir and Junagarh, acceded to the Dominion of India before August 15, 1947, on three subjects, namely, defence, foreign affairs and communications.¹ They also entered into a Standstill Agreement which provided for the continuance for the time being of all subsisting agreements and administrative arrangements in matters of common concern between the states and the Dominion of India or any part thereof.²

1. Text of the Instrument of Accession executed by the Simla Hill States is given in Appendix I.
2. Text of the Standstill Agreement is given in Appendix II.
4. Some Observations

On the basis of the brief history of the political system that governed the relationship of the Paramount Power with the Simla Hill States, some observations may be made. Firstly, the Chiefs of the Simla Hill States had feudal relationship with the Paramount Power. They held their territories not by virtue of direct treaties with the East India Company or the Crown but subject to the conditions stipulated in the Sunnads (or Deeds of Allegiance) which bound them to strict obedience, loyalty and attachment to the British Government. They were liable to such control as the British Government thought fit to exercise and their rights and powers were limited to those that had been expressly granted to them. Their authority was thus derivative and not inherent. In legal theory, the Simla Hill States were governed by their own rulers but in actual practice they were under the 'visorous control' of the Paramount Power in both internal
and external affairs. In the internal affairs, for example, the rulers were under obligation to promote the welfare of their ryots, to look to the security of roads and to abstain from encroaching beyond their territories. In the external affairs, on the other hand, they could not enter into negotiation with any other state.\(^1\) In case of a dispute between one state and the other, the case had to be referred to the British Government and the parties concerned had to abide by the decision made thereon.\(^2\) Failure to perform the aforementioned obligations brought the British baton on their heads and they could even be removed from the 'THRONES' (i.e. throne). All these stipulations were so comprehensive that the princes were reduced to almost a position of abject subordination.


\(^2\) ibid.
Secondly, the political system was based on centralization of functions. At the top of the administrative pyramid was the Raja or Rana whose merest caprice was absolute law, of course, within the limits set by the Paramount Power. The people did not possess any democratic rights and, in some cases, the rulers treated them as their goods and chattels. The social life of the elite (Jat, Jhullar, hindustani, etc.) was entirely centred around the feudal lord, Raja or Rana, and his court. Social activities beyond the arena of official contacts and court activities were considered suspect until the late thirties when the nationalist movement in India and the Praja Mandal movement in Himachal Pradesh began to affect the social life outside the royal palace. In such a society, the salient behavioural characteristics included, inter alia, respect for and deference to those with higher status and its concomitant 'vertical orientation' within the pattern of superior-subordinate relationship. While the ruler showed the necessary measure of deference to those above (the Paramount Power), he extracted every last measure of deference from those below.
Thirdly, the British contact with the Simla Hill Chiefs extending over a period of one century and a quarter left behind the impress of western ideas and ideals of democracy and liberty. Rationalised administrative practices, standardised taxation, codified legal systems, liberal economic policies and westernised educational system introduced in the Indian Provinces which were under the direct British rule tended to produce an environment conducive to a gradual change even in the Simla Hill States, which were under the indirect British rule. The old pattern of authority began to be disrupted and the doors were opened to extensive social changes. Thus, while the Persian influence charmed and fascinated the Rajas and Ranas, the modern western influence was to transform and revolutionise the people at large. The democratic concept of the rights of man and the ethical concept of equality of opportunity were revolutionary ideas to the traditional society. These ideas created stresses and strains among the enlightened elite and ultimately led to the overthrow of the feudal lords, the Rajas and Ranas, of the erstwhile states of Himachal Pradesh. How the people marched on the road to democracy is the subject matter of the next chapter.