

Transition in Time: An Overview of the Administrative Structure, Policy and Pattern in the Hills of North East India 1822-1972

David R. Syiemlieh

N. M. Lahiri Memorial Lecture 2022

State Convention Centre, Shillong, 12 November 2022

Hill Area Administration:

Early under British rule, the hill areas of the North East (which over centuries had developed their respective forms of administering their communities), were given distinct administrative mechanisms within the Non-Regulation system. Operated first among the tribes of Chotanagpur, the pattern was applied to the Garos soon after a section of their hills were brought under British administration. Regulation X of 1822 suspended the operation of the existing rules and regulations for the administration of civil and criminal justice. The powers of the district magistrate and judge were combined in the same person subject to the control of the Governor-General. There was no collection of taxes other than a house tax. The administration was simple, allowing the local chiefs to continue the management of their people in what has been called 'indirect administration', which the British were subsequently to apply to Malaya and Nigeria. As the Company acquired other hill territories in the region they were brought under this pattern of administration. Subsequently, Act XXII of 1869 repealed

Regulation X. The pattern of administration included among other features, exemption from the jurisdiction of the regular civil and criminal courts. A number of Regulations and Enactments were subsequently put in place which included the Inner line Regulation 1884 to give the tribes that distinct administration, many features of which continue to this day. For long the hills that had come under the direct control of the *Raj* were referred to as Backwards Tracts.

Though it came late administrative devolution with increased numbers of Indian in the legislatures and the administration was put in place. The process began with the Indian Council's Act 1892, representation was provided by the Act of 1909 and Dyarchy was introduced by the Act of 1919. Put into operation in 1922 it continued to function as an administrative arrangement till 1937. The Government of India Act 1935 gave new nomenclature, terming these areas as either Excluded Area or Partially Excluded Areas. The Excluded Areas were under the executive control of the Assam Governor. The Partially Excluded Areas were under the control of the Governor and subject to ministerial administration, but the Governor had an overriding power when it came to exercising his discretion. No act of the Assam or Indian legislatures could apply to these two hill divisions unless the Governor in his discretion so directed. He was empowered to make regulations for the hill districts which had the force of law. The administration of these hills was his 'special responsibility'. With no representatives in the Assam Assembly (other than the partially excluded areas, which sent one legislator each), political activity above their village and local level could hardly have existed. Political consciousness in the hill districts can be seen early in the establishment of the Jaintia Durbar in 1900, the beginnings of Naga political

activity with the establishment of the Naga Club in 1918 ; the more hectic political maneuverings of the Khasi National Durbar set up in 1923 and the Federation of Khasi States formed in 1934. The pace of political activity would increase shortly before August 1947 and after.

Within the Commissionership/province were the twenty-five Khasi states. The Khasi states were nominally under the administration of their chiefs (*Syiems, Lyngdohs, Sirdars* or *Wahadadars*) in *darbar* with only a supervising attention from the Deputy Commissioner of the Khasi and Jaintia Hills District who functioned as their Political Officer.

Along the watershed between Burma and further north in the Hills reaching the eastern Himalayas lived Naga tribes, Miris, Monpas and a kaleidoscope of other kindred peoples who were as the term went 'unadministered'. Their hills were only occasionally visited by the British in punitive expeditions and survey operations. The Naga Tribal Area and the Tirap Frontier Tract were technically and for practical purposes outside British India. There was a statutory boundary between these two frontier tracts and the adjoining districts of the province. While this boundary had been defined, by an oversight no similar notification was issued for the northern boundary of the Assam province and it was thus assumed that the whole territory up to the Indo-Tibetan frontier was *de jure* an excluded area and so theoretically formed part of the province. However, this interpretation was contrary to the administrative position because while the Government of India treated the area as tribal and unadministered, treaties of 1862 and 1874 with the tribes of these hills refers to them as foreign with a distinction made between the boundary of the British India and these hills of the eastern Himalayas. Administrative officers stationed in Tezpur, Balipara and Sadiya were responsible for keeping

a close watch on the hill tribes on this frontier and managing *posa*.

Administrative reorganization:

From 1826 to 1874 the Assam Commissionership was administered under the Governor and Lieutenant Governor of Bengal. In 1871 the Secretary of State for India gave his assent to the proposal that Assam and certain eastern districts of Bengal should be constituted into a Chief Commissionership to be placed directly under the Governor-General. On 7 February 1874 five districts of the Brahmaputra valley, the Naga, Garo, Khasi and Jaintia hills and Goalpara became part of the Chief Commissionership of Assam. Sylhet was tagged on the new arrangement in September that year.

Almost immediately on assuming office Col. R. H. Keatinge was called upon to select the headquarters of the new administration. The choice was between Gauhati and Shillong, only recently made the headquarters of the Khasi and Jaintia Hills district. Keating opted for Shillong not only for climatic considerations but because accommodation was easily available in the hill station, the place was capable of indefinite expansion and the cost of building material was cheaper in the hills. No doubt Gauhati was closer to eight districts while Shillong was closer to Cachar and Sylhet. Moreover there was a political advantage having Shillong as a base as it was approachable from two directions. On 24 May 1874 Lord Northbrook approved the selection of Shillong as the headquarters of the Chief Commissionership.

Before the next round of adjusting administrative boundaries, suggestions were placed at different stages that the Chittagong Division, Dacca and Mymensing districts and the Lushai hills, present day Mizoram, be

transferred to the Assam administration. Bengal was partitioned in October 1905. The new province of Eastern Bengal and Assam provided the Lt. Governor's province with a separate civil service, gave benefits to tea, oil and the coal industries and provided an outlet to the sea at Chittagong. We will not discuss the anti-partition agitation and the Swadeshi movements and the fallout these had on the partition of Bengal. We may however note that this was the first real concern the administration of the new province had in dealing with an agitation the likes of which had not been witnessed earlier. Very active in Sylhet and Dacca, the movement was much less intense in the other districts including the Brahmaputra valley. When the partition of Bengal was annulled in 1911, largely due to agitation against it, Assam reverted to a Chief Commissioner's province with Shillong again becoming its capital.

Wars, Councils, Politics and Independence:

Assam's supported Britain in the Great War 1914-1918. The province pledged the war cause with donations and send out numerous combatants and several hundred as Labour Corps. From the Assam administration 174 officers were placed for military duty. In the aftermath of the war though, there arose discontent with the rise of essential commodities and general increase in the cost of living with post-war inflation. Discontent gave way as elsewhere in India to Assam's participation in the national movement in large numbers and across communities. The administration was faced with tackling the national movement commencing with the Rowlatt Satyagraha, the Khilafat agitation, the Non Cooperation and Civil Disobedience Movements and the very active participation in the Quit India Movement.

The Second World War exhibited the Indian people generally had no support for the War. Japan's participation brought the theatre of the struggle to the eastern frontier of British India. Burma was overtaken in 1942. The Japanese advance was stopped along Manipur, the Lushai hills and the Naga hills. The war strained the Assam administration for men and financial resources even while the national movement was at a low ebb during these years. Inasmuch as the war showed tribal support for British administration, it also threw up the dilemma for the administration of large scale support for Subhas Chandra Bose's call to enter India through the North East with the slogan 'Challo Delhi.'

Electoral politics and the formation of governments added a new dimension to governance in British India. Hitherto the Indian Civil Service officers, the 'steel frame' of the British Raj, and the subordinate services including the judiciary, police, revenue and so on were directed by the colonial policy of keeping the peace and collection of revenue to meet expenditure. There was little infrastructure development. No large scale plans were mooted for agriculture and industry other than the development of tea, oil and railways which had colonial interests. The plight of the immigrant and indentured tea garden labourers was hardly a concern for the administration other than some rules for their care. Natural calamities such as floods and earthquakes were of concern for the administration for these were frequent and devastating as was the great quake of 12 June 1897. The Lushai hills administration was particularly engaged in supporting the population at the time of *mualtam*/famine which occurred twice in our period of study. On the other hand during British rule, Assam, as other provinces in India experienced slow but careful building up of institutions for governance, the legislature for legislation

and policy making, the judiciary, the executive, law enforcing agencies, revenue collection, education, health care and so on. It would be on these structures that the Indian state would work on to set up more elaborate administrative machinery.

Hitherto the administration had been colonial to say the least. Electoral politics brought people's representatives who took up issues very different to the administrator. Assam's representatives in the Councils, Muhammad Saadulla and Gopinath Bordoloi, to name but two, were concerned, that Assam despite being a less developed province was not receiving financial support it ought to have got for Assam was made to pay for the administration of the deficit backward tracts and the Assam Rifles. In 1928 Kanak Lal Baruah, told the Simon Commission that the province of Assam should be geographically compact and therefore the hill areas intervening between the Assam valley and the Surma valley should remain in the province. He meant that the Khasi and the Jaintia Hills, the Garo Hills and the Mikir Hills should not be taken away from Assam while the Lushai Hills, Naga Hills and a part of North Cachar Hills should be excluded from Assam. Sadullah held the same view and the powerful Indian Tea Association in Assam was of the same opinion. Two British administrators, John Hutton, Deputy Commissioner Naga Hills and N.E. Parry, D. C. Lushai Hills were for separation of hill areas from any general administrative scheme devised for Assam. This would later be discussed in high circles in the Crown Colony/Protectorate plan for the hill areas of North East India.

It was also brought to the notice of the Simon Commission in 1928 that Assam did not have a high court or a university of its own; institutions of higher education

were few and communication in the province was the poorest in the country. Much of the tax on tea was remitted in London and Calcutta and did not contribute to the coffers of Assam. Both politicians therefore gave much attention to these issues when they were at the helm of power. Bordoloi later pleaded in the Constituent Assembly for special treatment for Assam in the background of post-war and post-partition burdens. He was joined by Omeo Kumar Das and J. J. M. Nichols-Roy that Assam was facing chronic financial difficulties.

Post 1947 concerns:

Was there discernable change in the administrative policies and programmes after independence? Did independence usher in dramatic change in the attitude of the administrator? Was there perceptible change among the administrators from serving under colonial rule to serving in free India? Did they realize the new role entrusted to them in nation building? These are questions that may be asked. It would be of interest to know the views and opinions of those who have left behind their memoirs and records before they fade from memory or are lost. To be sure, not all the British administrators left their India service though many could not see themselves working under an Indian administration.

Of immediate concern for the Assam administration was the problems arising out of the new boundary with East Pakistan, the dislocation of communication and supplies; the movement of peoples across the border into India and their settlement. The Assam administration had also to put in place the setting up of the Autonomous District Councils for the Garo, Khasi- Jaintia, Karbis, North Cachar and the then Lushai Hills. Set up under the Sixth Schedule of the Constitution it was intended apart from many other things to safeguard their forest, land and tradition. Post-

partition administration adjusted to the challenges of making democracy work with elections, growing demand for administrative units, hill area administration, and the first three of the Five Year Plans. During these early years after independence there was a steady integration of communities into the sense of being part of the Indian nation.

The hill people could have lived peaceably in Assam but for the attitude of some Assamese legislators. Hardly had the British left when Assam's representatives in the Constituent Assembly advanced assimilationist views. Strong protests were raised in the Assembly when the Sixth Schedule was taken up for discussion. One member of the Constituent Assembly said of the Sixth Schedule that the "British mind is still there There is the old separatist tendency and you want to keep them away from us", it is recorded. Another member had forgotten that only thirty years earlier Assam's leaders had called for removing the hill areas from the province because they were backward and deficit areas. "We want to assimilate the tribal people", he said, "We were never given that opportunity so far." They were strangely ignorant that their colleague in the Constituent Assembly, J. J. M. Nichols-Roy had some years earlier submerged his Khasi identity when he referring to "we Assamese" in their reaction to the province being placed in category C of the Cabinet Mission Plan 1946. The tribals did not want to be assimilated in this manner. It would not be long before the cordial relations between the Assamese and the hill people would end.

By then negotiations had gone far ahead with the Nagas for the incorporation of their hills into the Indian Union. When these failed military pressure was applied on the Nagas, which if it did not solve the problem actually

worsened the situation. For the Nagas a sense of dismay and alienation set in which sadly remains till date. Hardly had this situation erupted the administration was faced with another outbreak- the Mizos rose in arms over the mishandling of relief during the *mualtam* eventually becoming a very serious struggle of the MNF against the Indian state. Here too military and punitive action and the regrouping of villages was the policy of the government, which like the Naga situation resulted in a very long drawn struggle by the MNF.

If these two local situations could be handled in ways thought fit by the administration, India got a jolt from the Chinese intrusion in 1962. This intrusion prompted a change in policy and direction for the entire region. Post 1962 witnessed increased military presence in the region. The Centre gave attention to the region as never before with increased outlay of funds for infrastructure development, improved communication of roads, railways and airfields and more. The administration of NEFA, so complacent before this jolt got a boost.

One of the achievements of post-independence India was the abandonment of the policy of isolation of the tribes. In this Assam moved towards more inclusive administration, but not sufficiently and it affected the unity of Assam. In the fitness of things the State of Nagaland was formally inaugurated on 1 December 1963, as the 16th State of the Indian Union. Through the 1950s and into the 1960s the hill people demanded separation from Assam. What really set their movement towards breakaway from Assam was the decision of the Assam legislature to make Assamese the official language of the state-in a state which perhaps had the largest number of languages and dialects spoken in any Indian state. The hill state movement- which has gone down in history as largely non-violent took

advantage of this enforcement of language to press their demands. Eventually was brought in the autonomous state of Meghalaya in 1969 with full statehood two years later. It was some time though before Meghalaya would have its own High Court, Public Service Commission and Governor. Shillong remained the capital of Assam for some time more - a rather anomalous situation before Dispur was chosen as the State's new capital.

The NORTH-EASTERN AREAS (REORGANISATION) ACT, 1971, (ACT NO. 81 OF 1971), enacted by Parliament on 30 December 1971 provided in its comprehensive legislation for the establishment of the States of Manipur and Tripura and formation of the State of Meghalaya and of the Union Territories of Mizoram and Arunachal Pradesh. The reorganization took effect in the early part of 1972

That same year 1972 saw the inauguration of the North Eastern Council. Envisioned in 1968, the NEC bill 1970 aroused intense opposition to its provisions. A year later the NEC Act 1971 was passed by Parliament. There was a toning down of the provisions and changes brought about by the reorganization of the north eastern region. The Assam Governor initially was made to play a decisive role in the operation of the Council. This institution of Centre-State cooperation stands out as an unmatched administrative innovation in India. It is specifically designed to meet the requirements of the NE region.

Conclusion:

Home is where the heart is. The people of this region have an especial attachment to their land. Shorn from their land they almost cease to be who they are. On the other hand there are those unfortunate persons who have no home and want one. It triggers migration. The North East has

received migrants over centuries who have made these beautiful hills and green valleys their home. Of concern, however, is that migration into the region in more recent times disturbed the demographic composition of the region.

While politically and culturally the people of the two valleys were within the Indian ethos, those of the hills were given this identity following their incorporation into the colonial state and political control by the British. Administrative arrangements following the extension of British imperialism and the political and change of governance after 1947 provided an Indian dimension in the lives of the people of the region as a whole. In the 75 years following independence and integration of these areas into the Indian state, significant cultural, linguistic, indeed an emotional connection of the people of the region with the Indian state is evident, the integrative principle of which has not been fully appreciated and studied.

KHUBLEI