

THE FEDERATION OF KHASI STATES

History, Epistemology and Politics



John F. Kharshiing

bodhi s. ranee



Tribal Intellectual
Collective
India

Foreword by Virginius Xaxa

**The
Federation of Khasi States
History, Epistemology and Politics**

by

John F. Kharshiing

&

bodhi s. ranee



Tribal Intellectual
Collective
India



**Tribal Intellectual
Collective
India**

The Federation of Khasi States: History, Epistemology and Politics

COPYRIGHT: @2019 The authors and Tribal Intellectual Collective India

COVER AND BOOK DESIGN: Subodh N.W

COVER: *Governor of Assam Province Akbar Hydari and the members of the Federation of Khasi States taken on 16 August 1947 in the Office of the FKS.*

Book edition 2019: ISBN 978-81-942059-1-3

Published in India by Insight Multi Purpose Society, Maharashtra in collaboration with the Tribal Intellectual Collective India

The Tribal Intellectual Collective India (TICI) is an Imprint of the Insight Multipurpose Society (IMS). The Tribal Intellectual Collective India endeavours to promote Tribal literature and writers. It aims to further the tribal/Adivasi discourse through publishing academic and scholarly works. It is driven by a sincere desire to deepen a 'perspective from within' in Tribal history and theory. This book series comes under the Dialogical Historiography Project of the TICI and attempts to propel the 'writing of histories from within' around a new framework called Decolonial-Historical Approach.

No part of this book may be reproduced, retrieved or transmitted in any form, by any means without the prior permission of the copyright holders.

For more information: www.ticijournals.org.

Dedicated

to

Paiem (Dr.) Balajied Sing Syiem

and all the

Khasi Chiefs

from

Dorbar Shnong, Dorbar Raid and Dorbar Hima

Contents

Foreword by Virginius Xaxa	i	
Preface	viii	
Introductory Note: Laying the Context and Frame		
Part I	1	
Part II	11	
Part II	19	
The Khasi Chiefs		
Section One	Before 1835	38
Section Two	From 1836 to 1862	95
Section Three	From 1863 to 1913	111
Section Four	From 1913 to 1946	163
The Federation of Khasi States		
Section Five	From 1923 to 1949	176
Section Six	From 1949 to 1998	237
Section Seven	From 1999 to 2017	278
Additional Resources		471

Foreword

The Federation of Khasi states is a study of the traditional political system prevalent among the Khasis of Meghalaya. It provides an important site for interesting theoretical discussions on the nature of the state or political system in a traditional tribal society and its engagement with the larger world. Such studies have remained unexplored in the context of tribes in India. The monograph is a pioneering venture in this sense.

The conceptual distinction between state and society emerged in European thought in the 18th century. Before this period, the term state and society were in use but there was no distinction made between the two. Writing on the state was considered as writing on society and vice versa. Since the making of the distinction, the state has been a subject of much engagement in European thought and scholarship. The scholarly concern with the state has spread to other parts of the world as well. The prominent role the state has come to play in the lives of the people in modern times may be the reason for such attention on the state. Needless to say, much of the concern has been with the modern state.

The writings on the state in social science literature concern with various aspects of the state. Some of the key aspects of concern has been with the nature, role, and character of the state. Since the distinction between state and society, there has been much attempt to delineate as to what the state is. The state has thus come to be thought of as an institution that is concerned with the maintenance of order in society and to this end, it has the monopoly of the legitimate use of physical force. Further, the modern state has been studied from several angles that broadly fall into three categories. One of these sees the state as an independent and autonomous entity with its own rules of action. Others see it as tied to the interests of the dominant class but within this too there are variants

of thought. Then there are still others who regard the state as a partly independent force that the different political interest groups may influence via the democratic political process and mobilization at different points of time. Although a lot is written about the nature and character of the modern state, not much is known about the nature of the state in historical societies and much less on societies described as tribes by social anthropologists. The value of the present monograph lies in this endeavour. This is one of the rare studies which attempts to study traditional political systems in the context of tribes in India. The study describes the system prevalent among the Khasis as the state. There have been some studies in the context of tribes including Northeast India that have addressed the question of state formation before tribes were incorporated into the colonial state. The pre-colonial state here is referred to the principality or kingdoms that have emerged among tribes before the entry of the British rule. The traditional Khasi political system does not however fall in the genre of the kingdom. These kingdoms were predominantly territorial entities. In contrast, the traditional political system prevalent among the Khasis, though had a territorial jurisdiction, was not autonomous of the institutions of kinship, the hallmark of tribal society. It may not be out of place here to situate the study of tribes in Africa that have been studied from the lens of the state. In keeping the focus on state, tribal societies in Africa have been classified into state and stateless societies. Tribes with a distinct and centralized authority for maintaining peace and order in the society have been described as societies with state and others as stateless societies. However, tribes even without state-like institutions did maintain order in society. In bearing this in mind, the distinction has been drawn between the state and political system in understanding the maintenance of peace and order in society. The tribes may not have the state but they did have a political system. Hence in the understanding of the polity in tribal society, often the term political system has been preferred to the use of the term state. Thus the study of the Khasi

state can be the site of an interesting theoretical discussion on the aspects of the political systems of the tribal society.

The Khasi traditional political system is strikingly different from other tribal traditional political systems of tribes in Northeast India including its matrilineal tribal communities such as the Jaintias and Garos in the state of Meghalaya. Most tribes in Northeast India had a political system that did not go beyond the village. At the level of the village, the political system was either visible in the institution of the village council comprising the elders of different clans in the village. The council was headed either by a headman or a chief who was either autocratic or democratic in the sense he took decisions on the issues in consultation with the members of the council. The Khasis unlike other tribes had developed a political system that went beyond the village. That is, a number of villages formed a larger configuration or confederation which was referred to by distinct names; Syiem, Lyngdoh, Wahadadar and Sirdar. The territorial structure so developed was headed by a person chosen by the assembly of the elders who comprised of the village's headman of the larger territorial unit. In this design of the political, the Khasi political system very much resembled the manki system of the Mundas, manki-pir of the Hos, paraganait of the Santhals, and parha of the Oraons. It is somewhat intriguing that except for the Oraons all those tribal groups that have such political systems belong to a linguistic family (Austro-Asiatic) as the Khasis. The Oraons as per the existing linguistic classification belong to the Dravidian linguistic family. The Oraons and Mundas have been living side by side for centuries and it is possible, they may have adopted the system from the Mundas. Of course, this needs further investigation.

Notwithstanding such commonalities, there seems to be a difference. Unlike the Mundas and Santhal who had two tiers system, the Khasis had developed the system even into the larger unit, that is, of syiemship (chiefship). The traditional Khasi political

systems comprised of three interconnected sets of institutions viz shnong (village), Raid (elaka), and syiem (chiefship). Each of these systems was intricately related to clans at the appropriate level. Hence unlike the other states or political system, which were primarily territorial, viz primarily centered around the territory and its inhabitants without any other social institution, the Khasi political system at each level was intricately connected with the clan system. This means that states were not autonomous as it was thought about, rather it was related intricately to the kinship system. How to explain the distinct feature of the Khasi political system is difficult to explain. Probably this may have to do with ecology, demography, and technology combined with the kinship. While the role of ecology, technology, and demography is yet to be ascertained, the role of the kinship and its relation to the Khasi political system seems certain. Its presence is visible at the village, raid, and more importantly at the state or syiemship. Not only is it related to kinship but it is also intricately related to religion. Thus, the Khasi state needs to be explored in the context of kinship and religion.

As to how the Khasi political system would have evolved in the absence of intervention by the British in the Khasi Hills territory is a hypothetical question and can only be speculated. The fact is that the intervention by the British did change its route. This is evident in course of events that the Khasi political system had to go through following the winds of change that colonial India including Northeast India was going through since the 1930s. The emergence of the Khasi National Dorbar in the 1920s and later in the 1930s into the Khasi States Federation was an attempt to rethink their political status at these backdrops. Its agenda was to work out its future in the event of the shaping of a new political configuration in British India. The tribal communities on the eve of India's independence were located in different kinds of political and administrative arrangements. The large size of tribes formed part of the princely states and hence was not part of British India.

The rest was part of British India but they were organized around different administrative arrangements such as the excluded and partially excluded areas following the Govt. of India Act of 1935. At the eve of independence, the Khasi Federation of states aimed at a different route to their participation in the Indian union. This was evident in a memorandum submitted to the Viceroy, Lord Willingdon who visited Shillong in 1933. Its stated objective was to act as a representative and executive body for all the 25 Khasi States and put forward a claim for securing greater judicial power from the British. The chiefs wanted more administrative powers from the government and the transference of some departments under the Deputy Commissioner to the management of the states. It also carried on negotiations with the government for recognising the KSF as the body to speak for the Khasi states when any alteration of policy and administration was planned.

It signed the Instrument of Accession (IoA) and Annexed Agreement (AA) with the Dominion Government of India following which a Khasi States Federation Court was set up. Also, some departments of Administration were opened. The Federation using powers prescribed under the IoA and AA operated like a government. The Federation of Khasi States had its own flags with 25 stars (representing 25 States) side by side with the Indian National Flag.

As per the Indian Independence Act 1947, two dominions were formed; India and Pakistan. Many princely states signed the Instrument of Accession (IoA) and the Instrument of Merger with the Indian Union. The Khasi States are the only native state within the India Union who did not sign the instrument of merger, although all of the 25 Khasi states did sign the IoA in phases either individually or collectively. The first was signed on 15 December 1947 and the last on 19 March 1948. The last to sign was the Nongstoin state. It did so only at the threat of an army contingent which was sent to pressurise the chief.

During this intervening period, agreements including a Standstill Arrangement were agreed upon between the Khasi States and the Governor of Assam. After much confabulation between the Ministry of States and the Khasi States through the Governor of Assam, the Governor-General of India Shri. C. Rajagopalachari accepted the IoA and AA of all Khasi states on 17 August 1948. This is the only other instance of the way tribes have been thinking of their place vis a vis the union of India other than Nagaland at the eve of independence.

The Federation remained active as an independent state entity within the Indian union from August 15, 1947, to February 25, 1950. Meanwhile, another party with the name 'the Khasi Jaintia Federated States National Conference' emerged to counter the views of the FKS. The former advocated the enforcement of the Sixth Schedule of the Constitution of India, which provided for the setting up of the Autonomous District Council. With the operationalization of the Indian Constitution and specifically the Sixth Schedule, the Federation was sidelined and the Autonomous District Council was instituted.

However, even with the District Council in place, the FKS remains an active force. It is active both as an indigenous political institution, although now under the District Council, and also as a social system traditionally in practice. It is a force that has been trying, binding and driving the Khasi society and its collective conscience in matters ranging from land control, the welfare of the people, and the maintaining peace in the Khasi states to keeping alive the cultural practices of the peoples. It is also interesting to point out that the FKS in all its historical struggle have always sought to be part of India. Yet they remained steadfast to their argument that since they were never part of the province of Assam, they ought to be given a separate state within India.

This book is a product of the efforts of the two authors, both very dear to me. It has evolved out of their attempts to document the

political and other social processes starting from early 1773 up to 2017. The book is notable in the sense that it is written and published under the auspice of Tribal Intellectual Collective India, a group constituted by thought leaders from the tribal communities. Each of the chapters contains a very detailed analysis of historical events from a perspective that is dialogical and conversational. I envisage more such attempts by tribal scholars and academics across the country to come forward and write their history and make it visible to the wider academic space.

Virginus Xaxa

Former Professor of Sociology, Delhi School of Economics

&

Convener

Tribal Intellectual Collective India

Preface

This book is a result of a deep yearning by both of us to bring forth new understanding on the subject of Khasi history, polity and struggles. It discusses Khasi society's political history, unravel their unique political system and unpack their intricate embodied epistemology. The book is divided into two sections. Section one which engages with Khasi realities and political institutions under British India from 1600 to 1946 is written by John F Kharshiang. The Introduction and section two which deals with the political history of the Federation of Khasi States from 1923 to 2017 is written by Bodhi S.R, as part of his doctoral thesis.

The complex history and politics of the Federation of Khasi States makes for an interesting domain of study by scholars interested in political systems. The Federation of Khasi States on its part has rarely opened itself up for research by theoreticians. Their philosophy, strategy and imperative priority has been to maintain civil space and public presence by keeping the Instrument of Accession alive through various strategies while fully respecting and operating within constitutional boundaries of the Indian state. Sourced from historical events and persisting in historical transformation, the Federation of Khasi States has kept reproducing a narrative in which arguments and counter arguments can be posited to explain and even deconstruct current social conditions and political events.

Over nearly 25 years now, we have engaged with the Federation of Khasi States closely. During this period we have gathered extensive subject material, archival data, field experiences and organic insights. While trying to historicize and understand the same, for the purpose of this book, we developed our own methodological framework to approach the reading, interpretation and writing of this complex and rich historical material. We call our methodology the 'Decolonial-Historical Approach'. Most of

the study material we collected has now gone into building a community library for the people's academic usage and theoretical needs.

Knowledge we believe is critical for the Khasis to thrive in a heterogenous world marked fundamentally by diversity. For knowledge not only acts as a mirror to people, providing deeper insights about their own concrete conditions; but also does something extremely essential for the holistic growth of the community. It assuages historical hurt and heals historical wounds. This book is also a knowledge project with such a vision.

However a project such as ours demands that we engage closely with available knowledge. Thus when one turns to such knowledge, the writings of four khasi public intellectuals keeps recurring. These are (Late) J.J.M.Nichols-Roy, (Late) Joab Solomon, (Late) Wilson Reade and (Late) Gilbert Shullai. Each of these individuals has been at the core of the 'Hima movement' that now spans ninety six years (from 1923 to 2019). Their contributions both in the political and social domain have been nothing less than remarkable. Each of them has also been the connecting link, passing the baton of intellectual leadership from one to the other. Of all these individuals mentioned above, Gilbert Shullai stands out, simply because he has written so widely and with so much depth that none can side step his contributions. For our book we have referred to most of their works.

Among theoreticians in Khasi Political Studies, most come from two key disciplines- history and political theory/practice. We have referred to the works of three historians- Kong Helen Giri, Bah David Syiemlieh and (Late) Bah Hamlet Bareh, writing both in the local language and in English, have written at length on Khasi Political History.¹ We have also looked into the writings of three

¹ We have referred to the books written by the three historians extensively and of the two political activist and theorist, their writings form the

political theorists- Bah Gilbert Shullai, Bah Radhon Sing Lyngdoh and Bah L.S.Gassah, who have also written extensively on the subject. All of the above authors have dealt with the Khasi traditional political institutions and historio-political processes. Bah Gilbert Shullai alone has shared archival material that is invaluable and indispensable to Khasi studies. His is a labour of love, if that is a phrase that captures his tremendous contributions to Khasi political history and thought.

There are also a number of other authors who we have referred to related to our book written in the Khasi language. These include Homiwell Lyngdoh,² H.O.Mawrie,³ E.W.Chyne,⁴ Sweetymon Rynjah,⁵ Tngensi Rynjah,⁶ Sumar Sing Sawain,⁷ B.L.Nongbri,⁸ L.G.Wahlang⁹ and many more local authors. In addition to the above, there are also very active public intellectuals like Kong Angela Rygnad, Bah Toki Blah, Bah Fabian Lyngdoh, Kong Patricia Mukhim and many others who write extensively in newspapers. While we have tried to understand their perspective, we have confined ourselves only to views that are directly relevant to our book.

Among the works produced by British ethnographers cum administrators and later the Indian anthropologist, there are massive amount of information available. From within the British archives,

mainstay of our work.

² Ki Syiem Khasi bad Synteng (1938).

³ The Khasi Milieu, (1981) Concept Publishing Company New Delhi, and Ka Niam Khasi (2013).

⁴ Na Ki Hamsaia Ka Mynnor (1994) Andy Press Rynjah.

⁵ Tyngkai La Ki Symbai (1995).

⁶ Ka History Ka Ri Khasi-Jaintia (2000) Vol I and II. Also Ka History Ka Ri Khasi-Jaintia (1562-1826) published 2006.

⁷ Ki Khun Ki Hajar Na Jingkieng Ksair (2004).

⁸ Dr.Homiwell Lyngdoh (Ka Jingim Bad Jingtrei Jong U) Edited.(2012).

⁹ Ka Jutang Iateh-Kular Ki Hima Khasi (undated) published by Hynniewtrep National Youth Front.

we have relied on documents¹⁰ generally referred to by other Khasi theorists. Among these documents, there are some that are directly related to our book. These are (i) D.Herbert (1903)¹¹ : Succession to Syiemship in the Khasi States and (ii) C.U.Aitchenson (1931)¹²: Volume Twelve: A Collection of Treatise, Engagement and Sanads Relating to India and Neighbouring Countries. We have also been able to get two extra documents - the 1778 writings of Robert Lindsay on Anecdotes of an Indian Life, and the First Volume of the Sylhet District Records (1785).

On archives, text and interpretation, we wish to assert that to identify, discern and write about political behaviour of over two hundred and fifty odd years merely by relying on colonial writings

¹⁰ Other writings in chronological order relied heavily by most studying Khasi history includes Pemberton (1835): Report on the Eastern Frontier of British India, Fischer (1840): Memoirs of Sylhet, Kachar and Adjacent Districts, .D.Hooker (1854) Himalayan Journals, W.J.Allen (1858): Report on the Administration of Cossyah and Jynteah Hill Territory, W.W.Hunter (1879) A Statistical Account of Assam, Alexander Mackenzie (1884) History of the Relations of the Government with the Hill Tribes of the North Eastern Frontier of Bengal, B.C.Allen, E.A.Gait, CGH Allen, H.F.Howard (1905) Gazetteer of Bengal and North East India, Edward Gait (1905) A History of Assam, B.C.Allen (1906): District Gazetteer of the Khasi and Jaintia Hills, P.R.T Gordon (1907): The Khasis, Keith Cantlie (1934): Notes on Khasi Law

¹¹ D.Herbert (1903): Succession to Syiemship in the Khasi States, reported on 15 Khasi States- Khyrim, Mylliem, Nongstoin, Nongkhlaw, Cherra, Maharam, Mariaw, Rambrai, Nongspung, Mawiong, Nongsohphoh, Mawsanram, Langrin, Bhawal, Malai-Sohmat. He collected detailed data from each of these Himas. This document is often used by the Judiciary/Courts to resolve conflicts arising within Hima

¹² C.U.Aitchenson (1931): Volume Twelve: A Collection of Treatise, Engagement and Sanads Relating to India and Neighbouring Countries has most documents related to the Khasi States, few extra than the earlier publication by C.U.Aitchenson was in the year 1892: Volume One.

would be dis-service to the context being written about. This is so, especially in the light of the fact that such writings provided powerful intellectual support to colonialism either as part of their project of rule or their project of appropriation. The possibility and availability of alternative propositions, descriptions and interpretations of socio-political reality, creates an important ongoing responsibility for writers who follows a line of inquiry around organic institutions such as the Federation of Khasi States.

To conclude, we wish to affirm our gratitude to all the people who have contributed to our knowledge on the subject of the Federation of Khasi States. While it would have been courteous for us to thank each and every single individual, the sheer number of people we have in mind to pay our gratitude is enormous. A few though that we consider extremely important to mention for providing us both opportunity and insights into the subject of study are duly acknowledged.

First and foremost we thank our most respected Paiem (Dr.) Balajied S. Syiem for introducing us to to Bah Gilbert Shullai and the Federation of Khasi States starting May 1998 leading to his subsequent convening of the August 1999 Dorbar Hima Khyrim in Smit. We are also thankful to Paiem Laborious M. Syiem for the 2000 Dorbar Hima Myllem in Mawkhar leading to the constitution of the Steering Committee of Hima Myllem.

We also wish to specially mention those people who in the course of years of our engagement with the struggle of the Federation of Khasi States have provided us with plenty of archival material and field insights that now constitute this book. These are (Late) Bah Gilbert Shullai, (Late) E.M.R.Syiem, (Late) T.H.Rangad, (Late) Bah Mitford Ryngsai, (Late) Bah Phrik Lyngdoh Pyngrope, (Late) Bah R.T.Rymbai, (Late) Bah Nishan Wahlang, (Late) Bah Win Kharumnuid, (Late) Bah Swell Suting, (Late) Bah Kitdor Syiem, (Late) Bah Tesman Nongbri, (Late) Bah Jimmy Bareh, (Late) Bah

Hopingstone Lyngdoh, (Late) Bah Comand Khonjirem, (Late) Comet Rymbai, Bah Peter Rynjah, Bah H.P.Oflyn Dohling, Bah H.W.T Syiem, Bah S.D.Khongwir, Bah Spiton Kharakor, Bah Sumar Sing Sawain, Bah Toki Blah, Kong Phidelia Toi, Bah Erwin Sutnga, Dr.Milton S. Sangma, Bah Krit Khongjee, Bah Latiplang Kharkongor, Bah (Dr.) Boss Marthong, Bah Jester Khyriemmuat, Bah Robert Kharshiing, Bah Robert R. Khongwir and Bah Batskhem Myrboh.

We also want to thank the office bearers of Meghalaya Land and Forest Owners Association, Khasi Students Union, Hynniewtrep National Youth Front, Grand Council of Chiefs of Meghalaya and Council of Nokmas. Every single individual and organization has contributed in their own ways to the making of this book.

We will remain ever grateful to all the Rulers and *U Khun U Hajar* who hosted the Dorbar Ri in Smit, Hima Khyrim, the Dorbar Ri in Mawphlang Sacred Forest, Hima Mawphlang, the Dorbar Ri in Asanangre and the Dorbar Ri in Mairang, Hima Nongkhlaw.

We sincerely thank the Tribal Intellectual Collective India, of whom we are active members, for editing and publishing our book and making it free for people interested in the subject. They provided us with help throughout the process including the feedback from peer reviewers who gave us an excellent analysis of the text.

Last but not the least we wish to state our gratitude to all the Syiems, Lyngdohs, Sirdars, Wahadadar of the 25 Khasi States and the Dollois who have struggled endlessly to keep Khasi epistemology alive. They hold to us the mirror of who we were as a historical community, who we are as a knowledge society and who we can be as a socio-political entity.

John F.Kharshiing

bodhi s.r

Introductory Note: Laying the Context and Frame

Part I

As per the Census of 2011, the Khasis number 1.1 million¹³ inhabit predominantly the central part of the State of Meghalaya. There are also approximately 70,000 Khasis inhabiting northern Bangladesh. The Khasis or more specifically the *Hynniewtrep* peoples constitute of following sub tribes - *Khynriam*, *Pnar*, *Bhoi*, *War*, *Lyngngam* and *Diko*.¹⁴ Current research states that they inhabited their current locales as early as 1200 BCE. This is based on data derived from carbon dating of used artefacts found near ‘U Lum Sohpetbneng’-the revered hills of the Khasis. This hill is believed to have been once the connecting link between the two realms of residential abodes.

The khasi origin story or *khanatang*, notes that “in the beginning there was nothing but a vast emptiness on Earth. *U Blei* (being/ultimate reality/reality as it is/god) had created only two beings – *Ramen*, the guardian spirit of Earth, and her husband *Basa*, who later came to be identified with *Ryngken*, the patron *Blei* of villages.” The two of them were blessed by *U Blei* with five children who were elemental forces– the sun (the first daughter), moon (the son) followed by other daughters viz. water, wind and fire. Not comfortable with peace and tranquillity prevailing in the metaphysical realm; they petitioned *U Blei* who called for a *Dorbar Bneng* (the Council of metaphysical realm). Out of the sixteen clans

13 From the Census of India 2011

14 While there is less disagreement about Khynriam, Pnar, Bhoi, War, Maram and Lyngngam constituting the Hynniewtrep community, there are debates concerning Diko, sometimes pronounced as Dikho or Dkho as asserted by Michael Syiem. However because of the inability to provide empirical evidence for the same, local historians tend not to use Diko as sub tribe of the Hynniewtrep society. The historian Hamlet Bareh uses the terms (i) Khynriams or Nonglum (ii) Pnars or Syntengs (iii) War (iv) Amwi (v) Bhoi (vi) Lyngngam. He notes that the Amwi people and their allied War Synteng in the south of Jaintia Hills form a parent tribe of the present Khasi-Pnars in their earliest period of settlement in the land.

residing in this realm, seven were permitted to descend to Earth and to populate the place, till the land, rule and govern and to be the egalitarian custodian of all creation. They would also be known from then on as *Hynniew Trep* or seven huts, the seven families, the seven clans who would later become the ancestors of the seven sub-tribes of the Khasi peoples. A covenant was made between *U Blei* and the seven clans, and as a token of the covenant a divine tree was planted on a sacred mount called *Lum Sohpet Bneng*, which served as the golden ladder between the realm of *Blei* and the realm of humans. This covenant declared that so long as the seven clans adhered to the three principles of *Ka Tip Briew Tip Blei, Ka Tip Kur Tip Kha, Ka Kamai ia ka Hok*, that is, as long as they were secure in the knowledge of human and god, in the knowledge of one's maternal and paternal relationship, and so long as they lived on earth in such ways as to earn virtue, they would never be left alone, and could come and go as they pleased between the two realms of abode, through *Ka Jingkieng Ksiar*, the golden ladder at *Lum Sohpet Bneng*. Later, however humans started getting tired of adhering to this covenant and strayed away from its principles and began to cheat, swindle, steal and even kill. *U Blei*, observing the prevailing condition and filled with sorrow, decided to cut off ties with humans and closed the golden ladder to his abode forever. As evidence of his displeasure, he planted an oak tree (*Diengiei*) or 'tree of gloom' that covered the earth and threatened to destroy all plant life on earth. The origin story further goes on to explain many other events about how the acrimony was resolved between *U Blei*, creatures on earth and humans. It also narrated the rise of the concept of evil and the role and place of humans on earth.¹⁵

The social system of the Khasis or the *Khun Hynniew Trep Hynniew Skum* is different compared to many other identities in northeast. This difference has to do with them being one of the few societies that has a matrilineal kinship structure where land ownership is in the mother's name or under the guardianship of the youngest

¹⁵ The prolific Khasi historian cum literary Kynpham Sing Nongkynrih makes important arguments about Khasi origin in his article Nongkynrih, K.S. (2011) The Pre-Historic Beginnings of Ka Shad Suk Mynsiem', pp.15-20 in the Centenary Souvenir Ka Shad Suk Mynsiem 1911-2011.

daughter in the family. Nongbri (1998) points out that “The Khasi custom prescribes the devolution of ancestral property in the female line. Sons have no right to it except in rare cases of there being no female issue in the family.”¹⁶

The historian Hamlet Bareh (1964) ascribes meaning to the current term ‘Khasi’; *Kha* means ‘born of’ and *Si* refers to an ‘ancient mother’. *Khasi*, therefore, means ‘born of the mother’”. He notes “Khasi refers to a legacy bequeathed upon the descendants an ancestry which is highly venerated. Even the *syiem*, the head of the state, is called *U Kmei*, literally, the mother.”

In a detailed analysis of the available historical material, Hamlet Bareh¹⁷ proposes the Khasi to be descendants of the old Austric race of the Far-East. He makes this inference based on anthropological and linguistic sources. He states:

“They were descended directly from the old remote Austric Mon-Khmer tribe in Myanmar. They once formed a nomadic tribe or group of tribes in Myanmar and were closely related to the Palaung-Riang-Wa-Lemet-Mon-Bahnar alliance and for a long time it seems the ancestors of these people lived together. In the process of time, a group moved westward and came to Assam. It is also likely that they entered their present abode through the Naga Hills (via Patkoi) based on the tracing of megaliths, neoliths and other remnants which are supposed to have been left by Mon-Khmer speaking people in Naga Hills and neighbourhood which are of Austric origin. Further the Austric names of many ancient places in Assam are a pointer to the historical movement”.

The Khasis are supposed to have inhabited their present abode since centuries. The exact date of their movement is not certain, but based on neolithic findings they are one of the oldest groups inhabiting the region. To this very day, they have carried forth their

¹⁶ Nongbri, Tiplut (1988). Gender and the Khasi Family Structure: Some Implications of the Meghalaya Succession to Self-Acquired Property Act, 1984. *Sociological Bulletin*, 37 (1&2).

¹⁷ As noted by Bareh (1964) in *The History and Culture of the Khasi People*, pp.35-36.

traditional and cultural traits which they carry with them from the east as they migrated. On their social system, Bareh notes, the Khasis

“regards the mother not only as the custodian of family property but also as organiser of the household religious rites performed from time to time. Each clan traces lineage from the ancestral mother called *Ka Iawbei*. While *Ka Meikba* is the mother of the father, the former is the ancestral mother from the mother's side. Though the Khasis place much insistence on *Ka Iawbei* who is recognised as the founder of the clan, *Ka Meikba* is also glorified by her son's children who offer ceremonial acts of respect to her on occasions of sacred family ceremonies. For the deceased *Ka Meikba*, her sons and their children might raise memorial stones. She plays an important part during the disposal of the dead”¹⁸.

A narrative still present among Khasis relates to preserving the story of their migration from the plains to their present home. It was due to a great deluge, the story goes, that the foremothers/ancestors of the Khasis escaped to these hills. This flood also caused the loss of their script. The story goes

two survivors managed to escape the flood by swimming across. One survivor was a Khasi man and another was a Hindu known *u Dkhar*. Both carried with them only a bundle of their respective scripts. The Dkhar managed to retain his script by fastening it to his head while he swam, but the Khasi swimmer swallowed his. On the strength of this tradition, the Khasis explain that the above mentioned deluge brought an end to their flourishing civilisation in the

¹⁸ Ibid., p.39. Bareh further adds, that as per historical facts “the Kamakhya hill seems to have been at one time a dwelling place of the ancient Khasis which they deserted afterwards due to some adversities. The hillock is still called *U Lum Ka Meikha*”...pointing out that probably “the Khasis at one time lived at the Kamakhya but lost it to their enemy though they managed to retain Desh Ranee and Beltola areas on Kamrup till the British advent.”

far-off past.¹⁹

Hamlet Bareth also throws light about the earliest possible knowledge we have about Khasi Syiemships placing the institution somewhere around 1200 A.D. based on resistance to a Muslim invasion that came to the borders of the *Malngiang* Chief. He notes,

But of the period before 1500 A.D, and then leading to the current Syiemship and Lyngdoh political system one cannot be certain, thus placing such histories on conjectural premises. Tradition is silent on the origin of the ancient *Syiems* and Lyngdohs. No concrete theories could be established on a real pattern of administration that evolved in this period. We do not know for how many centuries the Malngiang Syiemship existed except that it was one of the ancient kingdoms in the land. Intermediary Syiemships seem to have linked with the ancestral kingdoms of *Ka Meikha* and *Mairang*. Many preceding Syiemships were lost into oblivion, while on the other hand we have more authentic data on the growth of modern dynasties.²⁰

Nonetheless, of the intersections with other communities he notes:

Through all generations in the pre-British decades no foreign invasion had taken place into the country. We hear of the arrival of refugees from the plains who became Khasis in course of time. For instance, the present *Syiems* (rulers) of Mawiang are descended from four Muslim female wanderers in the 17th Century A.D. Other groups of the clans called *Jaid Dkbar* were all descended from Hindu and Muslim wanderers coming up from the plains. They were made to adopt Khasi customs and became progenitors of some of the present Khasi clans-folk.

Probably in one period, the whole country is said to have formed one kingdom, the kingdom which comprised both hills and plains of Assam and other areas nearby. However “in course of time it split into two kingdoms, Jaintia and Khyrim, and subsequently into

¹⁹ Ibid., p.45.

²⁰ Ibid., p.44.

numerous political units. Yet the Jaintia and Khyrim cannot be assigned to being the oldest states. In fact, prior to their establishment, there were many kingdoms in the Bhoi and Jaintia Hills.”²¹

The Commencement of British Colonialism

Starting around the mid 1800s, the British in their documents began using terms such as Cossahs,²² Cossyahs,²³ Cosseahs,²⁴ Casseahs,²⁵ Cusseahs,²⁶ Cassies,²⁷ Cossayahs,²⁸ Cossya,²⁹ Khassyahs³⁰ and Khassiahs³¹ to write and talk about the Khasis. Fisher, in 1840 noted that the community that the British addressed by the above names actually 'call themselves as Khee'. However over time the word 'Khasi' started being used more widely.

David Scott, the then British Civil Commissioner, soon after 1826, started negotiating with the Khasi Chiefs. In 1827 he met with *Tirot Sing*, the *Syiem* of *Nongkhlaw* State seeking permission to construction a road from *Rni* in *Kamrup* district via *Nongkhlaw* to the *Surmah* valley.³² Permitted by the *Dorbar Hima*, a road was cleared and some bungalows were erected at *Nongkhlaw*. Throughout the 18 months of work on the road, there were no

²¹ Ibid., p.11.

²² Sylhet District Records,(1785) Vol.I Letter No.11 Year: 1774.

²³ Ibid., Letter No.20 Year:1774.

²⁴ Ibid., Letter No.226 Year:1783.

²⁵ Ibid., Letter No.204 Year:1784.

²⁶ Ibid., Letter No.271 Year:1784.

²⁷ Ibid., Letter No.291 Year:1787.

²⁸ As used in Pemberton (1835), Report on The Eastern Frontier of British India with an appendix and maps.

²⁹ As used in Mckenzie Alexander, 1884 in his book 'The North East Frontier of India' p.221.

³⁰ As used in Memorandum from Major J.C.Haughton, Officiating Agent, Governor General, North East Frontier- (No.29, dated the 6th September 1862) Papers Relating to the Disturbances in the Cossyah and Jynteeah Hills. Part II, No.VI.

³¹ As used in B.W.D.Morton, Deputy Commissioner (dated Jowai, 1 October 1862).

³² As noted by Gait, Edward (1905) in his book 'A History of Assam'. p.354.

complains of any conflict between the workers and the khasi inhabitants. However in 1829 tension started brewing and within a short period of time a violent clash broke out. The repercussion of which was the first khasi anglo war and the subjugation of U Tirot Sing in January 1833. He was incarcerated in Dacca Jail and was treated like an ordinary prisoner till his demise in 1841. Nongkhalw became a station of the British. Later however it was moved to Saitsohpen.

On 11 February, 1835 the British established a Cossayah Hills Political Agency (CHPA) under a Political Agent by the name of Captain Lister. In the same year the Political Agent issued a diktat to Rajendra Sing, the Syiem of Jaintiapur, notifying his Hima as part of British India. The British also brought Hima Maharam within the CHPA in 1839. Starting 1853 a new Cossayah and Jynteah Hills District (CJHD) was formed to replace the earlier CHPA and a Principal Assistant Commissioner; Mr. C.K.Hudson took charge on 19 April 1854. The CJHD, later renamed as the Khasi and Jaintia Hills District was brought within a district of Assam Division under a Commissioner.

The years 1860 to 1862 saw a violent clash between the British and the revolutionary Kiang Nongbah. The war ended with the British hanging him on 30 December 1862. The period also witnessed the British coopting new areas and declaring them as British Areas. From this process emerged two distinct geographies; those within British Areas under a Deputy Commissioner, and those that were called the Khasi States Areas comprising of 25 Khasi Himas under a Political Officer.

The British headquarters of KJHD was moved from *Sobra* to Iewduh, which was located at the foot of the Shillong hill ranges in 1864.³³ By 1874 the districts Goalpara, Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, Khasi and Jaintia Hills, Naga Hills, Garo Hills, and the district of Cachar were separated from the administration of the Government of Bengal. This was followed by a proclamation No.380, dated 6 February 1874 notifying the Assam Province as a Chief Commissioner's Province.

³³ Kynpham (1979) A Collection of Writings about Khasi and Jaintia Hills. Published by Kynpham Singh, Ri Khasi Press, Shillong. .p.xxi.

Shillong was made the new capital of the Province on 20 March 1874.³⁴ Sylhet was also incorporated into the new province in 12 September 1874. Lt. Colonel R.H.Keating, was appointed the first Chief Commissioner. The Bengal Municipality Act was extended to the Shillong in 1876 and a Shillong Municipality was created.

The year 1905 saw a restructuring of the Bengal province and the Assam province by the creation of Eastern Bengal. This however was reverted back in 1912 to the earlier status. The new Assam Province got a 25 member Legislative Council and at the same time Shillong resumed its status as the capital of the Province.

Through an agreement in 1829 with the Syiem of Hima Sohra, the British set up their headquarters in a large village that goes by the same name of the Hima.³⁵ Through the strategy of Subsidiary Alliance they brought within their control many areas of the Himas placing in one in direct control and another in subsidiary alliance. Each were tied by agreements called *Sanad* and *Purwanas* and co-opted them.³⁶ From such processes two distinct entities emerged; the Khasi States Areas and the Non-State or British Areas.³⁷ There

³⁴ No.49, File No.23 a G of 1874 Serial No.2 dated 20 March, Office of the Chief Commissioner of Assam.

³⁵ On 10 September, as per Aitchinson Treaties No. LXXVI. Translation of Articles of Agreement entered into, in the year 1829, between Dewan sing, Rajah of Cheera Poonjee, and his ministerial officers and others, and Mr. David Scott, Agent to the Governor-General, North-East Frontier. Again on 12 September, No.LXXVII. Translation of an Agreement executed in the year 1829, by Dewan Sing, Rajah of Cherra Poonjee. Plus in another Agreement on the same date relating to Ceding Land in Exchange for same Quantity in Vicinity of Punduah and Company-Gunge, within Sylhet, Setting a Haut, Leases to British Government Limestone and a Judicial System Independent of each other but Intersecting when the Disputant is Bengalee and Cossayhs (Appendix No.4 A, In W.J.Allen 'Report On The Administration of the Cossyah and Jyntiah Hill Territory')

³⁶ Mentioned in the popular Khasi historian and cultural activist Professor Helen Giri's (1990) book 'The Khasis Under British Rule (1824-1947)' which is her revised doctoral thesis submitted in 1979 to Guwahati University. p.80.

³⁷ It is to be noted that at this point in time the "Khasi and Jaintia Hills

was also the concept of Sirdarships which in most cases comprised of one or two villages, the British appointed a *Sirdar* chosen from local residents as the revenue official. However in most other Khasi territories under Himas, they abstained from imposing any taxation on the people.

After the Montagu-Chelmsford Report of 1917, political development in the Khasi-Jaintia Hills picked up. The report recommended that Assam should become a full-fledged Governor's province and proposed to exclude from the scope of the Reformed Council the typically backward areas.³⁸ The Government of India later affirmed that the hill areas should be excluded from the reforms but since all hill areas were not completely backward, so total exclusion was not necessary. This led to the backward areas being classified as those areas in which reform 'should not be introduced' and the areas in which reform 'may be introduced'. Thus those areas not within reform would remain under the charge of the Governor and to those areas in which reform is to be applied would be managed by the Governor-General-in-Council of ministers. Important to note that the legislature of the province was task with powers to make laws for such places.

Assam was brought under a Governor and declared a Governor's province as per the Government of India Act 1919. Its first Governor was Nicholas Dodd Beatson Bell. As per the 1919 Act, passed on 23 November of the same year by Parliament, the Governor-General-in-Council noted the following:

District" does not include the geographical and political space that falls within the "Khasi States". The Khasi and Jaintia Hills Districts includes only the "British Areas" which falls within the jurisdiction of Jowai Subdivision. This was notified as early as on 6th November 1869 and published in Calcutta Gazette, November 24, 1869: p. 2067.

³⁸ These backward areas were to be administered by the executive head of the province. This exclusion meant that a backward tract should be wholly excluded from the working of the constitution and no resolution concerning these areas should be moved in the legislation. Legislation for such areas should be affected entirely by means of a regulation made by the Governor-General-in-council under Section 71 of the Government of India Act 1915.

the Lushai Hills, the Naga Hills, the British portion of the Khasi-Jaintia Hills (Excluding the Shillong municipality and cantonment) the Garo Hills, the Mikir Hills (in Nowgong and Sibsagar Districts) the North Cachar Hills, the Lakhimpur Frontier Tracts, the Sadiya Frontier Tracts and the Balipara Frontier as backward Tracts.

To these areas, all laws, provincial or central, will only apply when directed by the Governor-in-Council. The Governor was also authorised to extend to these areas laws passed by the Provincial and Legislative Council with such modifications and exceptions as the Governor thinks fit.³⁹

³⁹ Noted in the Report of the Indian Statutory Commission (Simon Commission) Report for Assam (1930)

Part II

Mobilization of the Khasi Chiefs into a Federation of Khasi States

While the book begins with discussions about khasi social reality as early as 1773, the key focus of the text dates to historical processes following the Government of India Act 1919. It was on realization of the implications of the Act that the Khasi Chiefs (*Syiems, Lyngdohs, Wabadadar* and *Sirdars*) and a few Khasi elders began organising themselves. This manifested in a socio-political platform called the *Khasi National Dorbar* in 1923. Later in 1933, when the Viceroy of India visited Shillong, the *Dorbar* hurriedly initiated a new platform known as the *Khasi States Federation*. This *Khasi States Federation* was comprised mostly of Khasi Chiefs. By 1946, when India was in the process of gaining independence from British rule and the impending political conditions were rife with uncertainties, the *Khasi States Federation* re-imagined and repositioned itself as the Federation of Khasi States (FKS).

The Federation was officially constituted by 25 Khasi Chiefs, representing their respective *Himas* who signed treaties with the government of British India. After the British government left, the Dominion of India recognized it as the legal representative body of what was then called the *Non British Khasi States Areas*. Each of these 25 *Himas* signed an *Instrument of Accession* and *Annexed Agreement* with the Governor of Assam Province at various phases between 15 December 1947 and 19 March 1948. As a matter of fact, while some *Himas* initially resisted, they consented after months of deliberation, negotiation and even threats from the Governor himself. For those that continued resisting, the Indian State used its military might to subdue and force them into agreeing to the terms of accession.

It should be noted for the purpose of this book that like many other organic political institutions, the Khasi *Himas* have over a period of time experienced historical change. In the arduous and somewhat complex processes of change, the history of the Khasi *Himas* is ridden with stories of negotiation with powerful external agents and forced adaptations to new socio-political conditions. In

the initial phase, the British Crown through *Subsidiary Alliance* was able to bring them under their control and forced many changes into these institutions. However, notwithstanding the multiple alterations initiated by the British, they could not distort the epistemological base of the traditional/organic system; land systems, women centered clan system and khasi polity. Instead, one observes that the British were forced to retain some of the indigenous practices within the political institutions; some because it suited their purpose, while others, they thought was superior to their own 'democratic' practices.

Khasi Polity Post India's Independence with special reference to North East

The Government of India Act 1935 was crucial for the state of Assam in many ways as it laid down the rules under which many movements erupted after 15 August 1947. Another Act that was still in operation throughout this period was the Bengal Eastern Frontier Regulation Act 1873 where the Inner Line Permits was applicable. This applies to this very day in the state of Arunachal Pradesh, Nagaland and Mizoram, and recently extended to Manipur. Legally, while the 1874 Schedules Areas Act produced the concept of 'Areas to be Scheduled', and the Government of India Act 1919 created the concept of Backward Tracts, the 1935 Act drew the boundaries around specific habitats and laid down the rules of relationship between British government and various communities inhabiting within these boundaries.

What we now know as the 'Northeast India' was before 15 August 1947 a region comprised of (i) Assam Province (ii) Assam Tribal Areas (iii) Manipur State (iv) Tripura State and the (v) Khasi States.⁴⁰ The Assam Province as on the above date constituted of the (i) Normal Areas (ii) Partially Excluded Areas (iii) Excluded Areas.

⁴⁰ Gilbert Shullai on 'Noristan' published in *Ropeca* June 10, 1981. Gilbert Shullai was a researcher par excellence. His article regarding the evolution of politico-legal structure post India's independence is important to note. The historian David Reid Syiemlieh has also noted the same.

The Khasi states which was a recognised State was constituted by 25 interdependent yet independent himas that together formed the Federation of Khasi States (FKS). It is to be noted that these himas were not part of Assam province. This is the key point of misunderstanding in relations to the Khasi peoples. When people refer to the Khasi and Jaintia Hills district they think it covers all khasi inhabited areas including the Khasi states.

All the 25 himas signed the Instrument of Accession (IoA) from December 1947 to April 1948 but did not sign the merger agreement. Related to this historical fact, Gilbert Shullai points out:

The Khasi States would have been merged in the Province of Assam or would have been declared as a Chief Commissioner's Province before the 26 January 1950 in exercise of the powers conferred by Section 290-A of the Government of India Act, 1935 as amended by the Constituent Assembly of India. But as they did not sign, (the Instrument of Merger) hence the description “Khasi States” in the First Schedule to the Constitution of India relating to the territory of the State of Assam remains and is a Constitutional Anomaly.

When the new State of Assam was formed after 26 January 1950, the day the Indian Constitution came into force, the three separate and distinct areas of Province of Assam, the Assam Tribal Areas and the Khasi states were brought together under a Part- A State viz. The State of Assam vide the 'description' in the First Schedule to the Constitution of India, read with *The Constitution (Amendment of First And Fourth Schedules) Order, 1950: 000.*, dated the 25 January 1950 issued by the Governor-General of India in exercise of the powers conferred by Article 391 read with Article 392, of the Constitution of India.

Gilbert Shullai notes, “Unlike Manipur State and Tripura State, no Privy Purse was granted to the “Heads” of the Khasi States, as the Khasi States did not sign the Instrument of Merger. There agreement with the Indian state was only through the Instrument of Accession. They became part of India vide the terms as laid down in the IoA which was accepted by Shri. C Rajagopalachari,

the Governor General of India on the 17 August 1948 in accordance with the provisions contained in Section 6 of the Government of India Act, 1935 as adapted by the India (Provincial Constitution) Order, 1947.”

Constitutional Anomaly and the Federation of Khasi States

After India’s independence, the FKS had envisioned for itself a separate state out of Assam. The condition the FKS put forth was that they be guaranteed autonomy in their administration and specific safeguards to their traditions, customs, practices and usages through special mention in the Constitution that independent India would formally adopt. The signing of the IoA and AA on 15 Dec 1947 at Shillong by the Governor of Assam and 17 August 1948 by the then Governor General of India stands testimony to this fact.

This agreement was however negated, when not even a mention was made in the Indian Constitution when it was passed. On 21 November 1949, Mahammad Saadulah, Member of the Constituent Assembly and Premier of Assam during 1939-45, had intervened, cautioning⁴¹ the house against such a lapse during the third reading of the Draft Constitution of India. The Khasi historian Bah Gilbert Shullai noted in a conversation the following:

⁴¹ Saadulah stated “Sir, the Khasi Hills have been relegated to the Sixth Schedule, for which Rev. Nichols-Roy is very thankful, but there is a Constitutional Anomaly. Although the Constituent Assembly is not to find a remedy for that, yet I may sound a note of warning, that this small district of Khasi Hills embraced 25 native States, most of which had treaty rights with the suzerain power in Delhi. They were asked to join the Indian Dominion in 1947. The Instrument of Accession accompanied by an annexed Agreement was executed by these Chiefs and they were accepted by the Central government”. But even though this area has been included in the Sixth Schedule, up till now no agreement or settlement has been arrived at between the Constituent Assembly of the Federation of the Khasi States and The Assam Government or the Government of India.”

What Saadulah was referring to was the inclusion of the twenty five Khasi states who signed the Instrument of Accession with the Governor of Assam within Assam. The constitutional anomaly here is a misunderstanding that occurred when differentiating the Khasi States and the Khasi and Jaintia Hills District (KJHD). The KJHD constituted of Jaintia Hills, thirty five villages and a small portion within Shillong made up of Government owned land; European Ward, Cantonment Area and Police Bazar. These three areas were notified as partially excluded area within the province of Assam after the 1936 Act. The KJHD was brought directly under the new State of Assam and had no treaty rights, but the twenty five Khasi States who had treaty rights were also brought in within Assam thereby disregarding the very treaty signed between two States.

Khasi States Post Assam

Since the late 1940s, many other historical events took place, remnants of which reverberates to this day. Eventually, after 1950 under the new architectural political regime of the Indian State, the Khasi Chiefs were brought under the 'United Khasi and Jaintia Hills Autonomous District Council' as per the Sixth Schedule of the Indian Constitution. Resentment against their inclusion in the State of Assam immediately erupted. Later in the year 1959 the 'United Khasi-Jaintia Hills Autonomous District Council' (UK-JHADC) further enacted the 'Appointment and Succession of Chiefs and Headman Act 1959' that basically curtailed and subjugated the Khasi Chiefs to the powers of the ADC. In this backdrop, during the 1960s, a massive protest demanding separate Statehood began taking roots in the hill regions of Assam. By 1969, an Autonomous State of Meghalaya was created within the State of Assam and by 1972 a new independent State of Meghalaya was born.

These latter processes came about after the enactment of the North Eastern Areas (Reorganisation) Act that that led to the creation of new states in the north east was promulgated in the year 1971. However before this Act, pertaining to the Assam Tribal Areas, the Naga Tribal areas (also known as Tuensang Areas) and

the Naga Hills District of the erstwhile Province of Assam were brought into a new State of Nagaland formed with effect from the December 1, 1963 vide the State of Nagaland Act 1962. The other remaining portion of the Assam Tribal Areas were constituted into a Union Territory and named as Arunachal Pradesh with effect from the 21 January 1972 vide the North Eastern Areas (Reorganisation) Act, 1971 (hence the 1971 Act). During this same period the Mizo Hills District which was previously known as the Lushai Hills District of the erstwhile Province of Assam was constituted into a Union Territory known as Mizoram with effect from the 21 January 1972 vide the 1971 Act and later Mizoram became a state on 20 February, 1987.

The 1971 Act is steeped in a very complex politico-historical process. The Statehood demands by Hill Tribes had begun taking shape by the 1960s. Nehru, the then Prime Minister of India had put forth various propositions to rework the structure of relationship between Assam and the hills peoples. Later, Indira Gandhi agreed to an autonomous State of Meghalaya within Assam in 1969 and then later through the 1971 Act, the whole reconfiguration of Assam took place, giving birth to the State of Meghalaya on 21 January 1972.

When viewed from the perspectives of the Khasi States, it was after nearly eleven years of relentless struggle under various platform that the Khasi and Jaintia Hills District of the erstwhile Province of Assam and the Khasi States, together with the Garo Hills District of the erstwhile Province of Assam was given the status of a full independent State known Meghalaya vide the 1971 Act. The whole period, beginning from the Indian Independence Act, 1947 till the formation of the State of Meghalaya, witnessed members and supporters of the FKS at the heart of the Statehood movement. E.A.M Reade narrated to us in our discussion that

The sense of betrayal and humiliation that they felt with the non-fulfilment of the IoA and AA that was signed under 'duress' with the Government of India, and later with the 'cruel' and 'colonial' law to 'enslave' them in the form of the

1959 Act⁴² was in some way redeemed in the carving up of the State of Meghalaya. This also partly reaffirmed their genuine historical struggle to keep the organic Khasi political system intact and above all, to defeat politically, the arguments proposed by J.J.M.Nichols-Roy around the full integration of the Khasi States into Assam.

From the perspective of the FKS, it was they who kept the institutional fabric of Khasi society from collapsing, which, without their struggle, could have led to a near assimilation of the Khasis into the Assamese society, in the light of the Assamese society imposing Assamese language as the lingua franca of Assam. This argument of the FKS is posited as a counter to those individuals (referring to the followers of J.J.M.Nichols-Roy) who forcefully attempted the integration of the Khasi States through the sixth schedule into Assam.

Contrary to the oft repeated slanders against the FKS and the propagation of negative conservative stereotypes against them, a deeper unravelling of the context does reveal that this problematic has its source in the contradiction that is embodied in the conflict between the KHADC (framed by J.J.M.Nischols-Roy) and the FKS. Every Chief can recollect the event in the Khasi States Constitution Making Dorbar in which the FKS won the voting against J.J.M.Nichols-Roy's motion by 46 votes to 40 votes.

Interestingly the above event has faded from public consciousness and the intrusion of historical stereotypes based on the above contradiction into the world view of the Khasi peoples at large are rarely spoken about. Interestingly among those who favour the District Council, there is a dislike for the FKS, and among those who supports the FKS, there are deeply embedded hostilities towards the District Council.

Notwithstanding the same, throughout these historical events, even though there have been changes in the structure of Indian State under the North East Reorganization Act of 1971 in particular and

⁴² The United Khasi-Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headman) Act, 1959.

the formation of the new State of Meghalaya, the Khasi Chiefs, asserting as a collective from the platform of the FKS, remained subjugated to it. Even though operating in very difficult circumstances, the 25 *Himas* persist and have been able to hold on to their geographical habitat, preserve their indigenous and ancestral institutions, innovate and reproduce their distinct women centred clanship system and keep their social boundary permeable, allowing both ethnic crossing and cross cultural interactions. These himas together with their unique practices and institutions remain alive and vibrant to this day, albeit precariously, in politico-legal dispensation that is antithetical to their furtherance and interest.

It is important to note that the FKS through their relentless and sheer persistence in struggle over nearly seventy odd years have remained alive. Their philosophy of struggle and imperative priority was to maintain public presence, remain institutionally relevant and keep the IoA narrative alive while fully respecting and operating within laid down constitutional structure.

Part III

Unravelling the Khasi Political System and its Epistemological Basis

As early as 1968, the FKS captured the nature of Khasi reality from their point of view in a Memorandum⁴³ submitted to the President of India through the Governor of Assam. The Khasis are “agriculturalist by professions”, they noted, and they inhabit an area where “Limestone and Coal exist in great quantities.” While earlier they were prosperous since they were able to trade with Sylhet, post partition, they have been “reduced to abject poverty.”

The Khasis are “matriarchal, tracing their descent from Ancestress, each ancestress constitutes a Clan and the members of each clan are bound together by religious tie and a common sepulchre.” Being strictly exogamous, “a Khasi can commit no greater sin than to marry within the clan.” Land and land tenure systems of the Khasis are unique, “the tenure is regulated by rules observed by the Khasi Community from time immemorial evidenced and founded on pre-existing rules sanctioned by the will of the people.” Thus any system of legislation by the Indian state must be formulated taking into consideration the Khasi system. On Khasi Polity they stated:

the people gives themselves an administration so as to afford opportunity to every individual to participate in the running of their administration through their own tribal organisations and institutions:- (a) In the Village Level – the villagers elect on to be their Headman and the affairs of the

⁴³

Submitted on 15 June 1968 and signed as “The humble memorial of the khasi tribal chiefs and of the representatives of the khasi people inhabiting in the Khasi Hills on the North East of India, at present attached to the State of Assam” The Memorandum contained 16 points and was signed by 185 elders prominent among them being the Syiem of Myllem, Nongspung, Malai Sohmat, Nongkhlaw, Nongstoin, Rambrai, Maharam, Pamsangut, Jirang, Khyrim, the Lyngdohs of Mawphlang, Sirdars and number of other Lyngdohs, Headmen of villages.

villagers specially relating to their well-being is conducted by a Village Durbar in which all the adults of the village attend and participate. The said Durbar addressed itself to such matters as sanitation, health, water supply, maintenance of village roads and paths as well as school buildings and such other matters as will promote the welfare of the people. (b) In the next level the Commune Level – Several villages voluntarily joined together to form one “Commune” and the affairs of the said Commune is looked after by the Commune Durbar. It is generally presided over by an elected Head or Priest of the Commune and all Headmen of villages with village Elders participate in the same. This Durbar would normally settle boundary disputes between villages, look after lands and forests within the Commune to prevent uncustomary occupation and wanton destruction. It also administers justice as may be invested in it by custom and laws in force. (c) Lastly in the highest level is the The Chief’s Durbar, called the Syiem’s Durbar, - several Communes joined together and constitute “The State” (now called “The Syiemship”) with an elected Chief called “The Syiem” as the head thereof, who administers the same with the help of his Durbar, called “The Syiem's Durbar” consisting of elected representatives of the people called “The Myntis” who also in most cases constitute the Electoral College to elect a Chief – The Syiem – in which capacity they are also known as “Electors”. To the Chief and his Durbar custom confers the over-all power and control of the Syiemship, to safeguard the customs, rights, usages and rites of the people, and to hold, possess, look after, manage and administer the Syiemship and its properties, such as lands, forest, markets, rivers and the like. This Durbar is solely responsible for running a good government and administration of the Syiemship.” The memorandum further reiterated the above explanation by asserting that “Thus the three tier institution is interlinked in such a manner that one cannot exist or function independently of the others; and this system in vogue from time immemorial is adhered to and continues without interruption throughout the ages. Any interference of the existing

institutions would strike at the very root of the Khasi democratic way of life and lead to its total extinction.

Khasi society viewed from its political system is a system organised and constituted by clans. Each of these clans are fundamentally grounded around women or more specifically the mother. All Khasis trace their lineage to a founding maternal grandmother and carry the clan name to identify themselves. Most Khasis are identified by their clan (*kur*) names.

An interesting case of the Hima Khyrim can be narrated here. The *Syiem* of hima, who is generally male, is directly anointed by the *Syiem Sad* (the eldest sister from the mother's clan) or are indirectly anointed by women who are represented by 'Ki Bakhras' (Male heads) of a clan. The *Syiem* clan which is generally appointed collectively through consensus by the founding clans of the hima through the bakhras are the only one who can contest for the post of *syiem*. The heir ship to the position of the *syiem* which traces lineage from the women's offspring are proposed by the *syiemship* clan as eligible for being appointed as *syiem*. The bakhras then decide collectively who should be appointed as *syiem*. Bareh (1964)⁴⁴ notes, that in some cases where there is no male heir of the *syiem*'s clan, a woman from the *syiem*'s clan is eligible for being appointed as *syiem*. In such a situation the *syiemship* is occupied by the eldest of his uterine sisters.

The women in the clan play an active role in proposing the names of males within the clan as qualifying for being elected as a chief. Important to note, that this is not only for the position of *syiem* but for every position within the khasi political system starting from village (*shnong*), province (*raid*) and state (*hima*). It is around clans that villages, *raid* and *himas* are formed. Each and every one of the twenty five *himas* which constituted the FKS had founding clans and each and every Khasi clan can trace back its roots to a *hima*.

⁴⁴ Bareh Hamlet (1964) cites the case of Nobosohphoh State in his book 'Khasi Democracy', pp. 50-51. Also see Bareh Hamlet (1964) The History and Culture of the Khasi People. (Self Published as part of his doctoral thesis from the University of Guwahati). p.251-252.

The institution of *syiemship*, is historically understood to have arisen “as an organ to centralise some common subjects of the administration. The office arose out of an impulse for amalgamating identical pursuits, interests and necessities of the clan residents and villagers. It was instituted on the spirit of reciprocity along with a consolidation of their intimate relations which had grown amongst the different sections of people who made up their units”. The *syiem* “is under the strict control of the whole community. He has to lay down his policy in conformity with the resolution of the Durbar (Council) of the people. The *darbars* actually transacted both the political and judicial matters and their decision was final. The acts of decisions of the *syiem* can be vetoed by the *darbar* if they are contrary to usages and traditions of the community.”⁴⁵

This structure of Khasi Political System was articulated succinctly by the members of the FKS in a memorandum submitted to the President of India in 2001. The portion on the distinct sovereign nature of Khasi political system reads:

For many centuries, the Khasi Hima had existed as independent principalities with all the parameters of sovereign status. Their boundaries were traditionally demarcated by rivers or streams or foothills or any other natural markings or pillars. In the gradual evolution of the Khasi Hima, Geography, History and Tradition had worked as powerful mechanisms. The Khasis have consistently cherished and recapitulated the working of this trinity with a sense of pride. According to the Khasi tradition, the institution of the *Rangbah Kur* has been maintained as the oldest institution. With the passage of time and due to the pressure of social and occupational forces, the Khasi clans were united together to form a village, which resulted in the emergence of the institution of the *Rangbah Shnong*. This has been held an elective institution with the male residents forming the Electoral College. The progressive nature of the

⁴⁵ Gassah (2002). Traditional Self-Governing Institutions among the Hill Population Groups of Meghalaya in Atul Goswami (Ed) (2002). Traditional Self-governing Institutions among the Hill Tribes of North-East India. Akansha Publishing House. pp. 181-182.

Khasi civil organisation had generated the need to unifying the villages and brought them under one administrative arrangement of the Khasi Rajj with the institution of the Syiem Rajj as the administrative head. In the ultimate and final stage of the administration formation, the Hima was formed comprising of the Khasi Rajj and other independent areas as constituent units. With the formation of the Hima, the institution of the Syiem was constituted. This institution was and is, till now, an elective institution held in deep respect by the Khasi People. The administrative hierarchy of the Khasi Hima is traditionally governed by the principle of accountability and transparency with the following traditional pillars: First, the institution of the Dorbar Hima; Second, the institution of the Dorbar Synshar Hima; Third, the institution of the Dorbar Synshar Rajj; Fourth, the institution of the Dorbar Synshar Shnong; Fifth, the population of Khasi residents known as *ki khun-ki hajar*, recognised by tradition as the natural citizens of the Khasi Hima.⁴⁶

The governance structure of a khasi hima is a shared political space, balanced by founding clans. The clans, in principle agree that consensus is probably the best form of decision making within the hima, both to balance the powers of the clans in the hima and to resolve conflictual issues without aggressive action. Decisions are thought about carefully and must get the agreement through consensus of the clans before it is passed. Discussions are rational and real and individual intelligence does not take precedence over consensus - a community based consensus. No matter how intelligent a representative of a clan is, one cannot be greater than all clans together representing the larger community. In the khasi himas the concept used to represent this collectivity is called *Ka Imlang Ka Sablang* (literal translation-we live together we

⁴⁶ From the Memorandum submitted to the President of India by L.M.S.Syiem, Syiem of Hima Myllem Chairman; Dr.B.R.Kharlukhi, General Secretary; H.P.Oflin Dohling President Drafting Committee Steering Committee; Steering Committee Dorbar Hima Myllem Dorbar Hima Myllem; Dorbar Hima Myllem; Dated/Mawkhari; Shillong 1, The 22 February 2001.

stay together). Within the *Imlang Sablang*, the basic governing principle is that everyone in the hima and its units must genuinely feel they have been heard, feel respected and are a part of the decision making process.

The FKS asserts that the organic Khasi administrative heads are elected and permanent in the exercise of their functions. They are guided by the principles of transparency and accountability and the khasi democratic tradition. Traditional chiefs, elders, village chiefs are unanimously nominated, elected or/selected based on *Ka Mon U Ba Bun Balang* (the principle of raising of hands by the majority). This process is repeated till a consensus through referendum has been reached; and consensus means that more the majority of those eligible to elect raise their hands for a particular name of their choice. This takes place in each of the hima(s), all on a non-party basis as the case applies from amongst persons belonging to *ki kbun ki hajar* subject to future administrative arrangement as the (party less) dorbar may decide.

The Concept of Syiemship and Clan: History and Contemporary Realities

Over the years, the institution of syiemship has come under sharp criticism. Whether this critique is based on the khasi community's movement towards modernity and thus part of the withering away of the traditional syiemship system, or a mere alteration of modernity with the syiemship system remaining intact needs deeper study and empirical observations. Among the Khasis, numerous stories are being told against the syiems and the syiemship itself. In the light of this increased assault on the institution of syiemship by various forces from outside and within the society, it could be argued that one does not know about the future, but it is clear that khasi political history, especially those related to the IoA and AA narrative is kept alive in public consciousness whether there is agreement or disagreement within the community and whether the issue is relevant or irrelevant.

The Khasi society is likely to be in chaos if this historical event is invisibilised. Until this narrative feeds into people's consciousness, that will in due course shape the way khasis perceive and experience their world, it will be difficult to make sense of the myriad problems and political anomalies that are beginning to

erupt in Khasi society. This is important so that struggles that will follow then are not merely reactionary but historical and theoretical.

Unfortunately some of the chiefs are unable to see their own historical role in these tumultuous processes. Some do not seem to have woken up to the challenges but a few more who have, even they, are still to begin to comprehend the seriousness of the issue with the exception of Paiem (Dr.) Balajied Sign Syiem and a few more chiefs. Some of these chiefs are indeed the last defence of a particular history of khasi society, and no matter the criticism, ridicule and even outright rejection by khasi public themselves against the institution of syiemship, there is a need to keep the syiemship narrative alive.

The FKS is persistent about asserting and stressing the clan based system among the khasi peoples. There are many reasons for the same. Two of these are important to note. The first reason is that for the FKS the Khasi community is fundamentally constituted by clans. It is on the clanship system of every hima that the political structure of Khasi society is framed. Without clans, there will be no himas. The second reason as to why the FKS stresses on the clan system is because it is one of the only concrete connecting link between the Khasis and Jaintias. Both these communities together come under the overarching social category called 'Hynniewtrep' peoples and have clans cutting across the two identified communities. The FKS conceives clans and the clanship structure as the bed rock of the Khasi political system. This is so because it is the clans that constitute the village, raid and himas. The FKS itself is organised and formed around this organic indigenous structure.

In practice, these khasi clans are rooted through a matrilineal lineage giving rise to a social system, that is founded on the premise of '*Tip Brien Tip Blei, Tip Kur Tip Kha*', meaning 'know self in Being' (I use 'Being' instead of 'God'- the Khasi concept of *Blei* is not equivalent to the general understanding of God in western sense) that allows the Khasis to know their clan from the mothers side and their clan from the fathers side. Then learning and knowing '*ki Riti ki Dustur*' (socio-political structure and cultural practices) and '*ka jaka ka puta*' the historical rights over clan land inhabited by the community. This whole structure constitutes the smallest unit; the kur/clan and then

expands to the shnong/village, raid/provinces and finally the hima/state. These are the foundational constitutive elements of khasi political system and even in the light of numerous historical distortions, shifts, alterations and changes; they occupy a special place in contemporary khasi modernity.

The FKS in 2013 put forward a demand to the KHADC to enact a 'KHADC Khasi Pnar Clan Dorbar (Dorbar Kur or Seng Kur) Bill 2013' as a way to codify and recognise the clans and provide a legal status to their dorbars and their political structure. In a statement released from the office of the FKS on the above matter, the FKS spelled out its position on the same clarifying how it viewed clan/s, Khasi Pnar Political system, its relation with KHADC and the rationale for the immediate need to 'codify' and 'recognise' the clans. The FKS statement noted:

The Clan Dorbar is one of the most important organs in the hierarchy of 'Khasi Pnar Political Democracy'. The concept of Dorbar Hima, Dorbar Raid, Dorbar Kur and Dorbar Shnong as per oral history, we are told, was initiated by the various Clan Dorbar(s) who united their territory together to form a separate identity to protect themselves and their land from aggression, and this practice has been passed down to us by our ancestors and we hold this unique bond till today. After many generations, today we note that a number of disputes have arisen relating to nomination by Clan Dorbar(s) which are entitled to hold the office of Syiem, Lyngdoh, Sirdar, Myntri, Wahadadar, Basan, Syiem Raid, Lyngdoh Raid, Dolloi, Pator, etc., in the 54 Hima and Elaka's in Khasi Hills and 18 Dolloi and 1 Sirdarship in Jaintia Hills, we find that a number of disputes have even reached the door step of the Hon'ble Supreme Court and High Courts. This shows that the Clan Dorbar is very vibrant but at the same time need urgent recognition of their respective Constitutions so as to have the force of law as per Para 11 of the Sixth Schedule of the Constitution of India. Although the various 21 KHADC Appointment and Succession, Administration Acts, Rules, Regulation, passed by the KHADC has mentioned and defined by naming the various 'Offices' within a Hima /Elaka there is urgent need

to also further codify and define the specific Role, Function and Responsibilities of the Syiem, Lyngdoh, Sirdar, Myntri, Wahadadar, Basan, Syiem Raid, Lyngdoh Raid, Dolloi, Pator, etc. without these codification the various Acts, Rules and Regulation become ineffective. The Syiem, Lyngdoh, Sirdar, Myntri, Wahadadar, Basan, Syiem Raid, Lyngdoh Raid, Dolloi, Pator, etc., should annually present a 'Report' to their respective Clan Dorbar in their Annual Clan Dorbar or Dorbar Kur. Their responsibilities vis-à-vis the Clan Dorbar or Seng Kur is yet to be defined. The need for such codification is becoming more apparent in view of the need for notifying and identification of the competent authority under the respective Clan Dorbar or Seng Kur authorized to issue Identity cards, No-Objection Certificates for the purpose of obtaining the Schedule Tribe Certificates. As unique indigenous people and being a clan based society, with very complex customary practices, we are faced with numerous challenges in protecting this very unique tradition handed over to us by our forefathers from time immemorial. The proposed Bill ('KHADC Khasi Pnar Clan Dorbar (Dorbar Kur or Seng Kur) Bill 2013') if considered should look into the various aspects, such as the 'sacrosanct' blood relationship between the clans held till date by the Khasi Pnar which bars inter-marriage, the issue of 'Matrilinal' is also being questioned by some quarters where we find some families and their children have adopted their father's clan, and hence these doubts and challenges are coming up in absence of effective codification, recognition, awareness and legislation. Another matter of relevance is that some Khasi Pnar families have in the past also independently and without authorization of the Clan Dorbar have changed their clan name – what would be the fate of these families in the absence of such regulation. Mandatory registration in the Clan Dorbar National Citizenship Register of the respective individuals in their Clan Dorbar office will be an effective mechanism in regulating the 3367 Clan Dorbar(s). Census once a year, recording and compilation of the annual proceedings (Dorbar Kut Snem) of each Clan Dorbar will be critical to understanding the progress and growth of the Khasi Pnar. As we are aware there are about

16 types of category of Land in Khasi and Jaintia Hills administered by the Clan Dorbar (or Khyndew Kur)/ Dorbar Raij-Shnong or Dorbar Hima. They administer and govern the Clan Land, it is therefore very important for the competent authority to document and map all these issues for the protection and preservation of these unique customary practices the within the proposed Bill. Hence, we urge the KHADC to take up the matter for urgent codification and recognition through effective Acts, Rules and Regulations to enable proper notification of the competent authority of the respective Clan Dorbar or Dorbar Kur or Seng Kur.

Interestingly, as noted in the above public statement by the FKS, every clan must make a rule regarding the 'correct spelling of clan names'. This information, as advised by them should then be sent to the Deputy Commissioner and the District Council for information, so that strict adherence to a particular spelling of a clan is followed. This request was made in the light of an increased difference in the way individuals write their clan names within and among the Khasi community. There is lot to be said on this matter and the subject is an extremely complex one that would require a detailed scrutiny that is out of the scope of this present study. However it suffices to state that the FKS is the first among indigenous institutions that has recognised the chaos that the spelling of clan names has brought into Khasi society.

It is also observed that many clans do not know their own population size, whether they are growing or diminishing. It is therefore argued by the FKS that the District Council which is entrusted to codify customary law take immediate initiative to complete the task. Presently even the District Council of the KHADC is yet to codify all 53+1 laws of Hima / Elaka in Khasi Hills and 18+1 in Jaintia Hills. This proposal was considered an important task that must be taken forward in recognition of the fact that as long as the clans that constitutes the political structure of the khasis remains strong and active, khasi political system would remain intact and vibrant.

To this end the FKS opines that each clan must be able to work

towards framing its own constitution. It should begin with writing down the constitution of the Dorbar Kur. It is only then that the constitution of the Dorbar Shnong, Dorbar Raid and the constitution of the Dorbar Hima can have a strong base. That effort must be invested to strengthen the chain that 'binds us as a community'. The FKS asserts that all clans must begin with a census which would include (i) a National Clan Citizenship Register and (ii) Register of Proceedings of Dorbar Kur. Once every clan has completed their own can census, the same should be sent to the District Council for making it into an Act in the form of a "The Khasi Hills Autonomous District Council Dorbar Kur (Clan Name) Administration and Constitution Bill/ Act 2014". In this proposed census each clan must insert both documents and every year all clan members must contribute financially to the coffers of the clan. Further, each clan must create a 'Clan Development Board/Society' or a 'Dorbar Kur Development Society' and register the same under the Meghalaya Registration Act 1983.

Another issue connected to the above relates to the issuing of the schedule tribe certificate. The FKS argues that it is important that a law be passed by the KHADC that a No-Objection Certificate (NOC) for availing the ST certificate or for a Khasi Tribal certificate must be given only after receiving an NOC from the head of the Dorbar Kur. This way the clan will be empowered legally and begin functioning truly as a 'Traditional Institution of Self Government' and a strong unit of power in Khasi political system.

Khasi Women's Position on Political System and its Epistemological Basis

There is a vibrant debate among Khasi women on the subject of Khasi Political System (KPS). There are several positions arising from various perspectives. The first position argues that the KPS is regressive as it does not allow Khasis from other himas and non-khasis to partake as equals, even though non-khasis have settled in the khasi hills for a long time. It is also opined that the reality of clans today has changed and one cannot rely on one's clan anymore to care for one's needs. The traditional khasi political system cannot adapt to changing times and a new and more inclusive political system such as the Panchayati Raj must take its

place. In this new system all citizens across ethnicity should be treated as equals.

The second position opines that since all political systems change over time, the Khasi political system must also adapt to new conditions. There is a need to challenge the conservative forces that resist change. All change must be welcome. In the process of dynamic changes it is observed that there is class stratification of Khasi society taking place at a rapid pace. The victims of this stratification are women who have to bear the brunt of class/gender exploitation. To counter this, new laws that protect labour rights of people, especially women must be enacted, the final objective being the strengthening of the KPS through the enactment of such laws rather than its destruction.

The third position holds the view that while 'respect' for each other – something much valued among community members – is beginning to fade, 'power' and not 'trust' takes centre stage in the day to day affairs of the khasi people. Earlier, it is argued, that it was difficult to find a person to become a *Rangbah Shnong*, however now with 'government schemes for development' almost everyone wants to become one. Earlier the *Rangbah Shnong* was chosen from among the most respected men within the village as he could command order in society. He was never chosen because of money power. But now, it is argued, his closeness to political power decides his position. This position also posits that many women still feel men should hold these positions as it is a social expectation because being *Rangbah Shnong* requires a person to be able to attend night disputes/brawls, etc. Women earlier were not participants in dorbars as husbands represented them in public spaces. Now however, with many broken homes, there is need for women to be able to participate actively in dorbars to be able to bring forth problems and needs of the family and locality.

The fourth position however strongly opines in maintaining the KPS. This position generally held by older khasi women with strong affiliation to traditional khasi religion is of the view that the women centric society of the Khasis has stood the test of time. In their opinion both woman and man are equally responsible to care of a khasi family and men especially must play an active role

in the affairs of the clan, shnong, raid and hima. It is too much to expect the woman to do everything over and above her role of caring and guarding the wealth of the family. There is a need for men to also contribute to enrich the clan. It is the irresponsibility of men and their inability to see their contributive aspects to the family that has led to the deterioration of the KPS.

The fifth position, which is the most controversial, is generally held by women who support a contemporary movement led by an organisation that styles itself as the ‘Syngkhong Rympei Thymmai’ (SRT) (roughly meaning ‘Mobilization for a New Culture’). This organisation seeks to change khasi social system from being women centric to male centric. They resent the customary practices grounded fundamentally around women and see all the current ills of khasi society as having its roots in the matrilineal system and the ‘unlimited power’ held by women over family/clan inheritance. They advocate for a change from matriliney to patriliney and from control of wealth by *ka khatdub*⁴⁷ and other sisters to equal distribution of inherited wealth among all family members or to male members of the family.

Supporters of the SRT holds firm to the idea that the matrilineal system and the structure of inheritance must be fundamentally altered. They note that the matrilineal/matrilocal/matriarchal system of the Khasi has failed the community. Men are left with nothing; neither self respect nor financial stability. Khasi men are

⁴⁷ In the Report of the Land Reforms Commission for Khasi Hills, p.35, a quote from P.R.T.Gurdon’s book “The Khasi”, was noted. It states that “The rule amongst the Khasis is that the youngest daughter “holds” the religion, “ka bat ia ka niam”. Her house is called, “ka iing seng”, and it is here that members of the family assemble to witness her performance of the family ceremonies. Her is, therefore, the largest share of the family property, because it is she whose duty it is to perform the family ceremonies, and propitiate the family ancestors. The other daughters, however, on their mother’s death are entitled, each of them, to a share of their mother’s property, although the youngest daughter gets the lion’s share, e.g., the family jewellery, and the family house, and the greater part of what it contains. The youngest daughter cannot dispose of the house without the unanimous consent of her sisters.”

parasites and are treated as such in the family and clan. The external political system, in their opinion is just an outer shell that seems important but carries no weight at home. The degradation of men has turned them into drunkards, irresponsible and incompetent members of the Khasi society.

On these often fractious debates Nongbri (2000)⁴⁸ notes that

Perceiving that the age-old practice of bestowing descent and inheritance rights on women is detrimental to the male, a section of Khasi men have actively sought to replace the matrilineal with the patrilineal system...The movement not only attempts to exterminate an age-old institution and thereby rob women of the traditional security and support provided by the family, it also seeks to redefine ethnic identity in a manner that is highly detrimental to the interests of women. It is interesting to note the way in which the pro-changers are using ideas of progress and social justice to bolster their demands for reform. While their argument on progress may appear to have some legitimacy given the stagnating conditions of the Khasi economy, this has little to do with matriliney per se as with the indigenous mode of production and the Khasis' disadvantaged position within the wider social and eco-political structures of the nation state.

The FKS on the other hand in direct relation to khasi political system notes the following:

We have always said that 'IF' Khasi Men fail to discharge their duties and responsibilities, Women will take over. In fact the example is the village *Laitumkhabrah*, where men failed to discharge their duties and women came out on the streets. They demanded the closure of the 'bar' and immediately demanded the convening of the Dorbar Shnong. But what happened in the dorbar Shnong? They

⁴⁸

Nongbri, Tiplut (2000). Khasi Women and Matriliney: Transformations in *Gender Relations*. *Gender, Technology and Development* 4 (3). New Delhi: Sage Publications

did not want to say that they will take over but they proposed someone else, again a man, in this case it was Robert Kharshiing. But what they did, they also ensured their participation by way of establishment the *Seng Longkmei* (Mother's organisation) and *Seng Samla* (Youth Organisation) and then from then on the Dorbar of Laitumkhrah was forced to accept two representatives from *Seng Longkmei* and from the *Seng Samla* who became permanent members of the executive committee of the Dorbar. Another example in a locality called *Lumanwrie* where they elected a woman as the general secretary. It's not that they took over from the men but when women volunteered, no one can say no. Why women don't want to participate? Because they feel they have their own roles to play. There is no bar to women's participation; it's just that they don't participate till the men are not able to discharge their social duties. There are Dorbar Shnongs who openly bar women notifying that only elderly men may participate in the Dorbar Shnong. But these are few. Women are very much part of the system and play a major role in the clan. However, now we are trapped in the process of the codification of customary law. In many of the himas, when codification takes place, since it is practiced in the village/Raid and Hima dorbar, they write down that men only can participate. This needs to be challenged. A system that is fluid and changing cannot be cast in stone as if there is a rule that disallows women to participate. This way we will actually freeze a living system which is dangerous for the community. We are working to create awareness on this line telling Dorbars that they should refrain from any process that debars women from participation.

Contemporary Politico-Legal Structure

The two state systems; Indian political system and Khasi political system, are in contestation with each other. One could also see this process as a contradiction between two alternative narratives and path to modernity. From this contestation, has emerged important processes that relates to key historical issues such as the (i)

traditional land system and rights over land, (ii) the politics of the Khasi language and (iii) the problematic of Shillong as a khasi dominated city.

Other processes have also begun unravelling, such as the complex issue of influx and the crisis of uranium mining and mining rights. Most policy and laws manifesting from this systemic contradiction between the Indian State and the Khasi Himas have played out in various ways in the political public arena.

The khasi political system is very different from the system of the Indian state. For instance in the khasi political system the term of the nominated /elected members are subject to 'recall' by the *Dorbar Synshar Hima* or *Dorbar Hima* or Steering Committee if the situation so warrants. The Khasi Hima (s) also exercises legislative, executive and judicial functions. They are the custodian and protective body of the customary usages and practices and the traditional institutions of Self Government of the Khasi (s) in their several, collective and respective Khasi Hima (s). They are also the holders of traditional rights over land, forest, water, excise and natural resources. This stands in contradiction to the Indian State system which are represented by the Central, State and the District Council governments operationalised around the legislative, executive and the judiciary. The Indian State is based on political party and party affiliation and grounded on an electoral political process that recognises the individual as the fundamental unit (around the notion of a citizen) with specific enshrined rights.

Needless to say that after its subsumption within the KHADC, the Khasi himas have persistently found themselves in a conflictual relationship with Indian state structure. Even though some of the himas have their own acts and rules and now have a legal standing within their own himas. However as a collective of 25 himas, they are toothless. It has often been argued by the Khasi Chiefs that without these 'customary Institutions' such as the himas, local self-government cannot function smoothly in the interest of the inhabitants. This four/three tier structure of indigenous traditional institutions of Self Government, which includes the Rangbah Shnong, Sordar Shnong, Myntri Shnong, maintain the peace through their village dorbar in the locality, settle disputes arising between the residents and look after the basic needs such as water-

supply, health and sanitation. They also exercise their executive, legislative and judicial administration and are called upon by the district and municipal authorities for assistance whenever a problem of a local nature arises. At times the Dorbar Kur also intervenes and in the event that the issues are not resolved within a particular level, the matter is taken up at the next level of the indigenous institutions which is the Dorbar Raid (provincial level) and then to the Dorbar Hima (State Level).

Even though they exist as distinct systems and have experienced distortion over time, yet they cannot operate beyond the structure of the KHADC. The contradiction thus persists and the tension felt is also palpable. The transitional state mechanisms for controlling and maintaining the traditional population in a multi layered governance system is what defines the current structures that the FKS finds themselves in. The foundational components which lie within the Indian State are now fundamental, and the FKS is forced to operate within this framework. This shift in premise from an organic self-determining and self-ruling Khasi state to a new Indian state is forcing the alteration of the Khasi socio-political structure. In this context the institution of syiemship is diminishing in value within the Khasi community both as a system of governance and as an agent of change and development. While there are political collisions and accommodation taking place between State and the FKS, yet the impact on the socio-cultural conditions is integrationist in character, both socially and politically.

It is important to note that the diverse, often very complex processes distinct to every hima, that resisted the dominance of one hima over the other and did not allow an overarching governing framework over and above the himas, is now being insidiously diluted to minimise socially distinct spaces. The FKS is a conglomeration of himas strictly under federal rules of engagement. However under the India state there is the neutralisation of difference and the homogenisation of community, clan and himas, reducing these social systems to individual 'rights'. As the government structure begins to recognise and crystallise around the individual, in due course the community will begin to dissipate and wither away.

Nonetheless, shared and contentious spaces are aplenty within the community. We hear of a number of conflicts arising within himas, raid and even more in the villages, while at the same time we observe a number of spaces that one could share by merely being a Khasi. Based on historical experience and political articulations of the Khasi society, one could argue that there are some fundamental issues that if touched could lead to massive resistance across the community. The question pertaining to right over land ownership and the political structure of 'Rangbah Shnong' at the village levels are cases in point. A number of movements cutting across himas have sprung up from time to time over these issues.

The politics of the future remains uncertain for the traditional khasi institutions even though the seeds of resistance are embedded in its political system. The system encapsulates very complex relationships within itself and among themselves and have withstood tremendous forces of appropriation and assimilation over regimes. Will the khasi political institutions and the FKS stand the test of time? One cannot say for sure. Probably time itself will reveal whether such historically embedded institutions will adhere or fade away.

The Khasis and their Chiefs

Before 1835

Before the advent of the British era into the region inhabited by the Hynniewtrep people, oral history speaks about a number of independent himas, each under founding clans with an elected *Syiem, Lyngdoh, Wabadadar* or *Sirdar*. They were assisted by a Dorbar in which every inhabitant of the said hima was a member. Peoples of these himas maintained trade relations with those in the plains of the then undivided Bengal and with those residing in the Brahmaputra valley. The British first came into contact with these Hynniewtrep Himas (States) in the late 18th century centred on trade expansion and conflicts arising due to their expansionist policy.

Through a Royal Charter, Queen Elizabeth I constituted the Governor and Company of Merchants of London Trading with East Indies (CMLTEI) on 31 December, 1600. The Company had 125 member shareholders and began with an initial amount of 72000 pounds. After negotiating with Jehangir, the then Emperor of the Mughal Dynasty, the company was permitted to open its first workshop in Surat in the year 1608. In the year 1609, King James renewed the Royal Charter for the company. Through negotiations, the company expanded its activities and geography into Madras and Musulipatnam in 1639 having availed permission for the same from the Raja of the said places. In the year 1683, the company expanded its activities beyond trade and was permitted (i) right to acquire property (ii) coin money (iii) command fortresses and troops (iv) form alliance (v) make war and peace (vi) exercise civil and criminal jurisdiction. While the trading of the CMLTEI progressed, one more company was formed under the name 'The English Company Trading to the East Indies' (ECTEI) in 1698. After a period of ten years, both these companies were merged into one single company in the year 1708 and was called the 'The United Company of Merchants of England Trading to the East Indies.' It is this company that came to be known as the "British East India Company".

The Period 1600 to 1793

- 1600 31 December; Queen Elizabeth I through a Royal Charter constituted The Governor and Company of Merchants of London Trading with East Indies (125 member shareholders and 72000 pounds)
- 1608 Open first workshop in Surat-permission was granted by Jehangir
- 1609 King James I renewed Royal Charter
- 1639 Got land in Madras and Masulipatnam from a Raja
- 1683 Permitted not only trade but (i) right to acquire property (ii) coin money (iii) command fortresses and troops (iv) form alliance (v) make war and peace (vi) exercise civil and criminal jurisdiction
- 1698 One more company “the English Company Trading to the East Indies”
- 1708 Both companies merged into “The United Company of Merchants of England trading to the East Indies.” This company is known as the “East India Company”
- 1757 Battle of Plassey where British defeated Suraj-ud-Daulah. Also Battle of Buxar where British defeated Shah Alam (Mughal King)
- 1759 British also got 24 Parganas. They defeated Dutch in Chinsura
- 1760 Defeated French in Wandewash
- 1765 Diwani of Bengal to Robert Clive from Mughal King which includes Bihar and Orissa. This secured for the East India Company 'superintendence of all laws and the collection of all revenues' in the Presidency of Bengal. By this period, the company had two stations- Fort William (Bengal) and Fort St.George (Madras) and one in Bombay. Each had own President or Governor with its own council plus company had its own ‘Court of Directors’ in London
- 1772 13 April; The governor of Bengal appointed. It was the ‘Court of

Directors' that approved Warren Hastings

- 1773 British Parliament passed the 'Regulating Act' where Governor of Bengal designated as Governor-General with powers over Bombay and Madras Presidency and Bancoolen in Sumatra (Later given to Dutch in 1824). Warren Hastings first Gov-General
- 1784 Court of Director plus Board of Control as per Pitts India Act 1784
- 1786 Governor General assigned more powers as per Act of 1786
- 1793 Permission to East India Company ends. East India Charter Act of 1793 gave twenty more years. Continued Company's rule in India except tea trade and trade with China
- 1813 Charter Act of 1813 gave another twenty years. However broke the Company's trade monopoly and allowed missionaries to enter British India. Also asserted the Crown's sovereignty over India, allocated 100,000 for education of Indian masses, permitted english missionaries to propagate English and preach their religion
- 1816 David Scott, Magistrate of Rangpur submitted a report on the region North East of Rangpur. Recommendation of the report was approved by the Governor-General in Council and special charge to an officer to be called Civil Commissioner of North-East Rangpur.

The year 1757 was a landmark in the rise of the British East India Company. Two battles were fought. One with Suraj-ud-Daulah, popularly known as the battle of Plassey and the other with Shah Alam, the reigning Mughal King in the battle of Buxar. The company defeated both the adversaries and began to establish their supremacy on the lands and its inhabitants. By 1759 the East India Company waged relentless wars with the Dutch which they defeated in Chinsura and claimed for themselves the 24 Parganas. This was followed by the defeat of the French in Wandewash in 1760.

By the year 1765 the East India Company had established three stations. One in Bengal known as Fort William, another in Madras known as Fort Saint George and one more in 'Bombay'. In the

same year they were also able to force the Mughal King to give them Bihar and Orissa through the Diwani of Bengal. The East India Company, in the same year appointed their own President or Governor with its own council and 'Court of Directors' in London. On 13 April, 1772 the Court of Directors in London approved Warren Hastings as their Governor who was to be stationed in Bengal. Soon after, in the year 1773 the British Parliament passed the 'Regulating Act' where the Governor of Bengal was designated as Governor-General with powers over Bombay, Madras Presidency and Bancoolen in Sumatra, which was later given to the Dutch in 1824. Warren Hastings was appointed the first Governor-General. In 1784, as per the Pitts India Act, the Court of Directors and Board of Control were brought together. Following which the Governor-General was assigned more powers as per the Act of 1786. The permission to the East India Company to trade ended in 1793. However by the new Charter Act of 1793 the company was given twenty more years and later by the Charter Act of 1813 was extended for another twenty years.

The Khasis came into contact with the British through the land inhabited by the Bengalees (undivided Bengal).⁴⁹ As early as 1772⁵⁰ British intrusion was recorded by the indigenous inhabitants of the region. We first come to know about these relations from the history of Sylhet through an incident that occurred in 1744 A.D.,⁵¹ where the Khasis were supposed to have completely burned Laur in Sylhet after which many of the residents of Laur moved to Baniyachung.

Once Sylhet came under the East India Company as a principality of Dacca, relations between the Khasis (generally referred to as Hill People) and the local Sylhet population were at times acrimonious. Tensions of trade especially related to money and payments were a key source of conflict. In such situations, it was reported that the

49 Lyngdoh R.S. (1996) Government and Politics in Meghalaya. pp.16

50 In march 1772 the East India Company dispatched a punitive expedition to Jaintiapur, the then capital of Sutnga State to warn the hynniewtrep peoples not to resort to raids and plunder traders from Sylhet and in 1774 East India Company invaded Jaintiapur under Captain Helliker

51 Assam District Gazetteers Vol. II Sylhet, B.C.Allen (1905) p.25

Khasis as a retaliation against non-payments for goods traded would often carry away hostages to the hills and threatened their victims with starvation if they refused to refund embezzled and misappropriated money.⁵² However instance of constant conflicts between Khasi himas themselves were also reported as early as 1771. Records from Sylhet⁵³ pointed out-

It may be proper to inform you that the Rajahs who possess the hills bordering this province are at present in hostility with each other. Within a very short distance from the town of Pondawa where the trade of our merchants and theirs is carried on, there have been two battles between two contending Rajahs, and within a day's journey of Sylhet, almost between it and Pondawa, another Rajah has lately commenced hostilities against the Rajas of the country of Pondawa.⁵⁴

In a letter addressed to Mr. William Makepeace Thackeray, on 8th February 1774 by Richard Barwell, an important request was made -

Sir, at your repeated and particular instance for an officer to lead the detachment of troops stationed at Sylhet and oppose the incursion of Cossahs, [Khasis] I have requested Ensign Leake (who opportunely was on a visit to Dacca) to place himself at their head, the charge being readily accepted by that gentleman, I have in consequence put him under your orders, and he is to follow such instructions from you as you shall think it necessary to issue to him. A further reinforcement of 50 men of the Dacca Militia will be conducted by him to your assistance.

At the beginning the officials of the East India Company did not realise the causes of the conflicts between the Khasis and the local people of Sylhet. They thought that the Sylhet traders were victims

52 R.S.Lyngdoh (1984) Circumstances Leading to the Anglo-Khasi War in U Tirot Singh Syiem of Nongkhlaw, Souvenir of the Khasi Cultural Society, Meghalaya Shillong. p. 9

53 Sylhet District Records No.4

54 John Sumner, Collector Sylhet noted the same in his letter addressed to Thomas Kelsall ESQ, Chief and Supervisor of Dacca, 22 January, 1771. p.4

of Khasi raiders. Therefore in March 1772 the Company despatched a punitive expedition to Jaintiapur, the then capital of Hima Sutnga to threaten the Khasis not to resort to raids and 'plunders'.⁵⁵ Since then many other conflicts between the Khasis and the British subjects in Sylhet were recorded.

Under Mughal and for some time under British Rule, Sylhet was a frontier district, and was exposed to all the inconveniences that such a position usually entails. The Khasis were a continual source of trouble to the Muhammadans and it was not long before they came into collision with the British. Difficulties seem to have arisen in 1779, but we observed that from 1774 itself, Richard Barwell in a letter to Warren Hastings informed him -

you will perceive by the public letters, dispatched hence to-night, that I have been led into an irregularity from the emergency of the occasion that called for an Officer to lead the force now in Sylhet for the defence of the Province; and as it will be necessary either to appoint an Officer to relieve Mr. Leake immediately, and perform the occasional service on which he is sent, or to appoint that gentlemen under my orders, if you choose he should execute that duty, I request the favour of you to issue the necessary directions. The conduct of the Gentiah [Jaintia] Rajah I make no doubt you will think merits chastisement, but, as the entire reduction of his country may prove a task more difficult, more expensive, and more uncertain than Mr. Rennell's [famous Surveyor of Bengal] representation gives reason to apprehend, you will possibly judge it to be more for public interest that he should experience its resentment, and give satisfaction for the depredations he has committed by reimbursing the expense of the troops and paying an equivalent for the damage that he has done. The force already in Sylhet is, I imagine, able to repel any he may possibly oppose to it in the flat country, and capable of subjugating the district he holds between the foot of the hills and the Rivers; and, as it is the most valuable part of his dominions, your taking possession of it, which may be easily affected, will necessarily induce him to come to the

terms, I have mentioned in order to re-obtain it.⁵⁶

Richard Barwell identified the Jaintia Chief as the first aggressor noting

He has really, I believe, been the aggressor, and invited by some of the Sylhet people” ... “I acquit Thackeray of any intention to inflame, as it is his particular interest to be on good terms with the Rajah; and he has, and may, suffer still more from the incursions of the hill people, and can have no prospect of advantage in continuing the quarrel. I hope the troops will not have a month's work to bring the Raja to reason. The navigation of the Soonah [Surma] as it was through all the Sylhet Province, is certainly an object, and if it can without much trouble be rendered free should be negotiated.⁵⁷

The war with the Jaintia Chief were driven not only by defending the Sylhet borders of the British but also carried motives of economic interest as observed when Richard Barwell communicated to Thackeray;

The President and Council have given me full power to retaliate the injury committed by the Gentia Raja, but at the same time intimate that it is not their object to attempt an entire conquest. Their end is to make him sensible of his error, to oblige him to reimburse the public in expense, that is incurred by the march of the troops, to obtain from him a compensation for any loss of Revenue occasioned by his depredations, and lastly, to render free the navigation of the River Soonah. [Surma] In order to effect this, a reinforcement of troops are in order, to meet and join the troops in Sylhet. They are to enter the dominions of the Gentia Raja, and subdue all the flat country lying between the hills and the River Soonah; and, in effecting this purpose there is but one consideration which you must allow to influence you to stop the progress of the troops- which is the Raja's implicit compliance with the demands of our Government, viz.: The payment of Rs.25000 for the

56 Sylhet District Records Vol.1 No.13

57 Sylhet District Records Vol.1 No 14

expense incurred by the expedition. A sum equivalent to any loss the public revenue is likely to sustain from the Raja's late invasion of the Company's territory; and the free navigation of the Rover Soonah ... If these points are obtained, and the Rajah makes due submission for his conduct, you are to leave him the full and peaceable possession of his country, and to order back the troops as soon as possible, as the insult afforded by the Raja is of that public nature as to require the most public reparation, you will direct him to send vakils to make his submission to the Governor in Calcutta, and to me as Chief of Dacca entrusted with the care of the Company's interests in Sylhet. And in accepting any terms from the Raja or in giving him any assurances on behalf of the public, you will invariably insert this clause "provided the Hon'ble the President and Council approve, otherwise this is not to be in force."⁵⁸ and "should the Tannadar be able to keep possession of the country you have subdued without any assistance from the English Forces, the district is to be immediately placed in his hands, but if his power is not equal to its defence, you are, in such case, to evacuate the Gentiah dominions, and remove as many of the inhabitants into the District of Sylhet as may be, publishing in your retreat that the insults offered to it shall not go unpunished; that should any neighbouring Hill Rajas, or the Gentiah Raja enter the Company's districts in a hostile manner, the insults will be avenged by a similar invasion of their country and by the destruction of all their towns."⁵⁹

The same perspective was reflected by the Council of Revenue at Fort William.⁶⁰ But with caution that expenses incurred must be

58 Sylhet District Records Vol.1, No.15

59 Sylhet District Records Vol.1 No.16

60 Sylhet District Records Vol.1 No.16, in which was included the *Abstract of the Council of Revenue, Fort William*: "The Board are of opinion that, although the treacherous conduct of the Gentiah Raja merits an additional punishment, still the prosecution of hostilities against him for the conquest of his country is not an object worth our consideration, especially as it would contradict the declared purpose for

kept in check and restraint applied on actions that will have a bearing on the exchequer.

In the beginning of the year 1776 the -

interior province of Bengal was managed by provincial councils consisting of five members [each], with secretary, accountant, and assistants; one was stationed at Patna, another at Moorshedabad, and the third at Dacca; the revenue, the internal police, and civil judicature were all under their control in their subordinate branches. An appointment under either of these boards was considered as certain promotion, as it withdrew one from the enormous expenses young men are subject to in Calcutta.⁶¹

In the winter of 1783, it was reported that the people of Shella raided the plains and sacked a marketplace in the plains of Ishamati because the Khasi traders were ill treated by the traders from Sylhet. It is also recorded that about this same period that the Khasi headmen of 137 villages in the plains had a fierce combat with their neighbours. According to local accounts and traditions, U Buh Singh Syiem of Mawsmat conducted many raids in the plains due to the ill-treatment meted out to the khasi traders by traders from the plains.”⁶²

Lindsay began trading and monopolising the lime trade in Sylhet

which we are engaged, in the undertaking, and of which we have advised the Hon'ble Company, - that, if therefore, the Pandua Zemindar cannot return nor engage to retain the possession, which we may have grant him of the country, without the continued aid of our forces, the expedient recommended by Mr.Barwell cannot be admitted, as it will have an increase of expense, and a prolongation of the expedition and a division of our forces. But if the Tannadar [Thanadar, the Commander of a military outpost or than] will be satisfied with our putting him in possession, and will not require our sepoy to protect him in it, that Mr.Barwell be authorised to settle it with him on such terms as he can; otherwise to order Captain Eliket to lay waste, declaring that the same retaliation shall be made for the first instance which he shall repeat of encroachment on our Government.”

61 Lives of the Lindsay, Robert Lindsay, p.159

62 ibid

and in many occasions having to face stiff competition from Greek and Armenian traders. Lime (shun in Khasi language) occupied many people in trade, being as Lindsay noted

In no part of Bengal, or even Hindostan, is the rock found so perfectly pure, or so free of alloy, as in this province [Sylhet]⁶³ and when he first visited the place he recollects “the mountain was composed of the purest alabaster lime, and appeared, in quantity, equal to the supply of the whole world.”⁶⁴ However since the lime was not under British jurisdiction but under 'independent chieftains', Lindsay earlier objective which he strategically succeeded was “to procure from these people a lease of the lime-rock.” For this Lindsay met with the 'independent chiefs' who demanded an interview with him to discuss the matter in Pondua. Over the twelve years Lindsay increase his hold over lime trade noting “the trade increased so rapidly as to keep five or six hundred men in constant employ.

The Greek merchants in Sylhet dealing in Chunam [Limestone] were also a constant headache for Lindsay. Beginning 1787 Lindsay received a number of letters from the Revenue Board in Calcutta inquiring about the situations related to complain by Constantino Parthenio, on behalf of the Greeks of the Apostolick Church in Bengal. In one of the representations made to the Governor General and Council, Panthenio noted -

The greeks residing in Bengal under the protection of the English Government, having been for a long time in the practice of manufacturing chunam [lime] in the district of Sylhet unmolested, found themselves last hindered from continuing their operation by Mr.Lindsay, the present Collector.” His complain, that although Lindsay promised not to hinder their trade “the truth of this soon became too evident, as the Tanadar and Mr.Lindsay's people, not only

63 Lindsay further notes that “the mountain from whence the lime is taken was not situated within our jurisdiction, but belonged to independent chieftains, inhabitants of the high range which separates our possessions from the Chinese frontier.

64 Op cit. p.179

clandestinely prevented the Greeks from going on with their works, but made use of every insult and indignity, both in words and acts, towards them” going to the extent of seizing the materials of the Greeks and a boat with bamboos and to prohibit any of the inhabitants from selling stones or wood to them.⁶⁵

Lindsay was reappointed as Collector of Sylhet by the Revenue Department Council Chamber as on 21st March 1787 as per letter No 153, Sylhet District Records Volume Two, and in the same month on 30th March informed the president and Members of the Board of Revenue in Calcutta news he considered important. This was the capture and taking prisoner of Radaram by Lieutenant Davidson who he considered, had wreck havoc to the districts through persistent plunders of the plains⁶⁶ and who became a burden to the Revenue of the District, noting that the expedition itself cost the exchequer Rs.1,888 and 50 anna.

William Hyndman was confirmed as Assistant to Collector and Judge of Sylhet on 18 April 1787 to support Lindsay but as part of streamlining revenue and justice administration. To this Lindsay seemed a bit piqued as observed in letter No.187, Sylhet District Records noting to John Shore that

he was sorry to find that my address to the president, dated the 10th May, has conveyed the idea of my inclination to leave Sylhet without previously affecting the settlement of the district for the current year. Permit to assure you that I possess too strict a sense of my duty to have entertained a thought of the kind.” In the same year beginning February the Sylhet plains were flooded by “unreasonable torrents of rains which have fallen without intermissions' causing 'material damage' and most landholder’s crops were lost and they have nothing left to pay the demands of the Government.

Lindsay seems to have been reprimanded by the Council Chamber Revenue Department as per letter dated 18 July 1787 through its secretary-Jonathan Duncan. The letter reads -

65 Op.Cit No.146,p.96 ; Enclosure No.1 p.97; Enclosure A, B, C, D, E

66 Op.cit No.154,p.105

the very extensive influence, which you derive from your different offices of Collector, Judge and Magistrate affords you the opportunity of widely promoting the public good and the Company's advantage, and this consideration alone will, he trust, have the same influence upon your conduct with the most solemn restrictions or minute regulations. An abuse of this power, either actual or by connivance, on your part, will be productive of consequences highly prejudicial to the Company and to the country. Reward has now been annexed to responsibility, and no occasion, it is to be presumed, will ever occur to reader the infliction of penalties attending in breach of it necessary...by the general public Regulation you are restricted from the exercise of any duty either directly or indirectly, but the general prosperity of the province requires that the internal trade should receive from you all the encouragement and protection you can give it. You are not from this to understand that any individual, either European or native, is to avail himself either of your name or influence for the assistance of his private commerce- this would be indeed a perversion of the orders of Government, and your own character requires the utmost caution on your part that no person really, and apparently connected with you, should derive any influence from such a connection, to the advantage of his own concerns, and to the prejudice of trade in general, which must be a natural consequence of it. The Right Hon'ble the Governor General in Council has indeed particularly directed me to signify to you that he shall deem any Collector unfit for the office he holds, who should be unable to prevent the operation of the influence of his station in favour of those connected with him. The Trade of a country can no longer prosper than whilst the protection of Government is generally bestowed upon all concerned in it, and in this sense the orders of the Board must be received and understood ... and finally, I am directed to inform you, with respect to the Regulations in general prescribed for your conduct, that your continuance in office will depend upon a due observance of them, and that the approbation of the Board will be fully bestowed whenever it is merited.' The rains continued with Hyndman reporting

total distress to the Board of Revenue in Calcutta on 20 July 1787 noting 'the rains have continued with a violence hitherto unknown, and it grieves me to inform you that by the advice I have received from the mofussil, I am apprehensive of a total depopulation of all the pergunnahs if the weather does not moderate soon... the zamindars seem to have formed one general combination to withhold their rents upon the plea of the misfortune that has befallen the district.

Through this period the British were also in the process of tightening the system of administration and the efficacious collection of revenue as they begin to conceive and enter the hills inhabited by 'Cosseas'. This was achieved by means of near brutal methods as observed with the way the British dealt with raids /resistance by the 'hill people'. A case of Radaram the chief of Cachar clearly unravelled the strategy calling for the burning of villages and the expulsion from residence villages.⁶⁷ Note the

67 Lindsay commanded Lieut. James Davidson who headed the troops against Radaram of Pertaugbur noted the following British strategy "You have perwannahs to the Pertaugbur, Zeffergur, Egarasuttee zemindars to furnish what people you may require and such assistance as you deem necessary. If they are backward in supplying you, send two or three sepoys and compel them. Make Egarasuttee your general rendezvous, and do not allow a single man to go from the fort without sufficient escort, excepting it as...with a letter, in which cases he can make his way good by night without any danger of being intercepted. It is unnecessary for you to send one of his sons hostage for his future good behaviour. You will cut as much of the grain as you possibly can to supply the khellah, and prevent Radaram, if possible, from carrying away the crop. I recommend your distressing him and his ryots as much as you possibly can by burning the villages and driving away their cattle. In order to prevent wastage in a place where provisions are not to be had, it will be proper to appoint a man to serve out a daily allowance of rice, salt, etc. Keep all the small dingees at the khellah, and trawl them on shore to prevent their carrying away", after which he made urgent request for arms and ammunition to the Secretary Board of Ordinance., Fort William on 4th November, 1786 noting in the letter that "request the favour that the Board will be pleased to order me an immediate supply of six or eight barrels of powder, as the hill people are

content of a letter addressed to Robert Lindsay on 10 August 1787 by the Revenue Board

... It is well known that the Zemindars in different parts of the country have given leases of lands to persons for a term of years and perhaps in perpetuity, at reduced rates of assessment. The influence of the native officers employed in the revenue offices and under British subjects is supposed to have procured such leases in their own favour. You will particularly advert to this point, and notice any such grants or leases whenever you may be able to detect them, in order that the landholders under them may be taxed agreeable to the general rates of the districts. It may not perhaps be possible to determine with a precision precluding all objections the amount of the assessment of each pergunnah without a minute local scrutiny. To this however, we object as being contrary to the orders of the Court of Directors, but the mode we have pointed out to you, if duly pursued and assisted with local information and experience as to the state of cultivation on the districts compared with former periods, will enable you to form an opinion with probable accuracy as to the amount of the Jumma to be fixed. In future you will in every instance name a specific sum, with your reasons at full for fixing it. It is by no means our intention to lay a heavy increase upon your country which cannot be collected without distress. All that we intend is that the Jumma shall be such as the Company may fairly exact; and to guard against future defalcation in the revenue by collusion, fraud, and misrepresentation ... the information we require relates to each pergunnah stated in

very troublesome” On 2 December, 1786 when reporting to the Board of revenue, Fort William, W.Hyndman noted that “The balance at the end of this month apparently large, is much less than I had reason to expect, as a very large part of it has been occasioned by the depredations of Radaram, a zamindar of Pertaubgur, who being joined by a considerable number of Cosseas or mountaineers has attacked the Killah which protects the pergunnahs bordering the Catchar country, and has done considerable mischief in its neighbourhood by burning the villages and putting to death many of the inhabitants.”

the Accounts Settlement of your Collectorship ... Secondly- The consideration of the person with whom the settlement is to be made. The Act of Parliament and the orders of the Court of Directors equally prescribe that the settlement should be made in all practicable instances with the zamindars, and our instructions for the settlement of 1194 more particularly explain this injunction. But as many of the zamindars are disqualified from any real interference in the management of the collections from incapacity on account of sex, minority, or otherwise, it becomes necessary for government to interfere, both for the security of the revenues and the protection of the ryotts, and even that of the zemindars themselves, who from incapacity fall as prey to the artifices and frauds of their own officers and servants ... The only general rule which occurs to us as calculated to remedy the above incident to this situation is to make the principal officer of the zemindar who from incapacity cannot manage his own business as party in his engagements with Government, and to bind him to a faithful discharge of his duty by restrictions imposing a responsibility, equally effecting his person and property. But the principal difficulty occurs in the choice of a person for this trust, and in this respect we must rely upon your knowledge and experience. Capacity for the task is the first requisite: to enforce the faithful discharge of it must depend upon the vigilance of Government and its officers ... You will, of course, endeavour to ascertain amongst the zamindary servants who is the most capable. Those to whom trust has always been given and faithfully and ably discharged naturally stand forth as the properest persons for future responsibility. You will also further advert to the precautions that may be necessary to prevent the effects arising from a competition with the person who may be selected and of opposition to his management. When your choice of the person have been confirmed by the approbation of Government, it ought to be steadily maintained against all the effects of rivalry or intrigue, and this consideration will, of course, dictate caution on your part. If in the first instance the zamindar should be capable of making a choice, some weight should be allowed to this

consideration ... After all, however, we are sensible that cases may occur in which he may be most advantageous for the Government and for the zamindar that his lands should be let to a farmer; for such cases the reasons of which you will assign whenever they may occur. Care must be taken for making a provision for the zamindar by allotting him a proportion of the produce of the lands when he does not possess neez jute, commar or other rent-free land or lands under rates sufficient to furnish his maintenance. You will, therefore consider the amount you may deem necessary for this purpose, taking into consideration the circumstances pointed out to your notice above ... Third ... we desire that you will in concert with the canungies and principal mutsuddies prepare the form of pottahs, to be executed by the zamindars and farmers in the future and to be given to the ryotts. It is much to be wished that these pottahs should contain the specific rates at which each article of assessment upon the Assul is to be collected or a specific sum for a given quantity of land, either generally or according to its quantity and produce. We know that the custom in this respect vary, and that, however desirable it may better introduce a general form, which these variations will perhaps render it impracticable. The actual measurement of one or two villages of inconsiderable in different pergunnahs will enable you to obtain information with regards to the subsisting variations in the rates and rules of assessment, and possibly supply the fundamental rules; and this measure, as far as you judge it expedient, we authorise you to adopt. You will consider what article of taxation have been introduced of late years, and how far they are deemed oppressive, or otherwise, and whether it may not be possible to revert to some further period in which the articles of taxation were ascertained in order to fix upon that for the rule regarding them in future. In considering this point, you will ascertain how far the abolition of the taxes subsequently introduced will affect the jumma of lands ... Every zemindar ought to have in his customary records a nirk bunder, or rates of assessment, specifying the proportions of the several taxes levied upon the ryots under his jurisdiction and the amounts you should endeavour to

process ... After preparing the forms of the pottahs, you should propose them to the zemindars and farmers under you in order to ascertain from them if any objections, amending the forms whenever it may be necessary, that, if it should be determined to adopt them, no difficulties may afterwards arise to frustrate the operation of them ... The forms should be as simple as possible. We are, however, aware that the zemindars and ryots are in general adverse to the introduction of them, the former because it prevents oppression and affords the means of detecting it, and the latter because it removes the opportunities of collusion and at the same time gives them reason to apprehend that any fixed rates of taxation will be hereafter assumed or established data for the imposition of future articles of increase. We are fully sensible that the task now prescribed to you is attended with many difficulties and will require the minutest attention and application on your part to accomplish it, but the importance of the objects requires these exertions, and we trust that animated by zeal they will be attended with success ... In stating these general heads as the objects of your investigation, we do not mean to confine your explanation to them only, but desire generally that you will add to them whatever information you can obtain that may in your opinion conduce to the establishment of regulations tending to promote the success of the collections and prosperity of the country.

Lindsay provided a detailed report to John Shore president, and Members, Board of Revenue, in Calcutta on 24 November 1787 as noted in letter No.294 observing that while he agreed with the frame proposed by the Council, he beg application that was contextual. Important for this study however was a reference he made to the Hill People and the relationship that ensued even when under the Mogul Government. He states 'during the Mogul Government Sylhet contributed little or nothing towards defraying the expenses of the State. On the contrary, considerable sums of money were remitted from the seat of Government for its defence against the incursions of the hill people who were represented to be

more formidable than was actually the case'.⁶⁸ In the same letter Lindsay notes

Nothing can possibly tend so much to promote or encourage agriculture as the plan you propose of obliging the zemindars to give fixed pottahs to their ryotts, but I need not point out to you the difficulty, if not the impossibility, of carrying this into execution at Sylhet, where the Collector must, in addition to the laborious duties of his station, enforce the obedience of 5,000 petty zemindars, many of whom either reside in the hills or in marshes so inaccessible as almost to render them masters of their actions. Pottahs they seldom or never give. The wretched ryott labours under a thousand modes of oppression...to each of the petty pergunnahs there are from 10 to 100 partners, all of whom assume the title of zemindars and prey upon the industry of the ryotts ...

Lindsay sent a letter No.267 to John shore, President and the Member of the Board of Revenue, Calcutta on 23 October 1787 noting '... I beg leave to repeat the request contained in my letter from Dynapore of the 1st instant begging your permission to resign my station in November and you may depend upon my communicating every information to my successor acquired from the local experience of eleven years such as I think may be of use to him in conducting the public business.' By the 28 November 1787 in letter No 296 addressed to John Willis. Esq which was received by him on 7 December, E.Hay, the Secretary to Government informed him that the 'Governor General in Council has been pleased to appoint you Collector of Sylhet with the established allowances in the room of the Honourable Robert Lindsay, ' thus bringing the term of Lindsay as Collector to an end.

An interesting twist however, we opined, is a fundamental shift in Anglo-Khasi relationship was noted in letter No.300 addressed to

68 Sylhet District Records Volume two No.294, p.198. Also refer to Fifth Report from the Select Committee on the Affairs of East India Company, 1812, Vol.II., p. 376. Grant contended that under Muhammad Resa Khan's administration there has been an enormous defalcation in the Sylhet revenue.

John Willis by B.Aplin, Secretary dated 7 December 1787 and received by Willis on 13 December. The letter notes

I am directed by the Board of Revenue to inform you that the Hon'ble Board, on the 28th ultimo, appointed you to succeed the Hon'ble R.Lindsay in the office of Collector of Sylhet, who has been directed to deliver over to you charge thereof, so soon as he shall have furnished some information required of him by the Governor-general in Council respecting the Cosseahs. You will, of course, attend one of the judges of the Supreme Court to take the prescribed oath.

As pointed out, the Board while relieving Lindsay requested one last report from him, and only after the submission of this report can he consider himself relieved from his role of Collector of Sylhet and Willis to take over from him. This report pertains to Lindsay's experience and understanding of the concrete conditions of the Cosseahs. Addressed to Lindsay by Thos.Graham, John Mackenzie, Rd.Johnson and J.Evelyn-members of the Revenue Board, Calcutta, dated 7 December 1787 and received by Lindsay on 21 December, it states -

We have received your letters of the 1 and 16 October and of 14 of November with their enclosures, which having been submitted by us to the Hon'ble Board, we have to acquaint you that your resignation of your office has been accepted, and Mr.John.Willes⁶⁹ appointed thereto; but that, previous to your delivering over charge to that Gentlemen, it is the direction of His Lordship in Council that you furnish a particular description of the Cosseahs, the nature of the country they inhabit, and their particular habits of life, reporting, at the same time, whether they might not be induced by lenient measures to coupon in an orderly manner to regular Government, and whether for this purpose such means and regulations would be effectual as were used with respect to the people inhabiting the Hills of Boglepore and Rajemahl...The regulations above alluded to,

69 John Willis seems to have been holding some judicial post in Calcutta at the time of his appointment to Sylhet (Sylhet District Records, Vol.2)

not being among the records of this Department, they cannot be immediately transmitted to you, but shall so soon as obtained from the Governor General in Council. In the meantime we shall be glad to receive from you any plan which, in your judgment, may appear well adapted to accomplish the end proposed by the Hon'ble Board.

To this prerequisite set by the Board, on 14 December 1787, addressed to John Shore, President, and Board of Revenue, Robert Lindsay writes:

Gentlemen,

Am duly favoured with your letter of the 7th instant informing me that you have been pleased to accept my resignation.

In obedience to your directions I beg leave to acquaint you that the Cosseahs inhabit that tract of mountainous country from Laour, the northwest extremity of Sylhet, to the eastern boundaries of Cachar. The mountains, according to Rennel's calculation are 1,200 yards high so perpendicular as to be inaccessible to a foreign enemy, and every part of them set beyond the Company's provinces. The Cosseahs call themselves Gentoos [Hindus], but they eat and drink everything presented to them, and excepting that they burn their dead, their manners do not bear the smallest affinity to the Gentoos of Bengal.

Every chief of a village styles himself Rajah [Syiem] and has an independent government within his boundaries. In appearance they greatly resemble the Malays, and their description as much the same, being revengeful and deliberate in their resentments, and never forgive an injury until they have ample satisfaction, but it is a long time before they come to an open rupture with their adversary so as to decide the difference by the sword.

The women, as is the case with most savage nations do all the drudgers and bring down from the mountains various articles of trade consisting chiefly of Assam

clothes, and iron, cotton and different fruits. In return they carry back salt, rice, dry fish, and ...in considerable quantities. The men of each tribe.....accompany the women with aims to defend them from insults. They are perfectly independent in their ideas. I have often met the Rajahs and principal people by appointment, but if it is not upon a footing of perfect equality, they decline the visit: they allowed me no superiority of rank, and are highly tenacious of their own consequence. During the eleven years I have resided at Sylhet they never entered the district but twice in arms, and both times it was occasioned by a supposed indulgence to one of their tribe, men, women and children being indiscriminately put to death. They showed themselves a barbarous enemy and for a short time were formidable, most of the Rajahs having united in one general confederacy. Upon the whole, they are a good set of people with principles far superior to the inhabitants upon the lowlands. There is a tract of country eight miles broad extending from the Surma river back to the mountains, and about forty miles in length inhabited by Bengallees and a mixed race between them and the Cosseahs-a most degenerate people with the views of both united. It is likewise a receptacle for thieves, dekoysts and bad men of every description, who are tributary to the Cosseahs. These are the people who are occasionally so troublesome to the district, and in their incursions but a very small proportion of the inhabitants of the mountains accompany them. Upon my first arrival at Sylhet I found them so insolent as to encamp upon the banks of the river and plunder every boat that passed to, or from, Sylhet. Lenient measures had no effect whatever, and I learnt from experience that immediate retaliation by following them back to their own country was the only means of keeping them within bounds. This was never attempted during the Mogul Government, but I found it attended with every good effects I wished for, and of later years they have been perfectly quiet. The people bordering upon Cachar, together with some of

our own zemindars, have sometimes ventured to take up arms, but were immediately chequered.

My opinion is that it will tend to no purpose whatever establishing a corps the same as Boglepore. The present establishment is full adequate to the defence of the district.

A passage of a letter from the Right Hon'ble Governor General in Council, dated the 18 January 1788, and recorded in the Proceedings of the Board of Revenue under the date the 18 of the same month, notes,

It does not appear to us from the account furnished by Mr.Lindsay that the situation of the Cosseahs is sufficiently similar to that of the inhabitants of the hills to admit of the same mode of civilization that was successfully adopted by Mr.Cleveland [Cleveland] when Collector of Bogelpore, but we are of opinion that it ought to be attempted as far as possible by the Collector of Sylhet in respect to the inhabitants of the tract of low country, described by Mr.Lindsay, by encouraging the principles to such a familiarity of personal intercourse with him as may lead gradually to the introduction of an influence that may prevent the disorders which now subsist there, and we desire that you will send necessary orders in consequence to Mr.Willes," signed by B.Aplin, Secretary revenue Board.⁷⁰

Based on this report members of the Revenue Board wrote to Wm.Hyndman, Assistant to the Collector of Sylhet on 14 December 1787 informing him that having received Lindsay's letters regarding the conduct of the Cosseahs, they directed Hyndman to execute strategies for relief work and to take action on those that have been taken prisoner by the Collector commanding Hyndman again as

the depredations stated by Mr.Lindsay appear rather to have been occasioned by the pressure of extreme distress than any other cause, but as the cruelties perpetrated by them were as wanton as barbarous, and cannot be justified by the

plea of distress, we desire that you will cause the prisoners taken to be delivered over to the Fowzdary Court for trial and punishment on proof.⁷¹

As John Willis took over charge from Lindsay and most probably in response to the trouble with the Khasis that ensued, E Hay, Secretary to Government, Council Chamber directed him to

prepare and transmit as soon as possible a list of all the Europeans not in the Company's services who are resident under your charge, specifying the manner in which they are at present employed, and their general conduct and character, as far as may come to your knowledge ... You are further directed to apprise them at the same time that, after the 1st of next month, no European, being a British subject not in the Company's service, will be suffered to reside in the interior parts of the country without having obtained the particular licence of the Government.⁷²

Later in his memoirs Lindsay had numerous events to relate that throw more light on how he formed his impression about the Khasis. He noted that

after a residence of twelve years in their vicinity, and having had much business to transact with them, I can with safety describe the Cusseah, or native Tartar of these mountains, - a fair man in his dealings, and, provided you treat him honourably, he will act with perfect reciprocity towards you; but beware of showing him the smallest appearance of indignity, for he is jealous in the extreme, cruel and vindictive in his resentments.” This attitude of Lindsay was formed after a number of somewhat difficult events⁷³ that

71 Op.cit No. 304 read together with Enclosure. p.207

72 Op cit. No.313.,pp.211-212

73 Lindsay notes about an event “On a certain occasion, when returning to Sylhet, I gave directions to my black officer in charge to permit none of the inhabitants of the plain to soil the beautiful walks or grounds around my dwelling. It unfortunately happened that a hill chief [Khasi chief] from a distant mountain, came down a few days afterwards, and, thinking it a favourable situation, he was found by the officer in the very act of offending, and, being laid hold of, he was ordered to throw the

he faced and noted in detail in his memoirs. In another occasion he notes “upon studying the dispositions of the Cusseahs with more attention, I found, as I have already stated, that they were not altogether to be depended upon; they were jealous of each other in the extreme, and a supposed indignity was seldom forgotten; it was therefore found expedient to treat them with perfect politeness, but with more reserve ... the Cusseah, though honest and open in his dealings, is extremely jealous of his honour, and apt to take umbrage upon trivial occasions where no offence is intended; and an affront to any one individual is resented by the community at large. I had therefore carefully to study their disposition, and sometimes to wink at an occasional

noxious deposit into the river. The Cusseah told him that he was a total stranger, and that the offence should not be repeated, but that he neither would nor could act as directed, as it was against the law of his religion. Upon this, the officer gave him a heavy blow with his cane, and compelled him to obey. In a few emphatic words he said, “This day you have prevailed- it is my turn next.” He immediately clad himself in the garb of despair, (which is a couple of yards of white cotton, with a hole for the head in the middle, the hair thrown loose,) and in this manner sailed out to the Pondua bazar. Towards the evening the shrill war-whoop was heard in every direction, as the Cusseahs retired to the mountains; not a man was seen below for several weeks; at last they descended in considerable force; the offended chieftain singled out the officer who had insulted him, -they fought and both fell. I had previous warnings of what was to pass, and reinforced my small garrison; but the enormity committed by the Cusseahs against the defenceless inhabitants of the plain became very serious. I was compelled, in consequence, to stop all communication and passage of provisions; to retaliate was impossible, for you might as well attack the inhabitants of the moon as those of the mountain above; they showed much barbarity in their resentment, many instances happening of their killing and scalping their prisoners, not exactly in the manner practiced in North America, but by cutting from the crown of the skull the size of half a crown, with skin and hair attached to it, which is preserved as a trophy. This desultory kind of warfare had lasted some time, when amity was happily restored; but I had no longer the same inducement to visit my favourite haunts on the hill.

burst of passion on their part, or apologise for the like behaviour which frequently occurred from the petulance of my own people ...

After Lindsay, two very important events took place between the British Government and the Khasi. In 1799 Regulation I (One) was promulgated⁷⁴

prohibition against supplying the hill people on the frontier of Sylhet, seizure and confiscation of, and responsibility of persons engaged in conveying ... rule regarding the passage of, beyond the Sylhet Frontier ... Armenians, regulations regarding the trade of, with the mountaineers on the frontier of Sylhet, ... trading with the country to the north west of the Surmah river, supplying arms or military stores to the hill-people, taking burkundusses, or armed men, beyond the Sylhet frontier, or guilty of misconduct in their intercourse with the hill-people, ...employed in transporting property by..ditto by British born subjects residing in the district of Sylhet, and the Surmah river, seizure and confiscation of, and authority of police officers to search, ...passage of, beyond the Sylhet frontier,...employed in transporting property beyond the Surmah river, ...prohibition against the issue of perwannahs to the thannadar of Laour for the supply of,...of property (with boars, etc) attempted to be conveyed beyond the Surmah river, ...Cosseeas on the frontier of Sylhet, regulations regarding the trade with the mountaineers on the frontier of Sylhet,...on ditto, prohibitions against supplying arms or military stores to, ..Seizure and confiscation of arms or military stores attempted to be conveyed to, and responsibility of persons engaged in conveying them, or guilty of misconduct in their intercourse with.. ..ditto, from persons causing the improper seizure of articles alleged to be contraband, under the regulations for the trade with the Sylhet frontier, ...trading with the country to the north west of the Surmah river, supplying arms or military stores to the hill people, taking

74 D.Dale (1830) (Alphabetical Index) to The Regulations of Government for the Whole of the Territories under the Presidency of Fort William in Bengal, p.29.

burkendesses or armed men beyond the Sylhet frontier, or guilty of misconduct in their intercourse with the hill people, ... residing in the district of sylhet, bond to be executed by, ...Greeks, regulations regarding the trade of, with the mountaineers on the frontier of Sylhet...prohibition against the issue of purwannahs to thanadar at, for the supply of chunam,...payable on the seizure of arms or military stores attempted to be conveyed to the hill people on the borders of Sylhet, or property of any kind attempted to be transported beyond the surmah river...Salpetre, prohibition against supplying the Hill people on frontier of Sylhet...Search of boats supposed to contain articles declared contraband in the trade with the Sylhet frontier, authority for the...Sulphur, prohibition against supplying the hill people on the frontier of Sylhet...bond to be executed by British born subjects, residing in the district of ...

On 8 May 1812 Krishna Pal notes:

you will understand my prayer. The favour of God is fallen on this country: seven persons have been baptized: their names Prubhoo-singha, Gouree-singha, Rutuna-singha, Kumula-singha; these four are Sipahees; another is a native of Assam, his name is Vanee-Rama; and two others Khasees, the name of one Dewankhasee, and of the other Ooana-khasee. All these persons have received the mercy of God; and others are hearing and receiving the word....An English gentlemen writing to Dr.Carey only three days after the date of the letter we have just given, say- "I have the pleasure to transmit you "you the enclosed from Krishna, from whom you will perceive that he has made a tolerably good beginning in his present undertaking. I was present at the ceremony of baptism; many persons, particularly Khasees, were assembled to witness so novel a spectacle; and as novelty only seemed to bring them together, I was surprised to observe the decorum with which they conducted themselves. There were no attempts at ridicule; on the contrary, the impressive manner with which Krishna performed the service, appeared to me to have a sensible effect on the multitude, inasmuch as it seemed to compose their minds to the solemnity of the occasion. The Sipahee,

who accompanied Krishna to Pandooa, was a Hindoo of high caste, a rajpoot, yet he was the first converted, and chiefly through his persuasion, his brother and two other Sipahcees, shortly after embraced the same faith.

Beginning 1822 Onwards

After the Governor-General in Council approved of David Scott's recommendation for the creation of a special area to be called North-East Rangpur in which a special officer designated as Civil Commissioner was appointed, by 1822, a special regulation, popularly known as 'Regulation X' was promulgated. The regulation states thus -

There exist in different parts of territories subordinate to the Presidency of Fort William races of people entirely distinct from the ordinary population, and to whose circumstances therefore the system of Government established by the General Regulation is wholly inapplicable. Such were the mountaineers of Bhaugulpore, for the reclaiming of whom to the arts of civilised life special arrangements were made by the Government with the chiefs, sometime for the introduction of the present system. These arrangements still subsist having been incorporated into the Code by the provision of Regulation 1, 1796, under which an entirely distinct system has been established for the administration of justice amongst the inhabitants of that mountainous tract. Savage tribes in some respects similar exist on the North-Eastern Frontier of Rungpore, of which the race denominated Garrows, and occupying the hills called after them are the principal. As yet little has been done to reclaim or civilise these people. The, reciprocal animosity which subsists between them and the inhabitants of the uncultivated country prevents any extensive intercourse of pacific nature; while, on the contrary, their mutual injuries have produced feuds leading frequently to disturbance and bloodshed ... The condition of the Garrow mountaineers, and of the other rude tribes of the frontier, has for sometimes past, attracted much of the attention of the Governor-General-in—Council, and the circumstances which have conduced to check the progress of civilization

among them have been fully investigated and ascertained. With a view, therefore, to promote the desirable object of reclaiming these races to the habits of civilised life, it seems necessary that a special plan for the administration of justice, of a kind adapted to their peculiar customs and prejudices, should be arranged and concerted with the headman, and that the measures should at the same time be taken for forcing them from any dependence on the zamindars of the British provinces...

This is often cited as to have led to laying the foundation of the future pattern of administration of the Tribal areas of north-east Indian that is to be followed by the British. This regulation incidentally shows that the Garos were the dominant race then in these Tribal Areas. From this time onwards a beginning was made of a new form of administration popularly known as the Non-Regulated System. The powers of the Collectors, Magistrates and Judges were centred in the same hands, and an intensely centralised and all powerful executive was constituted for bridging the administration within the reach of the people through simple and personal procedures.⁷⁵

In the year 1823, David Scott was appointed Agent to the Governor General for North East Frontier. David Scott with aims to expand the reach and dominance of the Company immediately began to strategically subdue areas that he considered important for trade. The first that came on his way was with Raja Ram Singh of Jaintia where he forced the signing of a treaty No.LXXIII⁷⁶ where Ram Sing acknowledged allegiance to the company and placed his country under the protection of the British East India Company.

David Scott served the Company in various capacities on the northern and eastern frontiers of the Bengal Presidency from 1804 to 1831. First coming into prominence by his handling of relations with Bhutan, Sikkim, and Tibet during the Nepal war of 1814, Scott was successively concerned with the Garo hills, Khasi and Jaintia hills and the Brahmaputra valley (along with its eastern frontier) as

75 Hansaria.B.L. (1983) Sixth Schedule to the Constitution of India- A Study. Jyoti Printers, Guwahati.

76 C U *op.cit.*, Aitchison Vol I Part II (1892) p.219

Agent to the Governor-General on the North-East Frontier of Bengal and as Commissioner of Assam. His career in India, where he also died in harness in 1831, at the early age of forty-five with Sylhet, was also ruled by a chief of Khasi lineage. "The Khasis possessed quarries which could supply lime for the whole of deltaic Bengal, and were not averse from trade." In the grand mart at Pandua, on the Sylhet border they traded in silk, iron, wax, honey and ivory and employed many Bengalis to keep their account⁷⁷. All these business transactions, however, did not offer any opportunity either to the British government or to the inhabitants of Bengal to know much about the Khasis of the interior hills. The Khasis, as a whole, were known to the British as troublesome marauders, whose raids were a terror to the inhabitants of the plains.¹⁷⁸

The Treaty of Yandaboo, 1826 reached between the British Government and the King of Ava brought the Assam principality of Assam and the states of Cachar and Jaitia within British Territory. The boundaries drawn bring "The Unnoupectoumien or Arrakan Mountains (known in Arakan by the name of the Yeomatuong or Pokhingloun Range) will henceforth form the boundary between the two great Nations on that side."⁷⁹

77 P.R.T. Gurdon, *op. cit.*, pp. XIV-XV

78 p.191 Letter to William Carey by a missionary from Sylhet, 11 May, 1813, M.C.L.R.M., Vol. VI, 1813, pp. 107-108.

79 Treaty Of Yandaboo, 1826 -ARTICLE 2: His Majesty the King of Ava renounces all claims upon, and will abstain from all future interference with, the principality of Assam and its dependencies, and also with the contiguous petty States of Cachar and Jyntia. With regard to Munnipoor it is stipulated, that should Ghumbheer Sing desire to return to that country, he shall be recognised by the King of Ava as Rajah thereof...and ARTICLE 3:To prevent all future disputes respecting the boundary line between the two great Nations, the British Government will retain the conquered Provinces of Arracan, including the four divisions of Arracan, Ramree, Cheduba, and Sandoway and His Majesty the King of Ava cedes all right thereto. The Unnoupectoumien or Arrakan Mountains (known in Arakan by the name of the Yeomatuong or Pokhingloun Range) will henceforth form the boundary between the two great Nations on that side. Any doubts regarding the said line of demarcation will be settled by the Commissioners appointed by the

Pemberton later in 1835 manufactured a very 'negative image' of the Khasis contained in his 'Report on the Eastern Frontiers of British India'. Beginning with a narrative that he probably had heard from among those residing in the plains of Assam and Sylhet he states

Between the state of Jynteeah and the hills on the west, occupied by the Garrows, is a tract of mountain territory inhabited by the Cossyahs, which, until the year 1826, had never been visited by any European, although the fierce tribes who occupied it had at different times descended into the plains both of Assam and Sylhet, and ravaged, with fire and sword, the villages which stretched along the base of this lofty region : night was the time almost invariably chosen for these murderous assaults, when neither sex nor age was spared; and long before the dawn of day the perpetrators, glutted with slaughter, and loaded with plunder, were again far among the fastnesses of their mountains on the way home.⁸⁰

History of the Khasi States: from Independent Himas to Khasi States

The British's sense of civilizational superiority embedded in a colonial attitude was rife through their worldview. Hamilton in 1820 noted about the Khasis that -

Such are the people whom a strange concurrence of circumstances have brought in contact with the British nation, and where the two extremes of civilization in this manner meet, the weakest must eventually succumb. As yet, however, they are an independent people, even the British, as successors to the Moguls, having no claim on their lands, far less any zemindar under that government.⁸¹

respective governments for that purpose, such Commissioners from both powers to be suitable and corresponding rank.

80 Pemberton B.R. (1835) 'Report on the Eastern Frontiers of British India'.pp.221

81 Walter Hamilton, Esq.(1820) A Geographical, Statistical, and Historical Description of Hindostan and the Adjacent Countries. In Two Volumes.

When the British started conquering the states as colonies across the regions of present day North East, they came to the conclusion that Khasis were primitive and unsophisticated, and needed help. The British however made use of existing (Khasi) political structures to insidiously take control over the colonies. The British colonizers began centralizing power in the hands of the chiefs of the native administration. This way they could better accomplish the tasks through these chiefs. Yet with degrees of resistance emerging from the Khasi chiefs to the British's ingenious methods of colonization, the British began introducing contradicting policy upon the Khasi areas. They adopted the British policy of consolidation. All independent Himas were forced into either submission or taking sanads from the British. Through this method the British brought many Hima(s), Raid and villages within British administration. The British government appointed initially a Principal Assistant Commissioner⁸² and later designated the same post as Deputy Commissioner for the Jaintia and British areas and as Political Officer for the Khasi states areas. The subsequent result was the division of the people and areas notably denoted as Khasis such as the Khyntiam, Bhoi, Lyngngam, partly War and the Pnars.

The Deputy Commissioner imposed himself through threat and penalties in matters relating both to Khasi States areas and the British Areas and this was further enhanced when the headquarters of the District were shifted from *Sobra* (Cherrapunji) to Shillong in 1864 which later became the capital of Assam. Nonetheless it is important to take note that with Shillong becoming the headquarters of Assam and one of the hill cum military stations for the British, land became a major issue giving rise to discrepancies and conflicts that persist to this very day. This position of Shillong as a capital also gave rise to the need for more administrative, military and residential space for the British. This process gave rise to multiple intersections and distortions of organic political institutions of the Khasis. Many of these concerning land

London. John Murray, Albemarle Street.,p.762 (Countries Adjacent To Hindostan.pp.740-767)

82 David Syiemlieh (1988) British Administration in Meghalaya: Policy and Pattern. p.84. and Helen Giri: Khasi States under British Rule (1824-1947) p.79.

relationships, politico-administrative structure, demarcations of administrative boundaries, redefinition and distortions of traditional roles and the revenue systems laid out remains a cause of persistent conflict reverberating to this day.

The British had a way with constructing events and history, plus framing words in ways that posits them as moral and sincere in pursuit. They generally conceived anyone who is perceived as a hindrance to their violent and barbaric methods of wealth acquisition as both inferior and uncivilised. Embedded within their imperialist designs is an overt civilising mission that provides them the moral basis for both subjugating and proselytising communities that happen to inhabit the lands they aim to acquire. As a means to this end they often begin with portraying peoples they wish to subdue as primitive and thereby needing to be valiantly fought by violent means.

The Period 1822 to 1835

- 1822 Regulation X passed: Led to the foundation for the pattern of administration of tribal areas of north east India to be followed by the British.
- 1823 David Scott appointed Agent to the Governor General for North East Frontier
- 1824 Treaty concluded between David Scott on the part of the East India Company and Raja Ram Sing of Jaintia (No.LXXIII Aitchison's Treaties) 10th of March 1824. Ram Sing acknowledge allegiance to company and placed his country under the protection of English. In Separate Article of the same treaty concluded between the Honorable Company and Rajah Ram Sing of Jynteah. Rajah Ram Sing engages, that to assist in the War Commenced in Assam between the Honorable Company's Troops and those of the King of Ava, (Sd.) D.Scott, Agent to the Governor-Gerneral. Seal and Signature of Rajah Ram Sing of Jynteah.
- 1826 24 February; Treaty of Yandaboo and the North East Frontier was brought under an Agent. Assam annexed to British territories. David Scott appointed Commissioner of Assam 30 November; No. LXXXIV. Articles of agreement entered into

by Mr. David Scott, agent to the governor-general, on behalf of the honourable company, and Teerut Sing Ashemlee, called the White Rajah, Chief of Nungklow-1826. Similar agreement entered with *Syiem* of Hima Khyrim⁸³

1829 3 September; No. CIV. Translation of an agreement given to the British government by the Wahadadar or Chiefs of Cheyla Poonjee in the year 1829.

10 september; no. Lxxvi. Translation of articles of agreement entered into, in the year 1829, between Dewan Sing, Rajah of Cheera Poonjee, and his ministerial officers and others, and Mr. Davids Scott, Agent to the Governor-General, North-East frontier.

12 September; No.LXXVII. Translation of an Agreement Executed in the year 1829, by Dewan Sing, Rajah of Cherra Poonjee. Plus another Agreement on the same date relating to ceding land in exchange for same quantity in vicinity of Punduah and Company-Gunge, within Sylhet, setting a haut, leases to British Government limestone and a judicial system independent of each other but intersecting when the disputant is Bengalee and Cossayhs (appendix No.4 A In W.J.Allen report on the administration of the Cossyah and Jyntiah Hill Territory

12 October; No. XCI. Translation of a recognisance executed by Oolar Sing, Rajah of Murriow, in the year 1829.

27 October; No.CII. Translation of an agreement executed by Zubber Singh, Rajah of Ramrye, in the year 1829.

12 November; No. CVIII. Translation of an agreement executed in the year 1829 by the Sirdars, elders, and inhabitants of the conquered district of Soopar Poonjee and allied villages.

5 December; No. LXXVIII. Translation of an Agreement executed in the year 1829 by Oojoy, Mon Sing, and other residents of Byrung Poonjee and its dependent villages.

83 This statement about Khyrim was noted in a single line below this same agreement which was published in the year 1892. It is important to state that as per the KHADC, Hima Myllem got its first Syiem in 1853. The historian Hamlet Bareh however notes that it was Hima Shillong that existed in this period till a formal split that took place in 1859 into Hima Khyrim and Hima Myllem.

- 1830 15 January; No. LXXXVIII. Translation of the Articles of Agreement given to the Honourable Company by Bur Manick, Rajah of (Shillong) 'Khyrim', in the year 1830.
- No.LXXIX. Translation of an agreement executed by Soobha Sing, Rajah, and the officers, sirdars and other Cossiahs of Cherra Poonjee in the Year 1830.
- 1831 17 December; No.XCIV. Translation of an Agreement given by Ahdor Sing, Rajah of Mowsunram Poonjee, in the year 1831.
- 1832 21 November; No.CIX. Translation of a recognizance executed by Ooksan Rajah and Ooahnloka, Rajahs of Mullai Poonjee, in the year 1832.
- 11 December; No.XCIX. Translation of a Recognizance executed by Oophar, Rajah of Bhawul Poonjee, in the year 1832.
- 1834 29 March; No.LXXXV. Translation of the Articles of an Agreement furnished to the Governor-General's Agent, North-East Frontier, by Rujjum Sing, Rajah, on his Accession to the Raj of Nungklow, 1834.
- 14 November; William Betnick last Governor-General and First Governor General of India
- 1835 21 January; No. CIII. Translation of an Agreement executed in the year 1835 by Ooahn Sirdar, Ookiang Lungdeo, Ooahn Sirdar, and Oomoi Sirdar of the District of Ramrye.
- 15 March; It was during this period that Hima Jaintia was made a "British Area."
- 1835 New Agency made: Cossayah Hills Political Agency and first political agent is Captain Lister (Full name: Frederick George Lister) who took charge from 11 February 1835 with head quarters in Sohra. Captain Lister was appointed Major on 4 September 1839 and became a Lieutenant Colonel on 30 September 1845. He was Political Agent, Khasi Hills 1835-1854, in addition to commanding Sylhet Local Battalion (31 March 1828 to 18 July 1854). From 12 April 1854 till his death he was 'on leave with sick certificate'. (On 'sick certificate' really meant that he had retired. In retirement he was given the following promotions which did not imply any active service, but probably

meant an increase in pay). Appointed Colonel on 13 April 1855, Major-General on 22 August 1869 and died St Helier, Jersey, 28 February 1870. He was in-charge of the operations against the Khasis in 1829, 1831, 1832 and 1835. He also led an expedition against Lushai Hills in 1850.

- 1835 Captain Lister gave letter to Rajendra Sing from Governor-General that Jaintia Hima is to be taken over by British on 15 March 1835 and the portion of Jaintia close to Sylhet was joined with Sylhet District, Gobha joined with Nowgaon District and remaining portion of Jaintia joined with Cossayah Hills Political agency which constitutes Sohra, Nongkhlaw, Myriaw, Shella, Mawsynram and other CHPA.

By the year 1826 David Scott, Agent to the Governor-General signed an Article of Agreement with *Teerut Sing Ashemlee* (Tirot Sing Syiem) who was also called White Rajah, Chief of Nungkhlow. In the same treaty it was also noted that a similar Agreement was entered into by the Chief of Khyrim⁸⁴. The Treaty No. LXXXIV⁸⁵ purportedly notes that

Rajah Teerut Sing, the Ruler of Nungkhlow and its dependencies, with the advice and consent of his relations, dependent Lushkurs and Sirdars in Council assembled, voluntarily agrees to become subject to the Honourable Company, and places his country under their protection. Further he agrees to give a free passage for Troops through his country to go and to come between Assam and Sylhet, agrees to furnish materials for the construction of a road through his territories, receiving payment for the same, and after its completion to adopt such measures as may be

84 Treaty number not available and no other information nor content copy of the Treaty was available for further verification.

85 No. LXXXIV. Articles Of Agreement Entered Into By Mr. David Scott, Agent To The Governor-General, On Behalf Of The Honourable Company, And Teerut Sing Ashemlee, Called The White Rajah, Chief Of Nungkhlow-1826. Vol.1, Aitchison, C.U (1892) and also No.Viii In Volume 12 Aitchison, C.U (1931). The Treaty Contains Six Articles and was dated *at Gowhatty this 30th November 1826 and Signed by David Scott.*

necessary to keep it in repair.

On the part of the Agent to the Governor-General, he agrees, on behalf of the 'Honourable Company',

to protect the Rajah's country from foreign enemies, and if any other Chief injures him, to enquire into the facts, and if it appear that he has been unjustly attacked, to afford him due support. The Rajah on his part agrees to abide by such decision, and not to hold any intercourse or correspondence on political matters with any foreign Chief without the consent of the British Government.

It seemed the Rajah agrees that, in the event of the Honourable Company carrying on hostilities with any other power; he will serve with all his followers as far to the eastward as Kulliabar in Assam, his men being entitled to receive subsistence money from the British Government when employed on the Plains. Also as with many of the British Sannads, the Rajah promises to rule his subjects according to laws of his country, keeping them pleased and contented, and carrying on the public business according to ancient custom, without the interference of the British Government; but if any person should commit violence in the Honourable Company's Territory, and take refuge in the Rajah's country, he agrees to seize and deliver them up.

In the above note the Chief of Nongkhlaw was styled the "Rajah of Burdewar" which by implication recognised Borduar as a part of Nongkhlaw State. But later on with intentions of establishing communications with Sylhet through the hills, David Scott strategically offered to Tirot Singh, to rent some lands in Borduar, hoping to induce him and also showcase to the other Siems of his genuiness and magnanimity, while all the time hoping to clinch the deal that will permit him to build a road through the hills via 'Cherrapunji, Maoflang and Nongkhlaw, to Guahati'.

After the agreement on the 30 November 1826, David Scott, then Agent of the Governor-General set up headquarters at Nongkhlaw village. Hima Nongkhlaw also known as Hima Khadsawphra, meaning fourteen-eight illustrating the fourteen and eight areas inside the hima. Fourteen, as traditions reveals, implies the original fourteen villages of Nongkhlaw, while eight represents the eight

units in Shella which join Hima Nongkhlaw. The Syiem's household is called Syiem-lieh (White Syiems) to distinguish it from Syiem-Iong (Black Syiems) of Nongspung. The origin of the Nongkhlaw Syiemship is stated to have its roots in Jaintia Hills⁸⁶. The Nongkhlaw Syiemship was over time the most extensive among the other contemporary western States. At first the eight Lyngdohs formed the conspicuous representative clans in the Nongkhlaw assembly. One tradition states that when the eight Lyngdoh clans left Nongkhlaw for Shella, a change in the composition of the State

86 Hamlet Bareh relates two stories about the origin of Hima Nongkhlaw. One story relating the Syiem-Lieh family is described as follows-the Khasi hunters from the western uplands came eastwards to Jaintia Hills in course of hunting expedition. When night fell, they accidentally got into the house of an old woman where they proposed to spend the night. The woman had adopted two attractive girls who were not produced for fear of her guest falling in love but were kept hidden in the roof above the kitchen. The strangers were given the shlor or middle room to sleep in. At the dead of the night, the strangers stole into the kitchen on hearing some strange human voices and found the beautiful ladies; the strangers hurried away taking them to their land. The fair maidens were anointed as legitimate rulers of the newly emerging kingdom. Another story indicates that the founders of the syiemlieh syiemship were fugitives who fled from Madur Maskut during the Jowai atrocities. But it is more reliably stated that the founder of the Syiemship were two fugitives, U Shahjer and his sister Ka Shaphlong who came from Jaintia Hills. Certain conditions made them insecure at home, the reason that led to their vacation of their birth-place. They proceeded northward, along the banks of the Kupli (Kapili) river and then crossed westward as far west as Bardwar through the Nowgong, Beltola and Desh Ranee plains. Halting at Bardwar they met an Ahom land owner, U Don Ahom, who gave them lands. But he soon withdrew his promise, the fugitive therefore ascended the hills and came in contact with eight Lyngdohs of Nongkhlaw who on having learnt about the royal background of Shahler, at once declared the formation of the Nongkhlaw hima and the inheritance to the Syiemship was declared legitimate to Ka Shahphlong's offspring. The eight Lyngdoh clans originally came from Jaintia Hills in anterior times and were afterwards followed by U Shahjer and his sister who came via the route passed by them. I Shahjer became the first Syiem of the Territory.

Cabinet was inevitable, leaving the cabinet to five representatives of clans who stayed at the headquarters.

Things started off well but soon after people of Nongkhlaw found the superior and domineering attitude and the gross behaviours of the British soldiers and Khalasis intolerable⁸⁷. Rumours also went floating around that the British were planning to take over the country. On 4 April 1829, Tirot Sing's men attacked the British forces. In the fighting two British officers Lieutenants Bedingfield and Burlton with sixty natives and Bowman⁸⁸, a British clerk attached to Burlton was killed. David Scott somehow got wind of the plot and fled on horseback towards Cherrapunji. A band of trackers were sent after him but by throwing back showers of silver coins he was able to reach the village of Cherrapunji safely. He was granted sanctuary by the Chief of Cherra who hid him in the gorge of Rangpunpa⁸⁹. The story goes that when Scott reached the Chief's house he was seated on "u thlong" (the Khasi rice mortar), hence the other story that he was hidden inside a 'thlong'.⁹⁰

The year 1829 was a landmark in Anglo-Khasi relations. Shella (Cheyla Poonjee) Sohra (Cheera Poonjee) Myriaw (Murriow) Rambrai (Ranrye) Soopar Poonjee and Byrung Poonjee were forced into negotiations with the British East India Company. Shylla was brought in 1829 by Treaty No.CIV⁹¹. In a letter addressed to the Honourable Company in the form of a written Agreement, Mishnee, Bursing, Soomen, and Ooksen, Wahadadars of Cheyle Poonjee, and other villages, all twelve in number, stated

87 Roy Jeebon Roy, Ka Ri Khasi bad Synteng, 1899

88 Ka Jingshisha, Aug & Sep 1925, Vol 1 Nos 5 & 6, pp.34

89 Roy, Sibcharan, Unpublished Notes

90 Roy Jeebon Roy, Ka Ri Khasi bad Synteng, 1899

91 No. CIV. Translation Of An Agreement Given To The British Government By The Wahadadar Or Chiefs Of Cheyla Poonjee in the Year 1829. Vol., Aitchison, C.U (1892) and also No.Ix in Vol.12 Aitchinson, C.U (1931) Treaty Dated The 3rd September, 1829 Corresponding With The 19th Of Bhadro 1236 B.S, Containing Five Agreements Written by the Wahadadar Of Cheyla Poonjee to the British Government Signed by Mishnee Wahadadar, Bursing Wahadadar, Soomen and Ooksen Wahadadars all residents of Cheyla Poonjee.

that whereas a disturbance or battle took place in the Hills, and we did not join with the Government or make our appearance, in consequence of which troops were sent to our villages; they now come forward and give this Agreement to abide by five following stipulations.

They first admitted that having committed these faults, then agree to pay by instalments to the Government, amongst their twelve villages, a fine of Rupees 4,000 for the payment of which sum the four undersigned persons are responsible. Further,

that from the limestone situated on the banks of the Bogah River in their territory, they agreed to allow the Government always to remove gratis, as much as they require, in any locality selected by their officers, but it is not to be taken from any other place.” Also that “should any persons concerned in any acts in Zillah Sylhet or other places come and take shelter with them, they will immediately deliver them up on their being called for by the Zillah Courts.

They went on to promise not to dispute or make war with the 'Honourable Company', or with any of the Rajahs who are in confederacy with the Government. Finally they stated that “if any quarrels should arise between them and the Rajahs alluded to, the Government is to investigate and settle them, and to this effect they had executed this Agreement.”

Shella Syiemship later known as Wahadadarship, was originally a name in the heart of Shillong Syiemship. Due to internal feuds they left the hills and opted to inhabit the southern place now called Shella.⁹² The inhabitants of Shella developed close trade relations

92 One story states that “U Synrem Basan who was removed from the Khyrim council, U Khrang and U Ben fled Khyrim and went to inhabit Shella. Another story sourced the beginning of Shella to the eight Lyngdoh-clans of Nongkhlaw who came to occupy Shella by invasion and ruled the place with allegiance to the Nongkhlaw Syiems. Nonetheless it is stated that they kept their connection with Khyrim over the years. Over the years after Sothanda clan who oversaw the region died out a substitute in what was recorded as a Bengalee Hindu by the name of Ganga Singh was brought from the plains and made Syiem.

with inhabitants of Sylhet that in later years came within the ambit of the East India Company. However stories of aggression and destruction between the Khasi inhabitants and the Bengalee inhabitants that later pitch the Khasis against the British is abound.⁹³ As we have noted earlier in the chapter, at about 1779, Lindsay had leased a portion of lime-stone quarries from the Khasis from which Lindsay made great wealth. Shella at this time had three colonies; Stingnagar (after U Sting), Kontargoa (after U Kynta) and Shargoa (after Shella). These places are situated very close to the Sylhet plains, and their names were originally Khasi. We learn that Ganga plundered the market at Ishamati and committed a massacre in the winter of 1783. Panduah was garrisoned but it was again raided. The Sirdars in-charge of 137 villages in the Sylhet District kept causing troubles to the East India Company in Sylhet. Further raids continued upon the neighbouring areas causing 'the loss of three hundred lives in 1787'. Interestingly in 1792 it was reported that "These lands were either forcibly seized by the Csseahs or obtained by operating upon the fears of the original proprietors, at a very inadequate price, and while in possession of the Cosseahs, no revenue was paid to the Government or to the real proprietors when the lands were cultivated."⁹⁴ In 1795 another raid was affected.

Hamlet Bareh reports that the name Ganga Singh, a Bengalee-Cosseah is preserved in the earliest archives of the East India Company.

93 Board of Revenue, No.33, Sl.No.2 of 1789: Willes reported in 1789 that "In the latter place, Ganga Singh a person who styles himself Raja resides, and who within these few weeks, committed a most cruel massacre on the whole family of Buroo Chowdree in revenge of a dispute between the father and himself many years since. Ganaga Singh also in conjunction with the Zamindars of Dewallah, acts in open hostility against the Company, plundering and seizing every person and boat passing up and down the Surmah. Ganga Singh is a Bengalee Cosseah possessing territory in the hills, and also holds many purganahs of the lowlands, formerly subject during Mogul Government to Sylhet...he also rents many villages from the dependent Zamindars of Sylhet- the practice of letting and selling lands to Cosseahs had been adopted by many of Sylhet Zamindars, and extremely injurious to Company's interest. Also quoted in Hamlet Bareh"

94 File No. 55, Sl.No. 4 of 1792 (Board of Revenue)

Ganga Singh was later murdered by the people of Shella. A tradition points out that one of his followers insulted a Khasi Chief of Shella. Another story is told that one of Ganga's men insulted a Khasi chief by burning his beard in the market. That Khasi chief belonged to the Ropmai family. Ganga further eroded the usage for acquiring personal powers which was forbidden by the democratic constitutional set-up. Ganga Singh was finally executed under the order of the Ropmai clan. The people established a kind of Republic entrusting executive action to four executive heads styled the Wahadadars. They were headmen elected from the public by the entire adult population of the whole Shella Wahadadarship. This institution still stands till today.

The Hima of Sohra was also brought into the British framework in 1829 by treaty No.LXXVI.⁹⁵ In the Treaty it was noted that the Rajah having lost his eye-sight, Soobha Singh, Rajah, has put his mark hereto on the part of Dewan Sing, Rajah and addressed to the Company as written Agreement of Dewan Singh, Rajah, and the Ministerial (No 5. Presented at Cherra Poonjee on the 12 September 1829) Officers and other Cossiahs residing at Cherra Poonjee, executed in the present English year 1829 to the following purport that they acknowledge their subjection to the Honourable Company with the object of having their country protected, and thus enter into this Deed of Agreement to the effect that they hereby place their territory under the protection of the Honourable Company. To this extent they are to conduct the affairs of their country in concert with the Ministerial Officers according to former usages and customs, keeping the people pleased and contented, and to have no concern in such matters with any of the Honourable

95 No. LXXVI. Translation Of Articles Of Agreement Entered Into, In The Year 1829, Between Dewan Sing, Rajah Of Cheera Poonjee, And His Ministerial Officers and Others, and Mr. Davids Scott, Agent To The Governor-General, North-East Frontier. Vol.1, Aitchinson, C.U (1892) and also No.X in Vol.12 of Aitchison, C.U (1931) entered into, *Dated the 10th September*, in the year 1829, Between Dewan Sing, Rajah Of Cheera Poonjee, and his Ministerial Officers and others, and Mr. Davids Scott, Agent To The Governor-General, North-East Frontier. (True Copy from The Original.) (Sd.) Rajkissur Mozimdar (Sd.) W. Cracroft, A. A. G. G Had Three Agreements.

Company's Courts; but should any person, who has committed any wrongful act in the Government territories, come to their country, they will, on demand, immediately apprehend him and deliver him up. Further, if they should have any disputes with the Rajahs of other countries which it may be deemed proper to investigate, they will abide by and submit to any judgment that may be given on the part of the Government, and they will not enter into any quarrels with the Rajahs of other countries without the permission of the Honourable Company. Also if there should be any hostilities in the Hills with the Honourable Company, they will immediately proceed there with their forces, and render assistance to the Government.

At the end of the Treaty it was further noted that Mr. David Scott, Agent to the Governor-General, hereby promises that your territory will be properly protected on the part of the Government if you act according to the aforesaid conditions; and if any quarrels should arise between you and the Rajahs of other countries, they will be disposed of and settled, and you will receive a fitting reward for the services referred to. To which purport this Agreement is executed by both parties.

Again by another Agreement No. LXXVII⁹⁶ in 12 September, 1829 addressed to Mr. David Scott, Agent to the Governor-General, Dewan Sing, Rajah of Cherra Poonjee agreed that some land having been required of him for erecting Government edifices and for gentlemen to build houses on, he voluntarily cede this land. To this effect he agreed for the erection of these buildings, etc., and thus gave up some land in a place to the east of Cherra Poonjee, bounded on one side by the dell or below the rest of the valley, and on the other by the Seit Oodoi river, where bamboos have been put upon the part of Government; and if more land is required he

96 No.LXXVII. Translation Of An Agreement Executed In The Year 1829, By Dewan Sing, Rajah Of Cherra Poonjee. Vol.1, Aitchison, C.U (1892) and also No.Xi In Vol. 12, Aitchison, C.U (1931) Translation of an Agreement Executed in the Year 1829, by Dewan Sing, Rajah Of Cherra Poonjee, Containing Five Points *dated the 10th September, 1829*. The Rajah Having Lost His Eye-Sight, Soobha Sing, Rajah, Has Put His Mark Hereto On The Part Of Dewan Sing, Rajah. (True Copy from The Original.) (Sd.) Rukissub Mozimdar. No. 6. Presented at Cherra Poonjee on the 12th September 1829.

noted, it will be furnished to the east of that spot; but in exchange for as much land as he may give up altogether in my territory, he was to receive an equal quantity of land in the vicinity of Punduah and Companygunge, within the boundary of Zillah Sylhet. Further he was to establish a haut in Mouzah Burryaile, on a spot of ground that he has purchased, pertaining to the aforesaid zillah, and he is always to manage the haut and to make investigations there according to the customs of his country; and in such matters he is to have nothing to do with the Honourable Company's courts. This place is moreover to be transferred from the aforesaid zillah, and made over, as a rent-free grant, to his Cossiah territory; and if any person who has committed a wrongful act in the Government territories should come and stay on this Land belonging to him, he will apprehend him and deliver him up on demand. Also wherever limestone may be found on the Cherra Poonjee Hills in his territory, he will allow the Government to take it gratis when required for their own use. He further reiterated that if any quarrels and disturbances should take place between Bengalee themselves, it will be necessary for the British to investigate them, and he was to investigate disputes occurring between Cossiahs. Besides which, if any dispute should occur between a Bengalee and a Cossiah, it is to be tried in concert by him and a gentleman on the part of the Honorable Company. This was signed by W. Cracroft.

Lying to the west of Hima Sohra, the Hima Murriow was brought in by treaty No.XCI.⁹⁷ On 12 October, 1829 executed by Oolar Sing, Rajah of Murriow. Addressed to David Scott, Esquire, Agent to the Governor-General, Oolar Sing, Rajah of Murriow, noted that he formerly conspired against the Honourable Company's people and made war with them. He now come forward for his own good and give this recognisance, to the effect that he will not again enter into such a conspiracy or quarrel, or make war with the people on the part of the Government, and that if he do so, he shall be liable to such punishment as is usually inflicted on riotous persons. To

97 No. XCI. Translation Of A Recognisance Executed By Oolar Sing, Rajah of Murriow, in the year 1829. Vol.1, Aitchison, C.U (1892) and also No.Xii in Vol. 12. Aitchison, C.U (1931) Translation of a Recognisance executed by Oolar Sing, Rajah of Murriow, in the Year 1829.

this effect he agreed that his country now remains under the control of the Government, and he will keep the people contented, and conduct the Cossiah affairs in the usual way and he will investigate such cases as take place in his country according to its established customs; but if any heinous crimes, such as murders, etc, should occur, he will give the company information of them, and he will obey and act in other matters according as the Company may order him to do. This was witnessed by Ram Sing Dubashia, Resident of Cherra Poonjee and Dewan Sing Dubashia.

Hima Rambrai was brought in by treaty No.CII⁹⁸ executed on 27 October, 1829 by Zubber Singh, Rajah of Ramrye, in the year 1829, Rajah of the country of Pautam. Filed at Nungklow on the 21 of October 1829, the written Agreement of Zubber Singh, Rajah of the territory of Ramrye, executed in the English year 1829, to the following: That he and his subordinate officers and all his people, acknowledging their dependence and subjection to the Honourable Company, promise to obey and act agreeably to such orders as may, from time to time, be passed regarding their country. The agreement further goes on to state that their country having been invaded and taken possession of by the Government troops, in consequence of their people having quarrelled with those of the Government, Zubber Singh promise to realize from his Hill subjects all the expenses that have been incurred thereon. Further he will investigate and decide all petty cases occurring in his country agreeably to custom with Punchayets; but he will report all cases of murder that may take place; and when the culprits shall have been apprehended and given up, they will be tried by the laws that are current in the hills, also added that he will not oppress or wrong my people, and will keep them satisfied and contented. He further mentions that he and his subordinates will never fight or quarrel with the Honourable Company, and, if they do so, they shall be punished according to the regulations like other refractory persons.

98 No.CII. Translation of An Agreement Executed By Zubber Singh, Rajah of Ramrye, in the year 1829. Vol.1, Aitchison, C.U (1892) and also No.XIII in Vol. 12. Aitchison, C.U (1931). Agreed on 6 Points. To Which Effect I Have Executed This Agreement, dated this 27 of October of the Present Year. I Have Filed a Separate List of the Expenses That I Will Pay. (Sd.) W. Cracroft, A.A.G. G

Also he will appoint and remove the Lungdeos of his country with the company's approval and consent, and will act in all matters after consulting with the people and whenever any hostilities may occur between the Hill people and the Government, he will assist the Government with his troops.

Soopar Poonjee was brought in by Treaty No.CVIII⁹⁹ written by (Sd.) Oomit Khye, of Soopar Poonjee, Oohn Khye, of Nongrong and Oodoor Cossiah of Noskin addressed to MR. David Scott, No.16. Filed at Gowhatty on the 12 November 1829. This agreement of the Sirdars, Elders, and Inhabitants of Soopar Poonjee, Nongrong Poonjee, and Noskin Poonjee, executed in the year 1829 stated that the people of their villages having entered into hostilities with and killed the subjects of the Honourable Company, their villages have been taken possession of by the Government. The signatories, therefore, having now attended at Moosmai Poonjee, enter into this Agreement, for themselves and all the people of the aforesaid villages, to the effect that they acknowledge their submission to the Honourable Company as being their people, and they agree to obey all orders that may at any time be given regarding them. Secondly, the inhabitants of their above-mentioned three villages having wantonly made war with and killed the subjects of the Government, they, instead of paying a fine in money, instead propose to divide with the Government one-half of all the limestone, good, bad, and indifferent, in their aforementioned three villages. They are to have half, and they give half to the Government, and to this effect they have executed this Agreement on the 29 day of October 1829.

Finally Byrung Poonjee was brought in by treaty No.LXXVIII.¹⁰⁰

99 No. CVIII. Translation of an Agreement Executed in the Year 1829 by the Sirdars, Elders, And Inhabitants of The Conquered District Of Soopar Poonjee And Allied Villages. Vol.1, Aitchison, C.U (1892) and also No.Xiv in Vol. 12, Aitchison, C.U (1931).Translation of an Agreement Executed in the Year 1829 by the Sirdars, Elders, and Inhabitants of the Conquered District of Soopar Poonjee and Allied Villages. Witnessed by- Soomer Giri, Resident of Cherra Poonjee. Ram Doloie, Lallsing Giri. (Sd.) W. Cracroft, A. A. G. G.

100 No. LXXVIII. Translation of an Agreement Executed in the year 1829 by Oojoy, Mon Sing, and other Residents of Byrung Poonjee and its

Addressed to The Honourable Company; No 17. Filed at Gowhatty, 5 December 1829, the written Agreement of Oojoy and Mon Sing, residents of Byrung Poonjee, Jeerkha and Ram Sing, residents of Oomtheelay Poonjee, and Kollaprai and Ramrai, resident of Eamdah Poonjee, stated that they have no faith in the Cossiah Mountaineers, who have taken up arms against the Government, and having therefore joined the Honourable Company, enter into this Agreement to this effect. First, that they have not made war with the Government, nor will they ever enter into hostilities with the people on the part of the Honourable Company, and they will apprehend and deliver up any Coesiahs who have absconded, and regarding whom proclamations have been issued, if they should come into our territory. Secondly, that if they should find any proclaimed persons who have absconded, and fail to apprehend and deliver them up, or conceal them, and this should be proved, they will make no objection to their villages being burnt. We further state that we will obey the orders of Dewan Sing, Rajah of Cherra Poonjee, and will never do anything without his sanction.

As we enter the year 1830 we begin to see British colonialism spreading into newer areas that were once out of the hima the British considered important for their trade. The first agreement signed was with Bur Manick, Rajah of (Shillong) Khyrim. Through the agreement No.LXXXVIII¹⁰¹ Bur Manick admitted as he addressed David Scott that 'My country having been taken possession of by the Honourable Company in consequence of my having made war with them, and thereby caused considerable

Dependent Villages. Vol.1, Aitchison, C.U (1892) and also No.XV in Vol. 12, Aitchison, C.U (1931). Translation of an Agreement Executed in the Year 1829 by Oojoy, Mon Sing, and other Residents of Byrung Poonjee and its Dependent Villages. (Sd.) Oojoy Cossiah. Mon Sing, Jeerkha Cossiah, Ram Sing, Konrai And Ramrai.(Sd.) W. Cracroft, A. A. G. G. (November Seemingly, Judging From The Year Mentioned).

- 101 No. LXXXVIII. Translation of the Articles of Agreement Given to the Honourable Company by Bur Manick, Rajah of Khyrim, in the Year 1830. Vol.1, Aitchison, C.U (1892) and also No. XVI In Vol.12 In The Year 1830 Aitchison, C.U (1931). Seven Key Points were agreed upon with David Scott *Executed on 15th Day of January 1830.*

losses, I now come forward, and placing myself under the protection of the Honourable Company, and acknowledging my submission to them, agree to the following terms as sanctioned by the Presidency authorities.' These points are that he cedes to the Honourable Company the lands he formerly held on the south and east of the Oomeeam River, and he promise not to interfere with the people residing on those lands without the orders of the Agent to the Governor-General. He also consented to hold the remaining portion of the territory agreeably to the sunnud of the Honourable Company as their dependants, and to conduct its affairs according to ancient customs; but he is not at liberty to pass orders in any murder case without the permission of the Governor-General's Agent, and will have to report to him any case of this kind that may occur. Further he agreed that when any of the Honourable Company's Troops pass through his territory, he will furnish them with such provisions as the country produces, so that they may not be put to any inconvenience, receiving payment for these supplies from Government; and he will construct bridges, etc., when ordered to do so, and he is to be paid for the expenses- incurred thereon. Also in case of any Hill Chieftains making war with the Honourable Company, he will join the Government Troops with the fighting men of his country; however they are to receive subsistence from the Government for the same. In the light of the above he now relinquishes his former claim regarding the boundary of Desh Doomorooah, and agrees to the Afdee Nuddee being the future boundary. He is, however, to be assigned some land near the Sonapore Market for the purpose of trading there, agreeing to pay a fine of 5,000 Rupees to the Honourable Company on account of the expenses now and previously incurred by them in the subjugation of his country. Further it is important to note that there was a special mention of Teerut Sing in the agreement when he stated in point seven 'If Teerut Sing, Rajah, who is inimical to the Honourable Company, or any other of his guilty followers, should enter his territory, he will immediately apprehend them and deliver them up, and he promised to produce all criminals who may come and take refuge in his country from any place in the Honourable Company's dominions.'

In an agreement signed between Soobha Sing, Syiem of Hima Sohra and his Myntris with the East India Company represented by T. C.

Robertson, Agent to the Governor-General as per Treaty No. LXXIX,¹⁰² 1830, purport to 'whereas the locality ceded by Dewan Sing, Rajah, during his lifetime, to the Honourable Company, under an Agreement he furnished for the purpose of erecting buildings on for gentlemen and convalescent persons, is now insufficient for that object in consequence of a great number of Government subjects having resorted to the place; we therefore, in compliance with the request of Mr. David Scott, Agent to the Governor-General, cede to the Government, agreeably to the terms of the previous Agreement furnished by the late Rajah, the land lying to the south-east of that place, extending up to the valley and river as specified in the said Agreement, and give this Agreement to the effect that we will abide by, and act in accordance to, the conditions specified in the late Rajah's Agreement.'

David Scott died at Cherrapunji on the 20 August 1831 at the age of 45 years and 3 months. Close to Hima Sohra was Hima Mawsynram. Its Syiem, Abdor Sing was forced to sign Treaty No.XCIV¹⁰³ on 17 December, 1831. Addressed to the Agent to the Governor-General, North East Frontier, Abdor Syiem submitted that his village having been burnt down on the part of the British Government, and being now a waste, he hereby acknowledges his submission to the Government with the object of again settling on the spot, to the effect that he and his people will re-build and re-occupy the village as subjects of the Government, and will obey such orders as the government may, from time to time, issue to them. Further he will take measures for apprehending the enemies of the Government if he should hear of their being in his village or its vicinity, and he will also convey immediate information of the same to Captain Townshend, and if he has no particular news to communicate, he will merely wait on him every month. If violation

102 No.LXXIX. Translation of an Agreement Executed by Soobha Sing, Rajah, and the Officers, Sirdars and other Cossiahs of Cherra Poonjee in the Year 1830. Vol.1, Aitchison, C.U (1892) and also No.XVII in Vol. 12 Aitchison, C.U (1931) (Sd.) Soobha Sing, Rajah, and *Others of the 12 Tribes, Sirdars Cossiahs of Cherra Poonjee*

103 No.XCIV. Translation of an Agreement given by Ahdor Sing, Rajah of Mowsunram Poonjee, in the year 1831. Vol.1, Aitchison, C.U (1892) and also No. XVIII in Vol. 12 Aitchison, C.U (1931).

of the agreement occurs, he will, without any demur, abide by whatever orders the government may think proper to pass.

By 1832 a Recognizance Agreement No.CIX¹⁰⁴ was signed between Ooksen Rajah and Ooahnloka, Rajahs of Mullai Poonjee on 21 of November. Addressed to the Agent to the Governor-General Ooksen Rajah and Ooahnloka Rajah, residents of Mullai Poonjee, having appeared before Harry Inglis, on the banks of the Jadookata River, forced probably to write through, 'our own accord and free-will' execute agreed to that if any Cossiah is kill, or otherwise harm or injure and any of the Honourable Company's people within the Dholai River on the west, and the Khagoorah Churrah on the east, they will immediately produce the guilty persons and make reparation for the losses sustained. They also promised not to give shelter, assistance, or provisions to the enemies of the Honourable Company, and if they should obtain any information regarding them, they will send notice of the same to the Government Officers through the Dooahradars. Further they agreed that, they will not allow the enemies of the Government to come to their bazar of Nokhoreeah Burtikrah when it is reopened and that whenever they are summoned by the Gentlemen, they will present themselves as soon as they receive the written order to attend, and if they infringe these terms they will abide by any orders that may be passed by the Gentlemen (here referring to the government representative). The witnesses were Mahomed Anzor, resident of Mouzah Noigong, Pergunnah Mahram, Bobaraie, resident of Pergunnah Borakheeah, Mouzak Mookeergong and Bottai Dubashia, resident of Pergunnah Chorgong.

The Hima Bhowal located in the border region with present day Bangladesh were forced to sign a recognizance agreement No. XCIX.¹⁰⁵ In the year 1832 dated the 11 December 1832 Oophar,

104 No.CIX. Translation of a Recognizance Executed by Ooksen Rajah and Ooahnloka, Rajahs of Mullai Poonjee, in the year 1832. Vol.1, Aitchison, C.U (1892) and also No. Xix in Vol. 12 Aitchison, C.U (1931).

105 No.XCIX. Translation of a Recognizance Executed by Oophar, Rajah of Bhawul Poonjee, in the year 1832. Vol.1, Aitchison, C.U (1892) and also No.XX in Vol. 12. Aitchison, C.U (1931).Witnessed by-Goopeeram, Resident at present at Chattarkonah, Askur Mahomed,

Rajah of Bhawul Poonjee having been forced to commit in his “own free-will and accord, and without any compulsion” before Captain Townshend, at Cherra Poonjee that if the Cossiahs should kill, or in any way harm or injure any of the Honourable Company's people within the boundaries of the Ooahn Churrah or Hatee Khodda on the west, and the Dhoolai Nuddee or the west bank of the Dongdongiah on the east, he will immediately produce the guilty persons and make reparation for the losses sustained. Also that he will not give any shelter, assistance, or provisions to the enemies of the Honourable Company, and whenever he may receive any news regarding them, he will send information thereof to the Government people through the Dooahradars. Further he promised not to allow any of the Honourable Company's enemies to come to his Ahrung of Seemai when it is reopened and that whenever he may be called for by the Gentlemen, he will attend immediately on receipt of the written order to do so, and if he acts contrary to stipulations as agreed, he will submit to any orders the Gentlemen may choose to pass.

After the death of David Scott in the year 1831, it was decided to end the first Anglo-Khasi war and to speak of reconciliation. The representatives of the British East India Company came from Shilot through the Umniuh region and U Tirot Sing proceeded to Lyngkyrdem. U Singmanik II who was the 'Syiem Khynnah' of Hima Shyllong who looks after Raid Khadar Blang organised the reconciliation meeting in the clan house in Lyngkyrdem on 23 August, 1832. Much before the meeting U Tirot Sing was vehement that we cannot no matter what the pressure, to allow the making of the road through Khasi territory as long as representatives of the East India Company did not agree to his terms.

Throughout this period till 1833, the British were waged battles with the Tirot Sing, the Syiem of Hima Nongkhlaw. Tirot Sing was known as valiant, mature in thinking and never to run away from battle. He took over the reins of Syiem of Hima Nongkhlaw in the year 1814 A.D when he was supposedly about 14 to 15 years old

Resident of Pergunnah, Mahram, Mouzah Noiegong, Rohoomot Dooahradar, Resident of Ghaseegong, Ramjan Dooahradar, Resident of Pergunnah Mahram, Mouzah Kandeegong, Robaie Dooahradar, Resident of Chorgong.

and began operating as Syiem after he was sixteen years.

It is stated that the people from the British East India Company tried various means to plead and convince U Tirot Sing to take over the reigns of Syiem again. They made a number of offerings to him to occupy the mantle under their supervision. However Tirot Sing did not give in. He is known to have responded that 'It is better to sit in prison like a Syiem rather than rule his Hima like a slave'. This saying of Tirot Sing reverberates till today among his people.

This response of Tirot Sing probably blunted the strategies of the British while at the same time having an electrifying effect on the people. In contemporary times, many elderly people use to refer to this statement of Tirot Sing to persist in struggle against domination. The Hynniew Trep peoples often point out 'ka thma ka ktein'. Translated literally 'a war a word'. If the word is misplaced a battle begins and with words we end the battle.

Clan heads of Hima Nongkhlaw who stood by Tirot Sing till the end was U Jidor Sing, U Mon Sing and U Jitrai. Much time the British attempted to bribe them but could not succeed. T.C.Robertson was the agent of the Governor General of India as one who followed David Scott began to engage again with Singmanik II in search of peace. He promised that he will see to it that they will not touch or even kill U Tirot Sing.

On the 19 September 1832, Captain Lister and Lt.Rutherford with a party were deputed to Nongkrem to initiate negotiations for ending the war. On the 23 an interview took place with Tirot Sing at the residence of Sing Manik. But Tirot Sing was implacable. His terms were the withdrawal of the British from his state, the abandonment of the British road project and that he and his people be left in peace.

The second meeting was held on 20 October 1832. This time it was the clan heads that went forward to meet the British. U Tirot Sing himself did not attend the meeting. It was heard that the meeting had miserably failed. The British had proposed that they will appoint and recognised as Syiem- U Jidor Sing on the 26 of October 1832¹⁰⁶ if the clan chiefs were able to make Tirot Sing

106 Ka Pyrta U Riewlum Vol.V No.11 dated March 27, 1961.

accept to worship the British and to pay revenue (Khajna) every year to them. However Jidor Sing rejected the offer. It is known that I Jidor Sing did want to be Syiem of Hima Nongkhlaw and he was the uncle of Tirot Sing. However Jidor Sing could not betray and felt below his dignity to consent to such a proposal to accept what is not his rightful claim. It needs to be noted that it was Jidor Sing and his wife - Ka Tulamai who was the single rightful niece of U Bormanik II, and who had also kept food going to Tirot Sing and his fellow fighters who stayed for years in Sangmein in the caves of Lum Shyllong. Before this Tirot Sing was hiding for some time in the caves ahead of Umthlu or Nongkhla near Ram Nongsai in the same place where Jat Kiri in earlier times towards west of Kyrdem Kulai.

When the British realised that they could not submit Tirot Sing, they imposed a strict rule that the Khasis could not go to the markets in the place of dkhar.¹⁰⁷ Tirot Sing came to know about this decision and immediately left Sangmein to go speak with the British. The people of the East India Company under Captain Lister held him captive and immediately transported him to Dacca through Chatak and Sohra.

The British then resorted to bribery. On the 25 October 1832 Jidor Sing, a relative of Tirot Sing was offered the Chiefship of Nongkhlaw if he could bring about the surrender of Tirot Sing. "Large as was the prize at stake, Jeedur Sing steadily refused to purchase it by the surrender of Teerut"...On the following day, a second conference was held where Jidor sing was assured protection, if he accepted Mawmluh and its dependencies, on a tribute of Rupees 1,500 annually. He was given a period of ten days to consider the proposal. The "negotiations did not materialise."¹⁰⁸

When Jidor moved out of the picture negotiations started again with Jit Roy, one of Tirot Sing's myntris, who had earlier with Man sing evinced inclination of being weaned over. On the 9 of January 1833, Jit Roy met Inglis at the Military post of Umshillong, where a meeting with Tirot sing was fixed for the 13 January 1833 at

107 Non Khasis and over the years began to be used to refer to plains people.

108 Pemberton's Report

“Nursingaree” a mile east of Umshillong. (The place named is most probably Rangkyndur, a spot very near to Umshillong stream below Shillong Peak). Tirot Sing came to the meeting place with his followers on the day appointed but he was taken prisoner. His captors rushed him away to Mairang where they arrived in the 14 and on the 15 he was taken down to Gauhati and from there to Dacca jail where he was kept a prisoner for life till his death after nearly seven years since imprisonment.

The British East India Company appointed U Rujjum Sing, the nephew of U Tirot Sing as Syiem of Hima Nongkhlaw from the 29 of March 1834, as noted in Treaty No.LXXXV.¹⁰⁹ Addressed to Captain Francis Jenkins, Agent to the Governor-General, North-East Frontier, on the part of the Honourable Company, he noted that “the Government having appointed me to the Raj of the late Teerut Sing Rajah, I hereby execute the Articles of Agreement as detailed below, and promise never to act in violation of them, and that my Muntrees will also abide by the terms thereof.” First that he have no objection to land being taken up by the Honourable Company for the purpose of making a road in any direction chosen between Zillah Sylhet and the Plains of lowlands of Assam. Second, that he has no objection to bridges, bungalows of sorts, storerooms, fortifications, and stockades for sepoy being built for the Honourable Company wherever it may be deemed expedient to select sites for them. Third, that he and his Muntrees will furnish labourers and workmen for building and repairing the above-mentioned roads, buildings, & c, without objection, whenever they may be required. Fourth - that whenever it may be considered expedient to erect any buildings within the country consigned to

109 No.LXXXV. Translation of the Articles of an Agreement Furnished to the Governor-General's Agent, North-East Frontier, by Rujjum Sing, Rajah, on his Accession to the Raj of Nungklow on, the 29th of March 1834. Vol.1, Aitchison, C.U (1892) and also No.XXII in Vol. 12. Aitchison, C.U (1931). Witnesses were the Nominated Muntrees to the Rajah Rai Mon and Oojoor, Residents of Nungbree, Ooram of Myrung, Ootep of Mouter, Ooboo Boshan of Singshang, Oesp Lungdeo of Kenchee, Oophan of Monai, and Omeet of Nongsay, were also made to agree to its Fulfilment and Violation if any. Government was also Represented by H. Inglis, Assistant Political Agent, Cossiah Hills.

him by the Government, he and his Muntrees will immediately furnish the under mentioned materials for them, and they shall not be able to raise any objections about doing so. These materials are timber stones, slates, lime, fire-wood, and any other articles procurable in the country, will be readily furnished. Fifth, that he and his Muntrees will provide shelter and pasturage for any cows, oxen, &c. that the Honorable Company may send into the country and he will be responsible for any losses of these animals. Sixth, that if any criminals or convicts should escape from the Honourable Company's territory and come into his country; he will immediately render assistance in apprehending them. Seventh, that he will act as stated in the above-mentioned Articles, and if he should do anything in contravention of them, he and his Muntrees will submit to such fines as the Governor-General's Agent may think proper to impose on them. Finally, that he promised to fulfil the aforesaid stipulations, and is to continue to receive his present monthly stipend of 30 Rupees for one year, as this stipend to him from the Government will enable the people of the country to settle down again in it comfortably without being pressed for any demand. This stipend to him is to cease after the completion of one year, and he is then to make arrangements for himself as formerly.

Of the Khasi Chiefs, Bur Manick, the Chief of Shillong were the most constant supporter of Tirot Sing, but they underestimated the fighting power of the British. When they learnt that the Sylhet Light Infantry was to be sent against them, they assumed that they would be fighting the Shilotias, whose lack of fighting prowess in those days was well known to them. They derisively remarked, “Da ia ka Dkhar ngin shu shoh da ki nap khyllait ruh ki la iap”¹¹⁰ (As for plainsmen we'll kill them by simply beating them with our betel-nut slicers), little realising that they would be facing Hillmen mercenaries, the Gurkhas, who in later years would be classed as one of the world's bravest fighters. The battalion was the 11 Sylhet Light Infantry which later on captured Jaintiapur in 1835. It became the 8th Gurkha Rifles in 1903.¹¹¹ The last of the Khasi Chiefs to lay down arms was Sngap of Maharam who surrendered on the 13 February 1839. To keep the peace “Chand Manick Raja and Burro

110 Roy Jeebon Roy, *Ka Ri Khasi bad Synteng*, 1899

111 Standing Orders of the 1st Battalion 8th Gurkha Rifles, 1914

Manick Raja, of Moleem Poonjee, will stand security ... and that I keep my nephew Soolong Raja at Moleem Poonjee, in order to execute all order.”¹¹²

On 14 November 1834, William Betnick was appointed as the First Governor General of India. With this change in nomenclature and responsibility he also happens to be the last Governor-General. Captain Lister was appointed Political Agent of the Khasi Hills and he took charge from 11 February 1835. He took charge of relations with the Jaintia Raja and immediately gave a letter to Rajendra Sing from Governor-General that Jaintia Hima is to be taken over by British and the portion of Jaintia close to Sylhet was to be joined with Sylhet District. Through this, Hima Jaintia was made a “British Area” in 15 March, 1835, and a new Agency was formed which was designated as the Cossayah Hills Political Agency. Another area - Gobha was to be joined with Nowgaon District and the remaining portion of Jaintia was to be joined with Cossayah Hills Political Agency (CHPA) which constituted Sohra, Nongkhlaw, Myriaw, Shella, Mawsynram and other CHPA. With the establishment of the CHPA in 1835 the British portion of Cherrapunjee usually termed Cherra Station became the official Headquarter of the Agency. The land ceded by Dewan Sing, Chief of Cherra to David Scott was transformed into a little piece of England, concentrated around and including Nonsawlia, with its Church on the bank of a little stream, its typical English country homes, its Cemetery on top of a hillock and the monument of David Scott standing sentinel over the Cantonment.

However Lister's jurisdiction extended to those areas which had become British territory *by right of conquest* but he was to exercise only political control over the villages which maintained their independence or where the former chiefs have been restored. Four States, Shillong (of Sing Manick) Langrin, Nongspung and Nongstoin did not enter into any treaty with the British and they had sole civil and criminal jurisdiction of their respective territories. But the British, in pursuit of their territorial expansion ambitions had in 1847 forcibly sliced off Nongwah, adjoining the State of Sohiong from the Khasi Hills and attached it to Kamrup. In a memorandum submitted to the 1928 Statutory Commission the

112 Mills A.J.M., Report on the Khasi and Jaintia Hills, 1853

people of Nongwah pleaded to be brought back into the folds of the Khasi people with whom they racially belong: In 1847 “a curious wind has driven us into the arms of the Bengali speaking assamese, amidst whom we live like a One Tree Hill, cut off from the parent tree and parental shelter.”¹¹³

The Hima Ramrai was brought in by Treaty No.CIII¹¹⁴ dated 21 of January 1835 executed by Ooahn Sirdar, Ookiang Lungdeo, Ooahn Sirdar, and Oomoi Sirdar of the District of Ramrye. Addressed to the Agent to the Governor-General and filed as No. 84 of 1835, filed 14 February 1835, the agreement purport that having attended before the Commanding Officer, Captain Lister, the signatories, of their “own free-will and accord” that they are under the protection of the Government, and acknowledge their submission to them. Also that if any murders or serious cases occur in their country, they will be investigated by the Government, to which they are willing and agreeable, and the punishments awarded, on investigation of such cases, are to be by the Government. Further that if there should be a likelihood of hostilities occurring between them and the people of another State, they will act as the Government may direct and in the event of them having any quarrel with such foreign people, they will submit to the decision given by the Government. Pertaining to debt to the Government, they noted Rupees 8,485-13 (eight thousand four hundred and eighty-five and thirteen annas) as remitted, and they agree to pay a sum of Rupees 200 annually in the month of Kartic, at any place where they may be directed to do so, and on lodgement of the money they will take receipts for it from the Government authorities. Finally, if they act in contravention of the stipulations agreed, the Government may do whatever they consider just and proper, and they will make no objection to it.

Lieutenant Colonel Lister who had proved himself an able military commander failed miserably as a civil administrator. His son-in-law

113 Memorandum on behalf of Nongwah a Khasi elaka on the Khasi Hills dated 15-12-1928 to the Indian Statutory Commission

114 No. CIII. Translation of an Agreement Executed in the Year 1835 by Ooahn Sirdar, Ookiang Lungdeo, Ooahn Sirdar, and Oomoi Sirdar of the District of Ramrye. Vol.1, Aitchison, C.U (1892) and also No.XXIV in Vol.12. Aitchison, C.U (1931).The Meeting was witnessed by Ram Singh, Jemadar and Borjooram Dubashia.

took full advantage of the relationship by marriage and practically monopolised the whole trade in oranges and limestone, with money lending as a sideline, charging interests as high as 24 percent per annum. A story goes that in one limestone lease he inserted a clause that the lease would continue as long as his body remained above ground. When he died, Inglis was laid to rest on a superstructure but fortunately the Great Earthquake of 1897 brought it down. He was so omnipotent that

in every case in which that gentleman was concerned the Cherra Court never obtained any credit with the public for impartiality, and English Traders fled the country rather than encounter the risks of their decision.”¹¹⁵ By “orders of the Most Noble Governor of Bengal, dated the 11 of March 1854, No.525, the Civil functions of the Political Agent and the Military Command conjointly held by Col.Lister were separated and on the 10 April, Mr.C.K.Hudson was appointed Principal Assistant Commissioner of the district.”¹¹⁶

115 Mills A.J.M op cit 20

116 Allen W.J op cit 18

The Period 1836 to 1862

In 1836, Rajendra Sing showed interest in becoming chief again but was rejected by the British. Following this, by 1839, Maharam State was brought within CHPA. An important event in the history of the Khasis took place in the year 1841. In this year the Welsh Calvinistic Methodist Foreign Missionary Society changed *Cosayah* to Khasi and also recognised the Sohra dialect as a basis for writing the Khasi language.

U Sngap Sing of Hima Maharam (Mahram) was the Syiem during the time that the British declared war against the Khasis in 1829. When Hima Nongkhlaw, Hima Shyllong, Hima Rambrai and other Himas were attacked by the British from 1829 onwards, he held his ground seething in anger at the assault. He immediately mobilised his people in Hima Maharam and decided to confront the British. In many occasions it is related that he attacked the British army in Nongnah, Mawtajem and the hills of Bamon region¹¹⁷ till the point that Captain Lister sought peace with him. While the war between East India Company and Hima Nongkhlaw ended with the signing of the treaty in 1833, Sngap Sing however continued the resistance till 1839 when on February 13 he signed the treaty with them. In Treaty No.XCVI¹¹⁸ dated this 13 February 1839 signed between Songap, Rajah of the District Mahram and the Political Agent stationed at Cherra Poonjee - Major Lister, Songap submitted that he having wantonly made war against the Honourable Company, and caused great loss of life to their people, and put them to considerable expense, have himself been driven through fear a fugitive to the jungles, and acknowledge having committed great faults; but he now crave an amnesty for the past offences of himself and his *Cossiah* people, and enter into an Agreement in the hope of being permitted to remain in his country in the capacity of a Sirdar

117 Ka Ri Shnong Pdeng Pyrthei by L.G.Shullai, p.5.

118 No.XCVI. Translation of an Agreement given by Songaph, Rajah of the District of Mahram, to the Political Agent at Cherra Poonjee, in the Year 1839.Vol.1, Aitchison, C.U (1892) and No.XXVII in Vol.12 Aitchison, C.U (1931).

(Chief) on the following terms such as, that he acknowledges his dependency on the Government, and agree to stay in his country, as a Sirdar (Chief), or as if he have been appointed a Sirdar by the Government. He, however, to adjudicate, amongst his own people, according to custom, but will not put any one to death. Further that if any of the Government troops should pass through his country, he will attend and furnish them with such provisions as they may require, receiving payment for the same at the customary rates. Also that should any disturbances arise in the hills, he will, if so ordered, attend with all the Cossiahs of his country, and remain in attendance as long as he may be required to do so, receiving merely subsistence for his people from the Government and if any murderers or dacoits should take refuge in his country, he will apprehend them and deliver them up when called on to do so. Proclaiming atonement for his faults, he promise to pay the Government a total fine of 2,000 Rupees; but he is to lodge this amount within a month from the present date and will give Chand Manick Rajah, and Bur Manick, Rajah of Moleem Poonjee, as his securities for the fulfilment of the terms of this Agreement, and he also place at Moleem Poonjee his nephew, Soolong Rajah, who will carry out all orders that may be given at any time regarding his country.

The Period 1836 to 1862

- 1836 Rajendra Sing showed interest to become chief again but was rejected by the British
- 1839 13 February; No.XCVI. Translation of an Agreement Given by Songaph, Rajah of the District of Mahram, to the Political Agent at Cherra Poonjee, in the Year 1839.
Maharam brought within CHPA
- 1840 20 April; No.LXXX. Translation of a Lease of the Coal Hills at Cherra Poonjee Given to the British Government, in the Year 1840, by Soobha Sing, Rajah of Cherra Poonjee.
No. LXXXI. Translation of a Lease of the Coal Fields of Byrung Poonjee, Given to the British Government in the Year 1840, by the Sirdars of that Village, and Confirmed by Soobah Sing, Rajah of Cherra Poonjee.

- 1841 8 June; No. CVI. Translation of an Agreement Executed in the Year 1841, by Chota Sahdoo Sing, Rajah of the District of Jeerung.
- Welsh Calvinistic Methodist Foreign Missionary Society-changed Cosayah to Khasi and choosing Sohra dialect as premise for writing Khasi
- 1851 14 May; No. CV. Translation of a Petition of the Wahadadar of Cheyla Poonjee, to the Political Agent of the Cossiah Hills in the year 1851, soliciting his assistance in causing the attendance, at their Durbars, of persons resisting their authority, and offering to abide by his decisions in appeals preferred to him against their orders, or in complaints made to him against their acts.
- 1852 28 September; No. XCVII. Translation of a Perwannah issued by the Political Agent of the Cossiah Hills in the Year 1852, to Oosep Sing, Rajah, appointing him Dhollah Rajah of the Mahram Territory.
- 1853 British Parliament Act decided that there will be a special Governor for Bengal and till such an appointment, the Governor-General of India can appoint a Lieutenant Governor on 1st May 1854)
- 1853 After 1853 Cossayah Hills Political Agency was closed, in its place was formed the Cossayah and Jynteah Hills District. Later the C&JHD was spelled as “Khasi and Jaintia Hills District.” The Khasi states were not under the K&JHD. District was under a Principal Assistant Commissioner (C.K.Hudson appointed on 19 April 1854) K&JHD was made one of the Districts of Assam Division (in notification for KJHD and in notification it was stated that it will be under the Commissioner of Assam-W.J.Allen 1858. Person in-charge of division is called Commissioner. Assam was one of the divisions of Bengal Presidency
- 1853 A.J.M.Mills published the Report on the Khasi and Jaintia Hills
- 1854 Order from Fort William stating that Political Agent cannot carry two responsibilities- military and civil administration. Probably CPHA was stopped and Cossayah and Jynteah Hills

- district was established and brought under Assam Division
- 1856 No. LXXXVI. Conditions Imposed upon the Rajah of Nungklow and his Successors - 1856
- 1857 25 March; No. CVII. Translation of a Perwannah Issued by the Principal Assistant Commissioner in Charge of the Cossiah and Jaintia Hills, to Oojee Lusker and Chonglah Lusker, in the Year 1857, Authorizing them to Conduct the Duties of Sirdars of Mowlong Poonjee, for one Year Each, in Succession to their Deceased Father Zuffer Lusker, Sirdar of that Place.
- Sepoy mutiny
- 16 May; No. LXXXII. Translation of an Agreement Furnished in the Year 1857 by Ram Sing, Rajah of Cheerra Poonjee,
- 1858 British Parliament passed the Government of India Act and the East India Company rule was ended bringing India directly under British Parliament
- 1859 27 August; No. XLVII. Agreement Executed by the Chiefs of the Minor States of the Khasi Hills, 1859. Also formal partition of Hima Shillong into Hima Khyrim and Hima Myllem (Quoted from Hamlet Bareh: p.89)
- 1861 Indian Council Act where the establishment of a Legislative Council was made
- 1860-62 War between people of Jaintia led by U Kiang Nongbah who was hanged on 30 December 1862. During this period Hima Jaintia, Muliang, Nongpoh and Sohbar were declared British Areas. Muliang consist of Jyrgnagm, Nonglang amd Nongrangai. For each of these areas a Sirdar was appointed. Further Saitsohpen in Hima Sohra was declared British Area. In Hima Shillong- Laitlyngkot, Laitkroh, Mawbhlarkha, Mawsmi and Mawmluh, Nongthymmai, Myrdon and Marbisu. During this period the Khasi areas were divided into two areas-The British Areas within the KJHD was under a Deputy Commissioner and the Khasi States were under relations with a Political Officer
- 1862 22 July, 1862; No. LXXXIII. Translation of the Agreement Entered into by Dun Sing, Rajah of Nusteng with the Deputy

- Commissioner of Cherra Poonjee, in the Cossiah Hills-1862.
- 1863 26 January; No.XLIX. Sunnud Conferring The Title Of Rajah Bahadoor Upon Dun Sing, The Elected Ruler Of Nusteng.
10 December; No. LXXXIX. Agreement With The Chief Of Moleem-1863
- 1864 25 January; No. XC. Engagement Executed by the Chief of Lungree. - 1864
5 October; No. XCVIII. Engagement Executed by the Rajah of Mahram, 1864.
5 December; No.LII. Sunnud Confirming The Election of Oo Sai Sing as Rajah of Mahram- 1864
- 1865 20 February; No. XCII. Agreement With The Chief Of Murriow.-1865.
19 October; No.LIV. Sunnud Conferring the title of Rajah upon Ooron, Elected Ruler of Murriow-1865

By 1837, the British East India Company had completed identifying and marking most coal belts of Assam. Titled 'Coal Localities in Assam' it names the places where coal has been discovered stretching right from Dupha Panee marked No.1. (upper Assam) through to Namroop River (no.2), Suffry or Disung River (no.3.), Dhunseeree River (No.4), Jumoona River (no.5), Koppili River (No.6) and Ohilmaree and Doorgapoor (no.7).¹¹⁹

In the year 1840 the British Government acquired the coal mines in (Sohra) *Cherra Poonjee* through a perpetual lease¹²⁰ from Soobha Sing, Rajah of (Sohra) *Cherra Poonjee*. Forced to lease 'for all future time'

119 Report upon the Coal beds of Assam (Submitted to Government by the Committee appointed to investigate the Coal and Iron resources of the Bengal Presidency, as a supplement to their first printed report.

120 No.LXXX. Translation of a Lease of the Coal Hills at Cherra Poonjee given to the British Government, in the Year 1840, by Soobha Sing, Rajah of Cherra Poonjee. Vol. 1 Aitchison, C.U (1892) and No.Xxviii in Vol.12 Aitchison, C.U (1931). Signed on 20 April 1840 and witnessed by Soomur Sing, Cossiah, Resident of Cherra Poonjee, Jattrah Sing, Chaund Ra I, Dubashia, Bungsee Sing, Burkundaz of the Office.

of the Hills called Oosider, Ooksan, and Nowkrem he was only to receive taxes from the Government at the rate of one Rupee per hundred maunds for as much coal as may be broken up in the places mentioned. He was never to demand more than this rate, and his Cossiah subjects are not to be prohibited by the Government from working Coal in these localities; they are to work it free of charge, and will settle with him for the taxes on it; but no other person is at liberty to quarry Coal in these places without the sanction of the Government, nor have he the right of granting such permission to any other person. Further, the Government can quarry Coal hereafter, whenever they wish to do so, according to the conditions of this agreement, and no new objections will be raised, and if made, they are to be rejected. Besides the above stated localities, the Government have the right to the Coal in such places in his territory as it may be discovered in.

Another agreement¹²¹ pertaining to a lease of coal fields in *Burung Poonjee* and witnessed by Soobah Sing himself on the same date was made with the Sirdars of the said village with exact similar conditions as in Agreement No. LXXX.

The former Superintendent of Kachar and Jynta notes -

The survey of Sylhet, though unfinished, has yet been prosecuted far enough to show, that the area of the district is more considerable than had been supposed ... As the external boundaries towards the Tippera hills, Kachar, and the Kasia mountains have been traced, and the outline is only incomplete on the western side, on which it is not likely any material difference from the old delineation would be discovered, it is likely that the contents (4500 square miles,) now assigned for it, is pretty near the truth ...

121 No. LXXXI. Translation of a Lease of the Coal Fields Of Byrung Poonjee, given to the British Government in the Year 1840, by the Sirdars of that Village, and Confirmed by Soobah Sing, Rajah of Cerra Poonjee. Vol. 1 Aitchison, C.U (1892) and No.XXIX in Vol.12, Aitchison, C.U (1931). The Signatory was Beerah Sing and Rambai and the Witness were Soomur Sing, Cossiah, Resident of Cherra Poonjee, Jatrah Sing, Chaund Rai, Dubashia, Bungsee Sing, Burkundaz of the Office.

Returning westward, the survey fixes the boundaries of Jynta, and much of the mountain tract immediately north of Sylhet and Pondua, including the country between *Cherra Ponji* and *Nunklao*. It then traces the outline of Sylhet at the foot of the *Kasia* Hills, and is prolonged to *Sowara*, on the banks of the Brahmaputra, from which it follows the old channel of this river to Naraingunj and Dacca...The *Kasia* mountains rise immediately from the valley of the *Kupili*, and range westward to Laour, near which they are bounded by the Patli river, the hills west of that belonging to the *Garroms*, and being distinguished by an aspect and structure of their own ... Much has been written on the *Kasia* mountains during the last ten years that they have been visited by Europeans, but I am not aware that any attempt has been made to account for their peculiarities, nor would I now undertake the task, but that I fear it will be left undone by those who could perform it so much better.¹²²

On 8 June, 1841 agreement No.CVI¹²³ was signed by Chotasahdoo Sing, Rajah of Jeerung. It states -

Having solicited permission to be continued in charge of the three villages of *Bur Jeerung*, *Choto Jeerung*, and *Pathor Khallee*, now held by him on condition of my repairing the road and bridges in the hills agreeably to orders, he have been called on by a Perwannah, No. 494, of the past year for an Agreement, and in compliance with that order he now furnish this Agreement, stating that he promise, as customary, to make the annual repairs of the bridges, road, ghats, and stockades, &c., in the hills and other places without payment, the above-mentioned three villages remaining in his charge for the performance of these services; and if he negligently delay to execute these works, and the road, bridges, &c., should not be kept in repair, he

122 Fisher (1840) Memoir of Sylhet, Kachar, and the adjacent Districts. The Journal of the Asiatic Society of Bengal, No.104. Vol.IX, Part II July to December 1840. pp.808- 809.

123 No. CVI. Translation of an Agreement Executed in the Year 1841, by Chota Sahdoo Sing, Rajah of the District of Jeerung. Vol. 1 Aitchison, C.U (1892) and No.XXX in Vol. 12 Aitchison, C.U (1931).

will submit to whatever orders the authorities may think proper to pass.

The Wahadadar of *Cheyla Poonjee* made a petition¹²⁴ to the Political Agent of the *Cossiah Hills* in the year 1851, soliciting his assistance in causing the attendance, at their Durbars, of persons resisting their authority, and offering to abide by his decisions in appeals preferred to him against their orders, or in complaints made to him against their acts. Addressed to Sheweth, they noted that

previous to the occupation of these Hills by the Honourable Company, they were appointed to the offices of the four Wahadadars of their village of *Cheyla Poonjee*, and protected the people by conducting enquiries and investigations in their country. That when these Hills afterwards came into the possession of the Honourable Company, they were confirmed in their appointments, agreeably to former custom, with the approval of the late Mr. David Scott, and most efficiently protected the inhabitants by investigating cases in the country by their own authority; but during the last two or three years, certain *Cossiahs* of their village, who are unruly, powerful, and evil-advising persons, have formed themselves into a party to carry out their own purposes, and are oppressing and harassing some of the poor *Cossiahs*, and if they complain, and they send for these persons through their officers, they openly resist their authority and assault them, besides making various remarks about them. When they also summon defendants in cases under trial before themselves, these violent individuals screen them, and in resistance of orders beat their men and snatch away the

124 No. CV. Translation of a Petition of the Wahadadar of Cheyla Poonjee, to the Political Agent of the Cossiah Hills in the Year 1851, Soliciting his assistance in causing the attendance, at their Durbars, of persons resisting their authority, and offering to abide by his decisions in appeals preferred to him against their orders, or in complaints made to him against their Acts. Vol. 1 Aitchison, C.U (1892) and No.XXXV in Vol.12 Aitchison, C.U (1931). Signed by four Wahadadars of Cheyla Poonjee. Mishnee Wahadadar, Bursing Wahadadar, Larsing and Sonarai Wahadadar, Ookhang and Beehai, Residents of Cheyla Poonjee received on 14 May 1851.

defendants from them; thus causing great annoyance to the poor people under their control, which they have frequently complained of to the British government by petitions; and the individuals of this party who harass the poor people in this manner are, moreover, not unknown to the British. It is besides probable that unless this faction is put down, serious affrays and murders may hereafter occur, attended with ruination to their country, which it will be difficult for them to account for to the British, and they shall be punished by Providence if the poor are violently oppressed by such persons of their village as have numerous friends and relatives, and they, as rulers of the country, do not redress their grievances. But as the calamities of their poor people cannot be removed, or the country rendered tranquil without British government assistance, they therefore throw themselves on British government protection, and voluntarily present this petition, soliciting that the persons under their control, who resist their officers, may be tried by the British Government, and that the British government will, on their solicitation, grant them British government help to bring to their Durbars all such persons as pertinaciously refuse to attend there when they send for them; and if any persons who are dissatisfied with their orders should appeal to the British government against them, or if they oppress or injure any persons, and they complain to the British about it, they will agree to any investigations and orders that the British government may pass, and will never act in contravention of them, but will obey them without urging any objections. There is no prospect of relief to their country, unless the British government so favour them, and in this British government power is absolute.

On behalf of the British Government, Lieutenant Colonel Lister, Political Agent noted "The request of the Wahadadars is granted, and it is hereby ordered that a perwannah be written to them, to the effect that if any person hereafter oppresses or injures another, and the person so oppressed complains to the Wahadadars and the oppressor, when called for by them obstinately and in disobedience of the Wahadadars' orders refuses to attend at their Durbars, they

must send him to Cherra Poonjee with the witnesses to the fact of the opposition made to their authority, and the prosecutor and his witnesses, when proper orders will be passed.” This was dated on 16 May 1851.

Oosep Sing, Rajah was appointed as *Dhollah Rajah* Resident of *Rongthong Poonjee* of the Mahram Territory in 1852 by the Political Agent of Cossiah Hills - F. G. Lister. He noted in the Perwannah¹²⁵ as follows, “Know hereby: It appears that Oober Sing, Dhollah Rajah of the Mahram territory, having deceased, you requested to be appointed Rajah there, on the grounds of the country having been under the control of your uncle, the late Songaph, Dhollah Rajah, your application being supported by a petition from Oomon Muntree, Oolar Sing Rajah, and other persons consenting to it ; but final orders were deferred on it, in consequence of Ramsye, Kallah Rajah of Nonglang Poonjee, in that territory, having set up a claim founded on the right of his uncle, the late Ram Sing, Kallah Rajah, to which Oojeet Lungdeo, Ooksan Sirdar, and certain other persons signified their assent in a petition they presented. As you and Ramsye Rajah have, however, this day come to an amicable arrangement, and filed a deed of compromise to the effect, that of the two Kallah aud Dhollah Rajahs of Mahram, the Kallah Rajah is to be subordinate to the Dhollah Rajah, and the investigations connected with the duties of the Raj are to be conducted by them together in consultation, and the profits derived there from are to be enjoyed by them both, and as you have therein stated that you are to be Rajah in the place of the aforesaid Dhollah Rajah, retaining the said Ramsye Rajah as your subordinate, and investigating and deciding cases occurring in the country in concert and consultation with him, which are otherwise to be considered null and void, and the aforementioned Ramsye Kallah Rajah has expressed his willingness to remain as your subordinate, and according to former custom to investigate and decide cases taking place in the country in company and consultation with you, the

125 No. XCVII. Translation of a Perwannah issued by the Political Agent of the Cossiah Hills in the year 1852, to Oosep Sing, Rajah, Appointing Him Dhollah Rajah of the Mahram Territory. Vol. 1 Aitchison, C.U (1892) and No.XXXVI in Vol.12, Aitchison, C.U (1931). Perwannah dated 28 September, 1852.

decisions being invalid, unless so conducted, etc., besides which, you two persons are, agreeably to previous practice, to enjoy the profit derived from the country, and to share the losses incurred therein, and as you have assented to the above stated terms, and requested that a Perwannah may be given to you, appointing you as Rajah in accordance therewith, you are, therefore, informed that you are hereby appointed Rajah in the room of the Dhollah Rajah of the territory of Mahram, and it will be your duty to conduct investigations and give decisions there as stipulated in the deed of compromise, and according to your own sense of proper justice, retaining Ramsye Kallah Rajah as your subordinate, and both of you acting together and in consultation to do what is incumbent on you. You will, moreover, obey all orders that may be issued to you, from time to time, on the part of the Honourable Company, without delay, observing the terms agreed on in the deed of compromise referred to.”

The British Parliament Act 1853 decided that there will be a special Governor for Bengal and till such an appointment is made, the Governor-General of India can appoint a Lieutenant Governor as on 1 May 1854. It was during this year that the *Cossayah Hills Political Agency* was closed and in its place was formed the *Cossayah* and *Jynteah* Hills District. Much later the C&JHD was spelled as “Khasi and Jaintia Hills District.” Most of the Khasi States subdued and brought under subsidiary alliance of the British were not under the K&JHD. The District was under a Principal Assistant Commissioner. C.K.Hudson was appointed to the post on 19 April 1854. The K&JHD was made one of the Districts of Assam Division.¹²⁶ An order from Fort William stating that Political Agent cannot carry two responsibilities- military and civil administration was issued in 1854. This was probably because the CPHA was stopped and *Cossayah* and *Jynteah* Hills district was established instead bring the district under Assam Division.

In Hima Nongkhlaw however based on persistent upheavals, conditions were imposed by the British Government upon the Rajah of (Nongkhlaw) *Nungklow* and his Successors in 1856 through

126 In notification for KJHD and in notification it was stated that it will be under the Commissioner of Assam-W.J.Allen

a notice.¹²⁷ These conditions were that 'the Rajah is to consider himself under the general control and authority of the Political Officer at Cherra Poonjee, to whom he must refer all disputes between himself and the Chieftains of other Cossiah States; and he is clearly to understand that he holds his appointment under authority from the British Government, which reserves to itself the right of removing him from office, and of appointing another Chieftain in his stead, if he should fail to give satisfaction to the British Government, and to the people of the district.' Secondly, 'the Rajah must reside in the (Nongkhlaw) *Nungklow* district, and he is to be permitted to decide in open Durbar, with the assistance of his Muntrees, Sirdars, and Elders, according to the ancient and established customs of the country, all civil suits and criminal cases occurring there that are beyond the cognizance of the Police, and in which only the people of the (Nongkhlaw) *Nungklow* district may be concerned. All cases in which Europeans and inhabitants of the Plains or of other *Cossiah States* are parties are to be tried by the Political Officer at (Sohra) *Cherra Poonjee*.' Third, 'the Rajah is to obey all orders issued to him by the Political Officer at (Sohra) *Cherra Poonjee*, and to make over on demand to the local authorities all part refugees and civil and political offenders coming to, or residing in, the *Nungklow district*.' Fourth, 'the Rajah is to furnish full information regarding the *Nungklow district* and its inhabitants, whenever he may be required to do so by Government Officers; to render every assistance in developing the resources of the country; to give every help and protection in his power to Government officials and travellers passing through the country or to settlers residing there; and to use his best endeavours to facilitate free intercourse and trade between the people of the country and British subjects and the people of other *Cossiah States*.' Fifth, 'the British Government reserves to itself the right of establishing military and civil sanitarium, cantonments and posts, in any part of the *Nungklow district* where they may be required, of occupying rent-free any lands that may be required for these or other Government purposes, and of opening roads in any direction through the country, in which matter the Rajah must render his utmost assistance when requisite.'

127 No. LXXXVI. Conditions Imposed Upon the Rajah of Nungklow and his Successors – 1856, Vol. 1 Aitchison, C.U (1892) and No.XXXVIII in Vol 12, Aitchison, C.U (1931). Letter dated, the 16 of May 1857.

and finally, ' the Rajah must make grants of the waste lands in (nongkhlaw) *Nungklaw* upon the same terms as those that may be adopted at the time being by the British Government in granting out its own waste lands.' In the same treaty it was stated that 'Similar Agreements were imposed on the Chiefs of (Myllem) *Moleem* and *Bhanul Poonjee*.'

The year 1857 is well known in India's history for the 'Sepoy mutiny'. By 1858, the British Parliament passed the Government of India Act, and the East India Company's rule over India ended bringing India directly under the British Parliament. Assam during 1858 was one of the Division of Bengal Presidency and the Person in-charge of the division was called as a Commissioner.

During this period, Hima Jaintia, Muliang, Nongpoh and Sohbar were declared as British Areas. Hima Muliang consisted of Jyrgngam, Nonglang and Nongrangai. Interestingly for each of these areas a Sirdar was appointed. Further, Saitsohpen in Hima Sohra was also declared a British Area. While in Hima Shillong, the villages - Laitlyngkot, Laitkroh, Mawbhlarkha, Mawsmal and Mawmluh, Nongthymmai, Myrdon and Marbisu were declared British areas. As villages and himas began to be subdued by the British, the period witnessed the demarcation of two distinct Khasi areas- the British Areas and the Khasi States. The British Areas were within the KJHD and was directly under a Deputy Commissioner and the Khasi States were in direct relations with the Political Officer.

The Principal Assistant Commissioner, in-charge of *Cossiah* and *Jaintia Hills* -C.K.Hudson, issued a Perwannah¹²⁸ to *Oojee Lusker* and *Chonglah Lusker*, in the year 1857, authorizing them to conduct the duties of Sirdars of *Mowlong Poonjee*, for one year each, in succession to their deceased father Zuffer Lusker, Sirdar of that place. Know

128 No. CVII. Translation of a Perwannah issued by the Principal Assistant Commissioner In Charge of the Cossiah and Jaintia Hills, to Oojee Lusker and Chonglah Lusker, in the Year 1857, Authorizing them to Conduct the Duties of Sirdars of Mowlong Poonjee, For one Year each, In Succession to their deceased Father Zuffer Lusker, Sirdar of that Place. Vol. 1 Aitchison, C.U (1892) and No.XXXIX in Vol.12, Aitchison, C.U (1931), dated the 25 of March 1857.

hereby that “whereas you represented yourselves, on the demise of Zuffer Lusker, Sirdar of the *Mowlong District*, as being the sons and heirs of the deceased, and solicited that you two brothers might be permitted to conduct the duties of that office by turns for one year each, you are now therefore appointed to the office of the late Zuffer Lusker, pending the preferment of any substantial claim that may be worthy of notice being made to that district, and are hereby informed that agreeably to the terms of the Deed of Compromise you previously filed, you will conduct the duties of the office of that Sirdar, as is incumbent on you, by turns, for one year each. Herein fail not.”

C. K. Hudson, Principal Assistant Commissioner, in-charge of *Cossiah* and *Jynteah Hills*, signed a written agreement¹²⁹ in 1857 with Ram Sing, Rajah of (Sohra) *Cherra Poonjee* and and his Ministerial Officers Sirdars, and other *Cossiahs* residing at (Sohra) *Cherra Poonjee*. Addressed to the honourable company, it stated that having, on the demise of his uncle, the late Soobha Sing, Rajah of this territory, he has taken his place as his successor, and come into possession of the Raj, He have been required, by the Principal Assistant Commissioner of (Sohra) *Cherra Poonjee*, to furnish a new Agreement, based on those given by his predecessors; and as all the conditions of the engagements entered into by his predecessors, the late Dewan Sing, Rajah, on the 10 of September 1829, and the late Soobha Sing, Rajah, on the 19 of October 1830, are acceptable to him, he will act according to them hereafter.

On 27 August 1859 a major agreement¹³⁰ was signed by the Chiefs of Minor States of the Khasi Hills. Addressed to C. K. Hodson, esq., Principal Assistant Commissioner Khasi Hills (on behalf of

129 No. LXXXII. Translation of an agreement furnished in the Year 1857 by Ram Sing, Rajah of Ceerra Poonjee, Vol. 1 Aitchison, C.U (1892) and No.XIVI in Vol.12, Aitchison, C.U (1931). Written by Bhoynobnath Dahn and presented by Radha Kristno Dutt, Mooktiar, and Bhoynobnath Dahn, on the Part of Ram Sing, Rajah, with his Letter of this Date, the 16 of May 1857.

130 No. XLVII. Agreement Executed by the Chiefs of the Minor States of the Khasi Hills, -1859. Vol. 12 Aitchison, C.U (1931). The Witnesses were U Iang Laloo, Sardar of Jowai Punji. Miri Roy, Acting Interpreter. Solomon, Interpreter.

government), they submitted as follows, “We, Sundar Sing, son of Naluk Khasia, of Maudan punji ; U Jo Sirdar, son of Bna Khasia, of the same place; Birsai Khasia, son of Iangthoma Khasia, of Sinai punji; Namsing Khasia, son of Amar Sing, and U Wansit Khasia, son of Suba Khasia, of Tangar punji, elaka Maudan, Khasi Hills, do execute this agreement, to the effect that, as desired by the British Government, we hereby lease to them, of our own accord in perpetuity, all uncultivated waste lands and forest tracts that lie within the limits of our respective elakas of Maudan punji, Sinai punji and Tangar punji, that being brought under cultivation, will cause no injury to the people of this elaka, and also all such places where minerals exist, and may hereafter be discovered, with the exception of the lime-quarries covered by the lease previously executed by us. We further agree that we, our heirs, and assigns shall have no objection to Government utilising the lands hereby leased by reclaiming them, leasing them out to other persons and settling tenants on them, as they please, to accrue profits. That all enquiries relating to the lands shall be made by Government, and we shall have no power to lay hand on the matter. That we, our heirs, assigns, or the persons who will hereafter be the owners of this Elaka, shall always get half the profits arising out of the lands hereby leased. That should there be no profits, no claims from us for our half-share will be acceptable, that without your permission we shall have no power to lease or transfer any land or lands to any Bengali or European. Should we do to the contrary; such lease or transfer will not be valid. As for the execution of this agreement, we held darbars in our punjis, in which the people gave their consent to its execution. That we shall have no objection to Government of making settlement of the lime-quarries that had been previously leased to Mr. H. Inglis, and which are now in the Government possession, according to the terms of the lease executed by me, Sundar Sing and others.”

In the same agreement, it was noted that C. K. Hodsons, Principal Assistant Commissioner, also signed similar agreements with the Sardar of Nonglywai, *Jeerang*, Maolong, the Wahadadar (now Sardar) of *Duara Nongturmen*, the Lyngdoh of Sohiong, *Langiong*, *Maoflang*, the Siem of Bhowal, Maharam, Langrin, Malaisohmat, *Mausynram*, Mariaw, Nongstoin, Nongspung, Myllem, *Maoiang*, Rambrai and the Wahadadars of Shella.

In November 1858, the Government of Great Britain took over the political interest of the East India Company and the queen proclaimed “that all treaties and engagements made with them” (the native princess of India) “or under the authority of the Honourable East India Company are by us accepted and will scrupulously be maintained and we look for the like observance on their part.” The Queen's Proclamation was announced by C.K.Hudson to all Chiefs, Lyngdohs, Sirdars and Dollois from both the Khasi and Jaintia Hills assembled at the *Cherra* Station (British Cherra) on the 9 July 1859.

But before the Proclamation, the British had already claimed de facto supremacy and “authority and control of the British Government,” and in spite of the Proclamation, they had by 1859 forced all the Chiefs to execute agreements or enter into new agreements on the election of a new chief, followed by the granting of Sanad. These agreements blatantly overlooked the existing agreements if any and encroached on the sovereign rights of the Chiefs. By 1867 a general form of agreement was prescribed “and the opportunity was taken to insert a clause” whereby the British created rights for themselves over minerals and waste lands. The status of the Chiefs was further lowered by subjecting them to the “orders and control of the Deputy Commissioner of the *Cossiah* and *Jynteab* Hills.” The British did not stop here. By comparing the 1872 map specially prepared for the Deputy Commissioner, Khasi and Jaintia Hills and the map of 1896 based on Home Department Notification No. 1430, dated the 14 September 1876 describing the Kamrup-Khasi Hills boundary, “that curious wind” which had blown Nongwah into Kamrup had blown another 1000 square miles of Khasi land into the same district, a literal windfall to the adventurous British Tea planters and to the Government because of the valuable trees.

The Indian Council Act, 1861 was promulgated and the establishment of a Legislative Council was made. However for the Khasis this was a turbulent period. Between the years 1860-62, there was a war waged between the people of Jaintia, led by U Kiang Nongbah who was captured and hanged on 30 December 1862.

The Period 1863 to 1913

Jeebon Roy, who joined the service of the East India Company in 1858 and who later became the first Senior Extra Assistant Commissioner from the Khasi community gave the following account, “Following the Jaintia War the English Government feel that the Headquarters should be shifted to a more central place, equidistant north, south, east and west; and another reason was because of the excessive rainfall in (Sohra) *Cherrapunjee*. I remember that this was in Col. H.S.Bivar's time, Deputy Commissioner; he brought out the map of the Khasi Hills, and asked for my help to choose the site, so we chose a spot, which is the Shillong of today, planning to station the European garrison in Upper Shillong. The natives were to reside in Laban. A committee was formed in 1867 when the final shifting from *Cherra* Station to Shillong Station was completed.”¹³¹ When the headquarters of the Khasi and Jaintia Hills District were transferred to Shillong, Babu Jeebon Roy was the constant companion, adviser, and guide of Colonel Bivar in the acquisition of the land, formation of the new town, alignment of roads and location of the Bazar and residential quarters.”¹³²

The area bought by the British from the landowners and ceded by the Chiefs of Myllem and Khyrim fell within a perimeter starting from the Military Station below Shillong Peak and skirting Sadew village, Nongkseh village, Iewduh, Mawkhar village, Laitumkhrah village, Laban village and back to the base of Shillong Peak. The acquisition of the whole area was finalised by Lt. Col. J.C.Haughton in 1863-64 costing the British Government a sum of Rs.8,433/- (Rupees eight thousand four hundred thirty three) and an annual payment of Rs.108/- to the persons who had not received cash payment for their lands. A salient stipulation incorporated in the agreement with the Chiefs of Myllem and Khyrim made on the 10 December 1863 is that “should the proprietors of any of the land within the limits hereinafter described be unwilling to sell or part with their land to the British Government, the said person shall

131 Roy, U Jeebon, op.cit.,

132 U Khasi Mynta, Supplement, June 1903

continue to fully enjoy the same without impost or taxation as heretofore.”¹³³

With the appointment of Dun Sing, son of Oola Beang Koonwur as ruler of *Nusteng* in 22 July, 1862, he was forced to enter into an agreement¹³⁴ with the Deputy Commissioner of *Cherra Poonjee* in following terms. That he considers himself under the general control and authority of the Political Officer at *Cherra Poonjee*. All disputes between himself and Chieftains of other *Cossiah* States shall be referred for trial and decision to the British Court. That he shall always reside in the *Nusteng* Ilaka, and decide without partiality, in open Durbar, with the assistance of his Muntrees, Sirdars, and elders, according to the ancient and established customs of the country, all civil suits and criminal cases occurring there that are beyond the cognizance of the Police in which only the people of that Ilaka may be concerned. All cases in which Europeans and inhabitants of the plains, or of other *Cossiah States*, are parties are to be tried by the Political Officer at *Cherra Poonjee*. That he shall obey all orders issued to him by the Political Officer at *Cherra Poonjee*, and make over, on demand, to the local authorities, all refugees and civil and political offenders coming to, or residing in his Ilaka. That he shall furnish full information regarding his State and its inhabitants whenever he may be required to do so by Government Officers. He shall always endeavour to promote the welfare and happiness of his subjects, give every help and protection in his power to Government Officers and travellers passing through his country, or to settlers residing there; and use his best endeavours to facilitate free intercourse and trade between the people of his country and British subjects and the people of other *Cossiah States*. Finally, he agreed that the British Government reserves to itself the right of establishing military and civil sanateria, cantonments and posts, in any part of his Ilaka where they may be required, full compensation being given for the lands thus occupied for these or other Government purposes, and of opening roads in any direction

133 Aitchison C.U.op.cit.,

134 No. LXXXIII. Translation of the Agreement Entered into by Dun Sing, Rajah of Nusteng with the Deputy Commissioner of Cherra Poonjee, in the Cossiah Hills-1862. Vol. 1 Aitchison, C.U (1892) and No.XLVIII in Vol.12 Aitchison, C.U (1931). Five Articles in the Agreement.

through the country, in which matter he must render his utmost assistance when requisite.

The Sunnud¹³⁵ conferring the title of Rajah Bahadur upon Don Singh, the elected ruler of *Nusteng*, was dated the 26 January 1863. The Sunnud reads as follows: “Whereas you have been elected to be Ruler of *Nusteng*, I do hereby confer upon you the title of Rajah Bahadur on condition of your faithfully and fully observing the conditions specified in the Agreement made with you on 22 July 1862” This was issued by Elgin and Kincardine.

The Agreement¹³⁶ between J.C.Haughton (Offg. Govr.-Genl.'s Agent, N.E.F.) with the Chief of *Moleem* in 10 December, 1863 was an important historical event in Khasi history. This parting of land by the Chief to the British has now become the source of problems pertaining to land within the present state of Meghalaya especially the Shillong area. Melay Sing, Chief of *Moleem* was supposed to have agreed to the following terms. That “whereas it was stipulated in the Agreement entered into by me, Melay Sing, Rajah of *Moleem*, under date 19 March 1861, with the British Government, that the right of establishing civil and military -sanitaria, posts and cantonments, within my country should remain with the British Government; whereas Lieutenant-Colonel J. C. Haughton, Agent to the Governor-General, North-East Frontier, under the instructions of the said Government, has selected, for the purpose of civil and military sanitaria, etc., the land hereinafter described, I hereby renounce, with the advice and consent of my Muntrees and the heads of my people, all sovereign and personal rights therein to Her Majesty the Queen of England and the British Government. It is, however, stipulated, should the proprietors of any of the land within the limits hereinafter described be unwilling to sell or part

135 No.XLIX Sunnud Conferring the Title of Rajah Bahadur upon Dun Sing, The Elected Ruler of Nusteng, Dated the 26th January 1863. Vol. 12 Aitchison, C.U (1931).

136 No. LXXXIX. Agreement with the Chief of Moleem-1863 . Vol. 1 Aitchison, C.U (1892) and No.L. in Vol.12 Aitchison, C.U (1931). Witnesses present not called on to Sign, being unable to write : Oo Ram Mumtree, Oo Sona Mumtree, Oo Jee Mumtree, Oodon Sena Mumtree, Rajah Singh Koonwur, Kunrace Of Khyrim, Oo Don Koonwur, Oo Jon Sirdar, Purbut. The Interpreter were Tama Koonwur and Alop Koonwur

with their land to the British Government, the said persons shall continue fully to enjoy the same without impost or taxation as heretofore, but that in all other respects the jurisdiction and sovereignty of her Majesty the Queen of England, and of the British Government, and the officers of Government duly appointed, shall extend over the said land and over all persons residing thereon, and to all offences committed there within.” He noted the boundary of the lands of Oo Don Sena to the south and east of the Oom Ding Poon stream which have been purchased; the boundary of the lands of Ka Stang Rapsang, south of the stream south of the Oom Ding Poon adjoining the village of Sadoo which have been purchased; the boundary of the lands of Oo Bat Khaobakee touching the Oom Ding Poon stream which have been purchased; the boundary of the lands of Ka Doke adjoining the last-named which have been purchased; the boundary of the land of Sooaka adjoining the last named which have been purchased; the boundary of the Shillong lands which have been purchased, from which point the boundary will follow the north and west sides of the present Government roads till the boundary of the lands of Borjon Muntree which have been purchased is met. It will then follow the boundary of the said *Borjon's* land till the boundary of the said land again meets the Government road now existing, which it will follow till the boundary of the Raj lands purchased are met. It will follow the boundary of the *Raj* lands till that dividing the *Longdo* lands of Nongseh from the *Raj* land and the land purchased from Oo Reang-Karpang of Nongseh, and will go between the two last on the east side of a hill by a path till the boundary stone of the *Longdo* of Nongseh at the head of a watercourse is met. It will then follow that watercourse to the junction of it with the Oomn Soorpee, leaving the hill with the *Longdo* jungle of fir trees on it to the left or north and west side. The boundary will then cross the Oomn Soorpee river and ascend by a ravine opposite inclining somewhat to the right hand to monumental stones (Mowshin Ram), near one of which a peg and pile of stones is placed. The boundary will then descend the hill backwards towards the point of *Youdoe* Hill, that is, the bill on which the *Youdoe* Bazar is held, to a pile of stones and a peg not far from the Government road which it crosses and not far from the *Oom Soorpee* River. The boundary thence turns north-east by ascending the hollow to the ridge which divides the water-flow, on which is a mark, to the hollow to the north-east, which it follows

by the water to the Oom Kra river leaving the *Youdoe* Bazar hill and the village of Mao Kra on the left hand. The boundary thence turns eastward, following the base of the hills and excluding all cultivation in the plains, including within it the hill lands given to the Government by Oo Beh till the lands of Oo Dor given to Government are met, whence the boundary, in the same way, follows the base of the hills excluding the cultivation in the plains till the river Pomding Neyam is met. Opposite a cave at the mouth of this stream, when it enters the plain, a peg and pile of stone is met. The boundary thence follows the same stream to its head in the rice lands of Oo Beh aforesaid; thence it follows the foot of the hills, leaving the village of Limeria to the left or east side, and excluding the rice cultivation of Oo Beh, but including the hill land given by him to Government till it reaches the head of the said rice cultivation, where it turns sharply to the left or east between two hills till it reaches the banks of the stream Oom Ponteng Kom, the downward course of which it follows till the junction of the same water, now called Oom Soorpee, with the Oom Jussaci is reached. This river is the boundary till its source is reached from a pile of stones, near which, marking the boundary of land purchased from Oo Don Sena, the boundary crosses over south-westerly to the point where the Oom Shillong makes a bend; at that point stones have been placed opposite ten fir and five oak trees on the spur of a hill. The boundary then follows the Oom Shillong till the boundary of Oo Don Sena's land is met, which it follows the point from whence it started is reached. He agreed that the Government, or possessor of the land within named, as well as the Shillong lands, shall have the joint right of turning off all water adjoining the said land for use, subject to such rules as the Government may prescribe. He promised also, as far as in him lies, to preserve the sacred groves whereon the water supply is dependent, and to punish any of his subjects found cutting the trees of the said groves and to deliver up for punishment any British subject found so offending.

This agreement was signed in Shillong on the 10 of December 1863. On the 18 of December 1863, Melay Sing and Rabon Sing in front of J.C. Haughton submitted that -

I, Melay Sing, having, on behalf of myself and my Mnntrees, and all others concerned, ceded the Raj rights and title in

the land at Shillong, known as the Shillong lands; the Raj lands south of the Oom Soorpee, known as the Kurkontong Nongseh land; the land near Youdoe, known as the Shillong Labang land ; hereby renounce all right and title thereto, resigning the same to Her Majesty the Queen of England with the trees, water, and all things thereon or therein, and hereby acknowledge to have received, in full satisfaction therefore, the sum of Rupees 2,000 (two thousand) from Lieutenant- Colonel Haughton, Governor-General's Agent, North-East Frontier. Signed *Youdoe*, the 18 December 1863.

The Interpreter was U. Joymonee, and the signing was witnessed by Melay Sing, Raja Rabon Sing, U. Joymoonee (Interpreter), those present from *Moleem Poonjee* were Oo Ram Muntree, On Jee Mumtree, Oo Soobah Muntree and Oo Sonah Muntree. Those present from Khyrim *Poonjee* were Oo Raimon Muntree, Oo Bamon Muntree, Oo Mooik Longskor and Oo Sonkha Longdo.

In the same treaty it was noted that “Rajah Rabon hereby acknowledges to have ceded all right on part of himself and his people.” The witnesses present not called on to sign, being unable to write - Oo Ram Mumtree, Oo Sona Mumtree, Oo Jee Muntree, OoDon Sena Mumtree, Rajah Singh Koonwur, Kunrace of Khyrim, Oo Don Koonwur, Oo Jon Sirdar, Purbut. The Interpreter was Tama Koonwur and Alop Koonwur.

By 1864 the British Government was able to bring the Hima of Langrin into its ambit. By the Treaty No.XC¹³⁷ Oomit Sing, succeeded to the *Raj of Lungree* on the death of Soonder Sing, his uncle and late Rajah, according to the custom of the country and with the approval of the Chiefs and Elders, and also with the sanction of the Viceroy and Governor-General of India. He promised to be faithful in allegiance to Her Majesty the Queen of England, her heirs and successors, and he binds himself to six Articles. Firstly he submits to the general control and authority of

137 No. XC. Engagement Executed by the Chief of Lungree. - 1864 Vol. 1 Aitchison, C.U (1892) Witnessed by: J. B. Shadwell, Assistant Commissioner In-Charge, Scidee, Muntree of Lauring, Oowan, Muntree, of Lauring, Oosam Mntree, of Laurin, Oo Ramsing, Muntree of Lauring.

the Deputy Commissioner in the *Cossiah and Jynteab Hills*, or such other Officer as may be from time to time appointed by Government, to whom he shall refer all disputes between himself and the Chieftains of other *Cossiah* States, and that he clearly understand that he hold his appointment under authority from the British Government, which reserves to itself the right of removing him from office and appointing another Chieftain in his stead if he should fail to give satisfaction to the British Government, and the people of the district. Second, he states that he shall reside in the *Lungree District*, and decide in open Durbar, with the assistance of the Muntrees, Sirdars, and the Elders, according to ancient and established custom of the country, all civil and criminal cases, not of a heinous nature, in which the inhabitants of the said district only are concerned. He agreed to refer to the Deputy Commissioner in the *Cossiah and Jynteab Hills*, or other Officer appointed for the purpose by Government, all cases, civil or criminal, in which Europeans or other foreigners, including the inhabitants of the plains, are concerned, also all cases in which inhabitants of other *Cossiah* States are concerned, and all heinous criminal cases. Third, that he shall obey all orders issued to him by the Deputy or other Officer appointed to the charge of the Hill districts, and make over, on demand, to the local authorities, all refugees and civil and political offenders coming to, or residing in, the *Lungree District*. Fourth, that he shall furnish full information regarding the *Lungree District* and its inhabitants whenever he may be required to do so by Government Officers, will render every assistance in developing the resources of the country, will give every help and protection in his power to Government officials and travellers passing through the country, or to settlers residing there, and will use his best endeavours to facilitate free intercourse and trade between the people of the country and the British subjects and the people of other *Cossiah* States. Fifth, that the British Government shall have the right of establishing military and civil sanitarium, cantonments, and posts, in any part, of the *Lungree District* where they may be required. He agreed to give all lands required for such purposes, the possessors, where the land does not belong to the Raj, being duly compensated therefore. Finally, he, his heirs and successors, will abide by the terms of the Agreement entered into with the Government by the late Rajah on the 22 September 1859, by which he ceded, in consideration of receiving half the profits, all his

mineral rights, except those connected with the limestone tracts leased to the late Mr. Henry Inglis up to 1283 B.S., and all the waste lands not paying revenue, which are not being brought into cultivation by the people of Lungree, and by which being brought into cultivation they will not be sufferers. The treaty was date *Cherra Poonjee*, 25 January 1864.

J.B Seadwell explained to the Rajah that a Sunnud and Khillut would be forwarded to the Viceroy and Governor-General and gave Oomit Sing the Sunnud conferring the title of 'Rajah' upon him. The exact sunnud states "Whereas you have been elected to be Ruler of *Lungree*, I do hereby confer upon you the title of Rajah on condition of your faithfully and fully observing the conditions specified in the Agreement made with you on the 25 January 1864." Sign by John Lawrence and dated 7 June 1864.

On 5 October 1864 the Chief of Mahram *Oo Sai Sing*, who succeeded *Oosep Sing*, was made to execute a treaty No.XCVIII¹³⁸ with H. S. Bivar, Deputy Commissioner Cossiah and Jynteah Hills. On similar lines as those with Langrin, having to first declare his faithfulness and allegiance to 'Her Majesty', the Queen of Great Britain and her heirs. After which he had to agree to abide to the following commitments. That he consider himself under the general control and authority of the Deputy Commissioner in the *Cossiah* and *Jynteah* Hills, or such other Officer as may be from time to time appointed by Government, and he will refer all disputes between himself and the Chieftains of other *Cossiah* States to the Deputy Commissioner aforesaid, and he clearly understand that he hold his appointment under authority from the British Government, which reserves to itself the right of removing him from office and appointing another Chieftain in his stead, if he should fail to give satisfaction to the British Government or to the people of *Mahram*. Second, that he agree to reside in the *Mahram* District, and promise to decide in open Durbar, with the assistance of the Muntrees,

138 No. XCVIII. Engagement Executed by the Rajah Of Mahram, 1864. Vol. 1 Aitchison, C.U (1892) and No.Li in Vol.12 Aitchison, C.U (1931). The signing was witnessed by Grish Chunder Bose, Ram Sing, (Muntree), Tor Sai, (Muntree), Oo Sugi (Muntree), W, Sona (Muntree), W. Tar (Muntree), W. Saih (Muntree), W. Sar Sing, (Gooshtee), U. Ram, (Gooshtee), Suntoo (Gooshtee) and Khalaet Vasued.

Sirdars, and the Elders, according to ancient and established custom of the country, all civil and criminal cases, not of a heinous nature, in which the inhabitants of the said country only are concerned. He agreed to refer to the Deputy Commissioner in the *Cossiah* and *Jynteah* Hills, or to any other Officer appointed by Government for the purpose, all cases, civil and criminal, in which Europeans or other foreigners, including the inhabitants of the plains, are concerned, as also all cases in which subjects of other *Cossiah* States are concerned, and all heinous criminal cases. Third he bind himself to obey all orders issued by the Deputy Commissioner or other officer appointed to the charge of the Hill districts, and to make over, on demand to the duly constituted authorities all refugees and civil and political offenders coming to, or residing in, the *Mabram* district. Fourth, that he also agree to supply full information regarding the *Mabram* District and its inhabitants whenever he may be required so to do by the officers of Government. He will also render assistance in developing the resources of the country, and he will give aid and protection to Government officials and travellers passing through *Mabram*, as also to settlers residing therein, and will use his best endeavours to facilitate free intercourse and trade between the people of the country under him and British subjects and people of other *Cossiah* State. Fifth, that the British Government will have the right of establishing military and civil sanitarium, cantonments, and posts, in any part of the *Mabram* District under his control, and he agrees to give all lands required for such purposes on the understanding, when the land or lands do not belong to the Raj, that the proprietors shall receive compensation. Finally, he bind himself, his heirs and successors, to the terms of the Agreement entered into with the Government of British India by the late Rajah Oosep Sing on the 22 September 1859, by which he ceded, in consideration of receiving half the profits, all his mineral rights (except those connected with the *Mabram* tracts leased to the late Mr. Henry Inglis up to 1283 B.S.), and all the waste lands not paying revenue which are not being brought under cultivation by the people of *Mabram*, and by which they will not be sufferers.

On 5 December of the same year a Sunnud was given to Oo Sai

Sing conferring upon him as the Rajah of Mahram. The Sunnud¹³⁹ reads

Whereas you have been elected by the chief men and people of Mahram to succeed the late Rajah Oosep Sing in the Chieftaincy, I hereby recognize and confirm your election to be Rajah of Mahram. Be assured that so long as you remain faithful in your allegiance to the British Crown, and fully and faithfully fulfil your engagements with the British Government, the State of Mahram will remain to you in undisturbed possession.

The sunnud was sign by John Lawrence.

Hima Myriaw, which is close by to Hima Maharam and Langrin was made to sign an agreement in 1865- No XCII.¹⁴⁰ Ooron was to succeed Oo-Phan and after pledging allegiance to her Majesty of Great Britain and her heirs, he submitted that he considered himself under the general control and authority of the Deputy Commissioner in the *Cossiah* and *Jynteab* Hills, or such other Officer as may, from time to time, be appointed by Government, and he will refer all dispute between himself and the Chieftains of other *Cossiah* States to the Deputy Commissioner aforesaid; and he clearly understand that he hold appointment under the authority from the British Government, which reserves to itself the right of removing him from office and appointing another Chieftain in his stead, if he shall fail to give satisfaction to the British Government or to the people of *Murriow*. Second, that he agrees to reside in the *Murriow* District, and promise to decide in open Durbar, with the assistance of the Muntrees, Sirdars, and Elders, according to ancient and established custom of the country, all civil and criminal cases not of a heinous nature, in which the inhabitants of the said country only are concerned. He agreed to refer to the Deputy Commissioner in the *Cossiah* and *Jynteab* Hills, or to any other Officer appointed by

139 No.LII. Sunnud Confirming the Election of Oo Sai Sing as Rajah of Mahram – 1864, Vol. 12 Aitchison, C.U (1931).

140 No. XCII. Agreement with the Chief of Murriow.-1865. Vol. 1 Aitchison, C.U (1892) and No.Liii in Vol.12 Aitchison, C.U (1931). Witnessed by: Ooshirob Longdoh, Ooksun Longdoh, Oo-Phan Songdoh, Oollan Mateebar, Oodhoo Mateebar, Oohir Mateebar.

Government for the purpose, all cases, civil or criminal, in which Europeans or other foreigners, including the inhabitants of the plains, are concerned, as also all cases in which subjects of other *Cossiah* States are concerned, and all heinous criminal cases. Third, he binds himself to obey all orders issued by the Deputy Commissioner, or other Officer appointed to the charge of the hill district, and to make over on demand to the duly constituted authorities all refugees and civil and political offenders coming to, or residing in, the *Murriow* District. Fourth, that he also agrees to supply full information regarding the *Murriow* District and its inhabitants whenever he may be required so to do by the officers of Government. He will also render assistance in developing the resources of the country, and will give aid and protection to Government officials and travellers passing through *Murriow*, as also to settlers residing therein; and he will use his best endeavours to facilitate free intercourse and trade between the people of the country under him and British subjects and people of other *Cossiah* States. Fifth, that the British Government shall have the right to construct roads in any direction through the *Murriow* District, and he bind himself not to levy transit taxes or other dues on such roads unless permitted to do so. Sixth, that the British Government will have the right of establishing military and civil sanitarium, cantonments, and posts in any parts of the *Murriow* District, under his control, and he agree to give all land or lands which do not belong to the Raj on condition that the proprietors shall receive compensation. Finally, he bind himself, his heirs and successors, to the terms of the Agreement entered into with the Government of British India by the late Rajah Oo-Phan, by which he ceded, in consideration of receiving half the profits, all his mineral rights and all the waste lands not paying revenue, which are not being brought under cultivation by the people of *Murriow*, and by which they will not be sufferers.

Signed by H.S.Bivar (Deputy Commr., Cossiah and Jynteah Hills), the Sunnud stated

Explained before me and in my presence, clause by clause, to the Rajah, to the Elders, and to the people assembled, and acknowledged by the Rajah to be his voluntary act and deed, this twentieth day of February, Anno Domini 1865, at *Murriow*, *Cossiah* Hills.

Further by treaty No.LIV¹⁴¹ a sunnud was issued to Ooron appointing him Rajah of Murriow on 19 October, 1865 by John Lawrence. In the year 1866, the Khasi and Jaintia Hill District headquarter was shifted from Sohra (Cherrapunjee) to Shillong.

Meanwhile an interesting incident occurred within Hima Nongkhlaw on 18 May, 1866. In an engagement No.LXXXVII¹⁴² petitioned by Bor Sing, the Siem of Nongkhlaw to W.S.Clarke, the Officiating Deputy Commissioner, *Cossiah* and *Jynteah* Hills, Bor Sing was probably forced to admit his incapacity to conduct the affairs of his territory and thereby record his written assent and agreement to the appointment of his relative and heir Chand Rai to be Regent of *Nungklow*, and that the general management of affairs in *Nungklow*, together with the carrying out of all orders of the British Government, shall lie with him, and that all communications and precepts shall be addressed to, and received by, him. The document was executed by Bor Sing, Siem of *Nungklow*, in W.S.Clarke's presence on 21 day of May 1866.

In the year 1867 a *Performa for a General Form of Agreement* was printed and distributed among the British officers that should be used for signing treaties with all Khasi Chiefs. This agreement whose content is noted in No.LXXIV¹⁴³ reads as follows:

I, resident of, Illaka, having been appointed to the Chiefship of the said Illaka..... , hereby agree and promise that I will conduct myself agreeably to the following rules:-

1. I consider myself under the orders and control of the Deputy Commissioner of the Cossiah and Jynteah Hills, and in the event of any dispute arising between myself and the Chief of any other State, they shall be decided by the Deputy Commissioner of the Cossiah and Jynteah Hills, or any other duly authorized officer

141 No.LIV. Sunnud Conferring The Title of Rajah upon Ooron, Elected Ruler Of Murriow-1865, Vol. 12 Aitchison, C.U (1931).

142 No.LXXXVII. Engagement with the Chief of Nungklow-1866. Vol. 1 Aitchison, C.U (1892) and No.LV in Vol.12 Aitchison, C.U (1931).

143 No. LXXIV. General Form of Agreement-1867 Vol. 1 Aitchison, C.U (1892) and No.LVI in Vol. 12 Aitchison, C.U (1931).

appointed by the Lieutenant-Governor of Bengal.

2. I will adjudicate and decide all civil and all criminal cases not of a heinous kind which may happen within the limits of my State, and in which the people of my territory alone are concerned; but in regard to heinous offences I will report their occurrence immediately to the Deputy Commissioner of the Cossiah and Jynteah Hills, and will take upon myself the arrest of persons concerned, whom I will deliver up to be dealt with by the Deputy Commissioner or other officer appointed by him for that purpose.

3. In all disputes which may arise with other Cossiah Chiefs, and in all cases in which persons of other States, Europeans or Natives of the plains, may be concerned within the limits of my territory, I promise to refer the matter for adjudication by the Deputy Commissioner of the Cossiah and Jynteah Hills, or other duly constituted British authority. The authority of the British Government in connection with my Chiefship extends so far that, in case of my using any illegality, or in the event of my people being dissatisfied with me, Government will be at liberty to remove me from my said rank and appoint another Chief in my stead.

4. I bind myself to submit to all orders issued by the Deputy Commissioner of the Cossiah Hills, or other duly authorised officer, and to make over on demand all refugees and civil and political offenders coming to, or residing within, my territory.

5. I also agree to supply any information relative to my territory and its inhabitants whenever I may be required to do so by the officers of the British Government. I will always use my best endeavours to maintain the well-being of the people residing in my territory, and I will give aid and protection with all my might to Government officers and travellers passing through; also to people of other illakas residing in my territory. I will also endeavour to facilitate free intercourse and trade between the people of the territory under me and

the people of other districts and States.

6. I acknowledge the right of the British Government to establish civil and military sanitarium, cantonments, and posts in any part of my State, and to occupy the lands necessary for the purpose rent-free. I will give the Government every assistance which may be required in opening roads within my state.

7. I will implicitly obey all orders issued to me by the Deputy Commissioner of the Cossiah and Jynteah Hills; otherwise I agree to suffer fine or such other penalty for my misconduct as the Government may think fit to inflict.

8. I hereby add my Agreement to the cession by my predecessors of the lime, coal, and minerals within my State on condition of receiving half the profits arising from their sale, lease, or other disposal and on the same terms to the cession; also of all such waste lands, being lands at the time unoccupied by villages, cultivation, plantation, orchards, etc., as may be required to be sold as waste lands.

Fully understanding the terms of this engagement, I hereby affix my hand and seal thisday of1867.

In the year 1867 John Lawrence issued a Sunnud to Adhon Sing appointing him as Chief of Mawsynram, noting in the sunnud that

Whereas you have been elected to be Ruler of Mowsenram, I hereby recognize you as Chief of that place, on condition of your faithfully and fully observing the conditions entered in the separate Agreement (see general form of agreement No.LXXIV) to be made by you with His Honour the Lieutenant-Governor of Bengal.

This sunnud was dated 17 April 1867 and although not peculiar but a line that states “* *This Sunnud was, by an oversight, issued by the Government of India, instead of by the Agent to the Governor-General, North-East Frontier.*” was noted.

Another Sunnud No.LVII¹⁴⁴ was issued by John Lawrence recognising and appointing Chand Rai as 'Ruler of Nungklow' on 19 August, 1868., noting that

Whereas you have been elected to be Ruler of Nungklow, I hereby recognize you as Chief of that place, on condition of your faithfully and fully observing the conditions entered in the separate agreement to be made by you with His Honor the Lieutenant-Governor of Bengal.

Jit Sing, Syiem of the Hima Mawiang entered into an agreement vide Agreement No. CI¹⁴⁵ with R.Stewart, the then Deputy Commissioner of Khasi and Jaintia Hills in 1869. In the agreement, Jit Singh, of what was then identified as Ellaka *Maoiang*, having been appointed to the Chiefship of the said Ellaka *Maoiang*, agreed and promised that he will conduct himself agreeably to the following rules. That he consider himself under the orders and control of the Deputy Commissioner of the Khasi and Jaintia Hills, and in the event of any dispute arising between himself and the Chief of any other State, they shall be decided by the Deputy Commissioner of the Khasi and Jaintia Hills, or any other duly authorized officer appointed by the Lieutenant-Governor of Bengal. Second, that he will adjudicate and decide all civil and all criminal cases not of a heinous kind, which may happen within the limits of his State and in which the people of his territory alone are concerned; but in regard to heinous offences he will report their occurrence immediately to the Deputy Commissioner of the Khasi and Jaintia Hills, and will take upon himself the arrest of persons concerned, whom he will deliver up to be dealt with by the Deputy Commissioner or other officer appointed by him for that purpose. Third, that in all disputes which may arise with other Khasi Chiefs, and in all cases in which persons of other States, Europeans or Natives of the plains, may be concerned within the limits of his territory, he promised to refer the matter for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills or other duly constituted British authority. The authority of the British

144 No.LVII. Sunnud Recognizing the Succession of Chand Rai-1868 Vol. 12 Aitchison, C.U (1931).

145 No. CI. Agreement of the Chief of Maolang-1869. Vol. 1 Aitchison, C.U (1892).

Government in connection with his Chiefship extends so far that, in case of my using any illegality, or in the event of his people being dissatisfied with him, Government will be at liberty to remove him from his said rank and appoint another Chief in his stead. Fourth, that he binds himself to submit to all orders issued by the Deputy Commissioner of the Khasi and Jaintia Hills or other duly authorized officer, and to make over, on demand, all refugees and civil and political offenders coming to, or residing within, his territory. Fifth, that he also agrees to supply any information relative to his territory and its inhabitants whenever he may be required to do so by the officers of the British Government. He will always use his best endeavours to maintain the wellbeing of the people residing in his territory, and he will give aid and protection with all his might to Government officers and travellers passing through, also to people of other elakas residing in, his territory. He will also endeavour to facilitate free intercourse and trade between the people of the territory under him and the people of other districts and States. Sixth, that he acknowledges the right of the British Government to establish civil and military sanitarium, cantonments, and posts in any part of his State, and to occupy the lands necessary for the purpose rent-free. He will give Government every assistance which may be required in opening roads within his state. Seventh, that he will implicitly obey all orders issued to him by the Deputy Commissioner of the Khasi and Jaintia Hills, otherwise he agrees to suffer fine or such other penalty for his misconduct as the Government may think fit to inflict. Eight, that he hereby add his agreement to the cession by his predecessors of the lime, coal, and minerals within his State, on condition of receiving half the profits arising from their sale, lease, or other disposal, and on the same terms to the cession also of all such waste lands, being lands at the time unoccupied by villages, cultivation, plantations, orchards, etc., as may be required to be sold as waste lands. Then it was noted that “Fully understanding the terms of this agreement, I hereby affix my hand and seal this sixth day of May 1869.”

In the same year Shongnam Sing, the Chief of Malai Sohmat entered into an agreement No. CXIT¹⁴⁶ with R.Stewart, Deputy

146 No. CXIT. Agreement of the Chief of Malai Sohmat-1869, Vol. 1 Aitchison, C.U (1892).

Commissioner. Shongnam Sing, Chief of Ellaka Malai Sohmat, having been appointed to the Chiefship of the said Ellaka Malai Sohmat, agreed and promised that he will conduct himself agreeably to the following rules. That he considers himself under the orders and control of the Deputy Commissioner of the Khasi and Jaintia Hills, and in the event of any dispute arising between himself and the Chief of any other State, they shall be decided by the Deputy Commissioner of the Khasi and Jaintia Hills, or any other duly authorized officer appointed by the Lieutenant-Governor of Bengal. Second, that he will adjudicate and decide all civil and all criminal cases not of a heinous kind, which may happen within the limits of my State, and in which the people of his territory alone are concerned; but in regard to heinous offences he will report the occurrence immediately to the Deputy Commissioner of the Khasi and Jaintia Hills, and will take upon himself the arrest of persons concerned, whom he will deliver up to be dealt with by the Deputy Commissioner or other officer appointed by him for that purpose. Third, that in all disputes which may arise with other Khasi Chiefs, and in all cases in which persons of other States, Europeans, or Natives of the plains may be concerned within the limits of his territory, he promises to refer the matter for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or other duly constituted British authority. The authority of the British Government in connection with his Chiefship extends so far that in case of him using any illegality or in the event of his people being dissatisfied with him, Government will be at liberty to remove him from his said rank, and appoint another Chief in his stead. Fourth, that he binds himself to submit to all orders issued by the Deputy Commissioner of the Khasi and Jaintia Hills, or other duly authorized officer, and to make over, on demand, all refugees and civil and political offenders coming to, or residing within, his territory. Fifth, that he also agrees to supply any information relative to his territory and its inhabitants whenever he may be required to do so by the officer of the British Government. He will always use his best endeavours to maintain the wellbeing of the people residing in his territory. He will give aid and protection with all his might to Government officers and travellers passing through, also to people of other elakas residing in, his territory. He will also endeavour to facilitate free intercourse and trade between the people of the territory under him and the people of other districts and States.

Sixth, that he acknowledges the right of the British Government to establish civil and military sanitarium, cantonments, and posts in any part of his State, and to occupy the lands necessary for the purpose rent-free. He will give the Government every assistance which may be required in opening roads within his State. Seventh, that he will implicitly obey all orders issued to him by the Deputy Commissioner of the Khasi and Jaintia Hills, otherwise he agrees to suffer fine or such other penalty for his misconduct as the Government may think fit to inflict. Finally, he states that he hereby add his agreement to the cession by his predecessors of all the lime, coal, and minerals within his State, as also to the cession, after the expiry of the present lease, of the Sinjara, Cherra and Solai Cherra, lime quarries, on condition of receiving half the profits arising from their sale, lease, or other disposal; and on the same terms to the cession also of all such waste lands, being lands at the time unoccupied by villages, cultivation, plantation, orchards, etc., as may be required to be sold as waste lands. The agreement ends by noting that he “Fully understanding the terms of this engagement, I hereby affix my hand and seal this 1st November 1869.”

The Hima of Dwara Nongtyrmen right in the border with current day Bangladesh entered into an agreement No. XCIII¹⁴⁷ with R.Stewart the Deputy Commissioner in the year 1870. As with other Himas, Jantraï, Sirdar, of Ellaka *Dwara Nongturmen*, having been appointed to the Sirdarship of the said Ellaka *Dwara Nongturmen*, hereby agrees and promise that he will conduct himself agreeably to the following rules. That he consider himself under the orders and control of the Deputy Commissioner of the Khasi and Jaintia Hills, and in the event of any dispute arising between himself and the Chief of any other State, they shall be decided by the Deputy Commissioner of the Khasi and Jaintia Hills, or any other duly authorised Officer appointed by the Lieutenant-Governor of Bengal. That he will adjudicate and decide all civil and all criminal cases not of a heinous kind which may happen within the limits of his State, and in which the people of his territory alone are concerned; but in regard to heinous offences, he will report their occurrence immediately to the Deputy Commissioner of the Khasi

147 No. XCIII. Agreement with the Chief of Dwara Nongturmen-1870. Vol. 1 Aitchison, C.U (1892).

and Jaintia Hills, and will take upon himself the arrest of persons concerned, whom he will deliver up to be dealt with by the Deputy Commissioner or other Officer appointed by him for that purpose. Third, that in all disputes which may arise with other Khasi Chiefs, and in all cases in which persons of other States, Europeans or Natives of the plains may be concerned within the limits of his territory, he promises to refer the matter for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or other duly constituted British authority. The authority of the British Government in connection with his Sirdarship extends so far that in case of his using any illegality, or in the event of my people being dissatisfied with him, Government will be at liberty to remove him from his said rank, and appoint another Sirdar in his stead. Fourth, that he binds himself to submit to all orders issued by the Deputy Commissioner of the Khasi and Jaintia Hills, or other duly authorised Officer, and to make over, on demand, all refugees and civil and political offenders coming to, or residing within, his territory. Fifth, that he also agrees to supply any information relative to his territory and its inhabitants whenever he may be required to do so by an officer of the British Government. He will always use his best endeavours to maintain the well-being of his people residing in his territory, and he will give aid and protection with all his might to Government officers and travellers passing through, also to people of other elakas residing in, his territory. He will also endeavour to facilitate free intercourse and trade between the people of the territory under him and the people of other districts and States. Sixth that he acknowledges the right of the British Government to establish civil and military sanatoria, cantonments, and posts in any part of his State, and to occupy the lands necessary for the purpose rent-free. He will give Government every assistance which may be required in opening roads within his State. Seventh, that he will implicitly obey all orders issued to him by the Deputy Commissioner of the Khasi and Jaintia Hills, otherwise he agrees to suffer fine or such other penalty for his misconduct as the Government may think fit to inflict. Finally he states that he hereby add his agreement to the cession by his predecessors of all the lime, coal, and minerals within his State, as also to the cession, after the expiry of the present leases, of the *Boot Sermai* and *Chellai Gang* lime quarries on condition of receiving half the profits arising from their sale, lease or other disposal, and on the same terms to the cession

also of all such waste lands, being lands at the time unoccupied by villages, cultivation, plantation, orchards, etc., as may be required to be sold as waste lands. Again as with the case of other chiefs, he notes “Fully understanding the terms of this engagement, I hereby affix my hand and seal this 5th day of May 1870.”

Another similar agreement No.CX¹⁴⁸ was signed with the Chief of Nobosohphoh in 1870 with R.Stewart. U Ksan Syiem of *Nongsobphoh*, of *Ellaka Nongsobphoh*, having been appointed to the Chiefship of the said *Ellaka Nongsobphoh*, agreed and promised that he will conduct himself agreeably to the following rules. That he considers myself under the orders and control of the Deputy Commissioner of the Khasi and Jaintia Hills, and in the event of any disputes arising between himself and the Chief of any other State, they shall be decided by the Deputy Commissioner of the Khasi and Jaintia Hills, or any other duly authorized officer appointed by the Lieutenant-Governor of Bengal. Further that he will adjudicate and decide all civil and all criminal cases not of a heinous kind, which may happen within the limits of his State and in which the people of his territory alone are concerned; but in regard to heinous offences, he will report their occurrence immediately to the Deputy Commissioner of the Khasi and Jaintia Hills, and will take upon myself the arrest of persons concerned, whom he will deliver up to be dealt with by the Deputy Commissioner or other officer appointed by him for the purpose. Also that in all disputes which may arise with the other Khasi Chiefs, and in all cases in which persons of other States, Europeans or Natives of the plains, may be concerned within the limits of his territory, he promised to refer the matter for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or other duly constituted British authority. The authority of the British Government in connection with his Chiefship extends so far that in case of him using any illegality, or in the event of his people being dissatisfied with him, Government will be at liberty to remove him from said rank and appoint another Chief in his stead. Also that he binds himself to submit to all orders issued by the Deputy

148 No. CX. Agreement of the Chief of Nongsobphoh-1870. Vol. 1 Aitchison, C.U (1892). The British used Nongsobphoh to refer to the State.

Commissioner of the Khasi and Jaintia Hills or other duly authorized officer and to make over, on demand, all refugees and civil and political offenders coming to, or residing within, his territory. Further, that he also agrees to supply any information relative to his territory and its inhabitants whenever he may be required to do so by the officers of the British Government. He will always use his best endeavours to maintain the well-being of the people residing in his territory, and he will give aid and protection with all his might to Government officers and travellers passing through, also to people of other elakas residing in, his territory. He will also endeavour to facilitate free intercourse and trade between the people of the territory under him and the people of other districts and States. Also he acknowledges the right of the British Government to establish civil and military sanitarium, cantonments, and posts in any part of his State, and to occupy the lands necessary for the purpose rent-free. He will give Government every assistance which may be required in opening roads within his State. Also that he will implicitly obey all orders issued to him by the Deputy Commissioner of the Khasi and Jaintia Hills, otherwise he agree to suffer fine or such other penalty for his misconduct as the Government may think fit to inflict. Finally he submit his agreement to the cession by his predecessors of the lime, coal, and minerals within my State, on condition of receiving half the profits arising from their sale, lease, or other disposal, and on the same terms to the cession also of such waste lands, being lands at the time unoccupied by villages, cultivation, plantation, orchards, etc., as may be required to be sold as waste land. Noting at the end that "Fully understanding the terms of this engagement, I hereby affix my hand and seal this 31st day of August 1870, Shillong.

In 1873 the Bengal Eastern Frontier Regulation Act was pronounced. "The minute of direct administration is known as the "Inner Line": a boundary maintained at the discretion of the Lieutenant-Governor, which British subjects of certain classes and external tribesmen are not allowed to cross without a pass. The inner line shown in the maps is not a British Frontier: it is merely a line fixed by Government to guide the civil officers as to the extent of their jurisdiction."¹⁴⁹

149 Intelligence Branch, Army Headquarters, India (1907) Frontier and

On the 20 of March, 1874 a notification issued by the Chief Commissioner of Assam notified “that the headquarters of the Chief Commissionership of Assam have this day been transferred to Shillong.”¹⁵⁰ The first Chief Commissioner of Assam Province (Chief Commissioner's Province) was Lt. Col. R.H.Keatings.

By a Proclamation No.379 dated the 6 February 1874 by the Governor-General, he took over the power and control from the Lieutenant Governor of Bengal for the following districts; Goalpara, Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, the Khasi and Jaintia Hills, Naga Hills, Garo Hills, and the district of Cachar, separating them from the administration of the Government of Bengal. Then as per notification No.380 dated 6 February 1874, the Assam Province was brought under the Chief Commissioner. On the 12 of September, Sylhet was also incorporated into the newly formed Chief Commissionership. Lt.Colonel R.H.Keatinge, V.C., C.S.I., was appointed the first Chief Commissioner. Shillong automatically became the Capital of the new province, over and above being the headquarters of the Deputy Commissioner of the Khasi and Jaintia Hills district and the Political agent for the Khasi States¹⁵¹. It is to be noted that at this point in time the “Khasi and Jaintia Hills District” does not include the geographical and political space that falls within the “Khasi States”. The Khasi and Jaintia Hills Districts includes only the “British Areas” which falls within the jurisdiction of Jowai Subdivision. This was notified as early as on 6 November 1869 and published in Calcutta Gazette, November 24, 1869: p. 2067.

One of the important Acts that was promulgated in the year 1874 was the 'Scheduled Districts Act' 1874. As per paragraph 2 of Section 1 of the Act all the ten districts identified above falling within the jurisdiction of Assam Province were notified as “Scheduled Districts”. Of the two districts; Sylhet and Lushai Hills that were later enjoined with the Assam Province, the Lushai Hills was declared a Scheduled District and Sylhet did not get the status

Overseas Expeditions from India, North and North-Eastern Frontier Tribes pp.159.

150 No.49, File No.23 a G of 1874 Serial No.2 dated 20 March, Office of the Chief Commissioner of Assam.

151 Home Department Notification No.380 dated 6 February 1874.

of Scheduled District as on 6 September 1895 as noted in Resolution of the Secretary of State in Council. This was as per the power given by paragraph 3 of Section 1 of the Scheduled Districts Act, 1874.

Although the various Districts in Assam Province was notified as being “Scheduled Districts” since 1874, however the same was operationalised only in 1877 as observed in Notification No.1651 dated the 3 November 1877 published in the Assam Gazette, Part I, November 10, 1877 (p.383). As per Section 3 of the said Act, the provincial government can declare the operationalization of “rules’ in the scheduled districts or in specific areas of the Scheduled Districts. Concomitant to the same the obverse of not making certain rules applicable to certain scheduled districts or areas within a scheduled district also applies.

Guahati was the Headquarters of Assam, when Assam was a division under the Commissioner within Bengal Province. However later Shillong was made the Headquarter of Assam when the same was declared a Province under the Chief Commissioner.

The place in Shillong called 'Phud Wahpamdngiem' which was selected as the place of residence of the Chief Commissioner, was bought from Colonel Bivar at the price of Rs.26,000/- as observed in a letter No.49T dated 6 March 1874. The first Chief Commissioner of Assam Province was Colonel Keating. It is often stated that without permission from the Government of India, Colonel Keating made Shillong as the Headquarters from 20 March 1874 as was observed in Notification No.49 dated 20 March 1874. Pertaining to the selection of Shillong as capital of the province, the same can be concluded based on letters between the Chief Commissioner and the Governor - General; No 101 dated 2 May 1874 which was the response to letter No.963 dated 20 March 1874 of the Government of India. The Governor-General agreed with the selection of Shillong as the headquarters of Assam province as observed in letter No.1524, dated Fort William, the 29 May 1874 which can be found in the Assam Secretariat General Department File No.23 a-G of the year 1874.

Lord Northbrook was the first Viceroy to visit this new Capital. A Khasi, Jeebon Roy, who was then Inspector of Police, had the privilege of escorting him from Chhatrack and acting as guide during

his stay in Shillong. The Viceroy left via Nongpoh and Guahati.¹⁵²

By 1874, the Governor General took over from Lt. Governor of Bengal ten districts- Kamrup, Darrang, Sibsagar, Lakhimpur, Garo Hills, Khasi and Jaintia Hills, Naga Hills, Cachar and Goalpara. It must be noted that the KJHD does not include the twenty five Khasi States areas. This year saw the creation of a separate Assam province carved out of the Bengal province and brought under a Chief Commissioner. Ten districts were made a part of Sylhet. The Lushai Hills were brought into the Assam province in later. As for the KJHD which includes British Areas within Jowai Subdivision and Shillong Sadar Subdivision, all were brought under the Assam province.

This was immediately followed by the Scheduled District Act, 1874. As per Para 3 Section 1- all 10 districts within Assam Province were declared Scheduled Districts. However while Lushai Hills became scheduled, the district of Sylhet was not. However the SDA operationalised in Assam Province in 1874: Assam province removed from Bengal and became of Chief Commissioners Province. When the Chief Commissionership of Assam was formed in February 1874, the district of Goalpara and Eastern Duars and the district of Garo Hills were retransferred to Assam.¹⁵³

In 1875 another ‘General Form of Agreement’ appears, noted as No. LXXV. in Vol. 1 Aitchison, C.U (1892) and No.LVIII in Vol.12 Aitchison, C.U (1931). While the content of the agreement was similar to the earlier, this time a line stating that “[His Excellency the Viceroy and Governor-General of India, or by the Chief Commissioner of Assam” was inserted. The General Form of Agreement reads as follows:

I..... having been appointed[His Excellency the Viceroy and Governor-General of India, or by the Chief Commissioner of Assam (as the case maybe) to be Chief of the State ofin the district of Cossiah and Jynteah Hills, do hereby agree and promise that I will, in the administration of the said State, conduct myself agreeably to

152 Roy, U Jeebon Roy, History of India in Khasi-This article was first published in the Shillong Centenary celebration Souvenir, 1976.

153 Report on the Administration of North East India. p. 86.

the following rules :-

1. I consider myself to be under the orders and control of the Deputy Commissioner of the district of the Cossiah and Jynteah Hills. In the event of any dispute arising between myself and the Chief of any other Cossiah State, such dispute shall be decided by the Deputy Commissioner of the Cossiah and Jynteah Hills, or by any other officer duly authorized in that behalf by the Chief Commissioner of Assam or by the Government of India.
2. I will adjudicate and decide all civil cases and all criminal cases not of a heinous kind, which may arise within the limits of the State, in which my subjects alone are concerned. I will report the occurrence of heinous offences within the limits of the State immediately to the Deputy Commissioner of the Cossiah and Jynteah Hills, and will arrest the persons concerned in them, whom I will deliver up, to be dealt with by the Deputy Commissioner, or by any other officer appointed by him for that purpose. I promise to refer all civil and criminal cases arising within the limits of the State in which the subjects of other Cossiah States, or Europeans, or Natives of the plains may be concerned, for adjudication by the Deputy Commissioner of the Cossiah and Jynteah Hills, or by any other officer appointed by him for that purpose.
3. In case of my using any oppression, or of my saying in a manner opposed to established custom, or in the event of my people having just cause for dissatisfaction with me, the Chief Commissioner of Assam may remove me from my Chiefship and appoint another Chief in my stead.
4. I will surrender to the Deputy Commissioner of the Cossiah and Jynteah Hills, on demand, all civil or political offenders coming to or residing within my jurisdiction.
5. I will supply any information related to the country under my control and its inhabitants whenever I may be required to do as by the Deputy Commissioner of the Cossiah and Jynteah Hills. I will always use my best endeavours to maintain the well-being of the people subject to my rule,

and I will give aid and protection with all my might to officers of the British Government and travellers passing through, also to people of other jurisdictions residing in, my jurisdiction. I will also endeavour to facilitate free intercourse and trade between the people of the State under me and the people of other districts and States.

6. I acknowledge the right of the British Government to establish civil and military sanitarium, cantonments, and posts in any part of the country under my control, and to occupy the lands necessary for that purpose rent free I will give to the British Government every assistance which may be required in opening roads within the State of.....

7. I will implicitly obey all orders issued to me by the Deputy Commissioner of the Cossiah and Jynteah Hills, or other officer duly authorized in that behalf by the Chief Commissioner of Assam or by the Government of India. In case of my violating this rule I shall suffer fine or such other penalty for my misconduct as such officer may think fit to inflict.

8. I hereby add my Agreement to the cession by my predecessors of the natural products of the soil of the State, viz., lime, coal, and other minerals, and of the right to hunt and capture elephants within the State, on the condition that I shall receive half the profits arising from the sale, lease, or other disposal of such natural products or of such right. On the same condition I agree to the cession of all waste lands, being lands at the time unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as waste lands.

9. I will not alienate to any person any property of the State, moveable or immovable, which I possess, or of which I may become possessed, as Chief of the State.

* 10. I will cause such areas as may be defined by the British Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State. I will take efficient measures to secure these areas against destruction by fire and by

jooming.

*inserted at the option of the Chief Commissioner of Assam

Points number nine and ten were inserted into the earlier General Form of Agreement inserting the ownership of property and the setting aside of forest areas and its maintenance. After this new form of general agreement, it was applied by the British government on the Chief of Mawsynram in 15 June, 1875. The agreement No.XCV,¹⁵⁴ U. Rammon, of Maosenram, having been appointed by the Chief Commissioner of Assam, under orders conveyed in his Secretary's letter No. 506, dated the 18 February 1875, to be Chief of the State of Maosenram, in the district of Khasi and Jaintia Hills, in the room of U. Adhon Singh, Seim, deposed, do hereby agree and promise that he will, in the administration of the said State, conduct himself agreeably to the following rules of agreement. That he considers himself to be under the orders and control of the Deputy Commissioner of the district of Khasi and Jaintia Hills. In the event of any dispute arising between himself and the Chief of any other Khasi State, such dispute shall be decided by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other Officer duly authorised in that behalf by the Chief Commissioner of Assam or by the Government of India. That he will adjudicate and decide all civil and criminal cases not of a heinous kind which may arise within the limits of the State in which his subjects alone are concerned. He will report the occurrence of heinous offences within the limits of the State immediately to the Deputy Commissioner of the Khasi and Jaintia Hills, and will arrest the persons concerned in them, whom he will deliver up to be dealt with by the Deputy Commissioner or by any Officer appointed by him for that purpose. He promises to refer all civil and criminal cases arising within the limits of the State, in which the subjects of other Khasi States or Europeans, or natives of the plains may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by other Officer appointed by him for that purpose. That in case of him using any oppression, or of him acting in a manner opposed to established custom, or in the event

154 No. XCV. Agreement with the Chief of Mawsynram-1875. Vol. 1 Aitchison, C.U (1892).

of his people having just cause for dissatisfaction with him, the Chief Commissioner of Assam may remove him from his Chiefship and appoint another Chief in his stead. That he will surrender to the Deputy Commissioner of the Khasi and Jaintia Hills, on demand, all civil and political offenders coming to, or residing within, his jurisdiction. That he will supply any information relative to the country under his control and its inhabitants whenever he may be required to do so by the Deputy Commissioner of the Khasi and Jaintia Hills. He will always use his best endeavours to maintain the well-being of the people subject to his rule, and he will give aid and protection with all his might to officers of the British Government and travellers passing through, also to people of other jurisdictions residing in, his jurisdiction. He will also endeavour to facilitate free intercourse and trade between the people of the State under him and people of other districts and States. That he acknowledges the right of the British Government to establish civil and military sanitararia, cantonments, and posts in any part of the country under his control and to occupy the lands necessary for that purpose rent free. He will give to the British Government every assistance which may be required in opening roads within the State of Maosenram. That he will implicitly obey all orders issued to him by the Deputy Commissioner of the Khasi and Jaintia Hills, or other officer duly authorized in that behalf by the Chief Commissioner of Assam or by the Government of India. In case of him violating this rule, he shall suffer fine or such other penalty for his misconduct as such officer may think fit to inflict. That he hereby add his agreement to the cession by his predecessor of the natural products of the soil of the State, *vis. lime, coal, and other minerals*, and of the right to hunt and capture elephants within the State on condition that he shall receive half the profits arising from the sale, lease, or other disposal of such natural products or of such right; on the same condition, he agree to the cession of all waste lands, being lands at the time unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as waste lands. That he will not alienate to any person any property of the State, moveable or immoveable, which he possess, or of which he may become possessed as Chief of the State without the sanction of Government. Finally he will have defined areas set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State, and he will take efficient measures to secure

these areas against destruction by fire and by jhuming. As earlier he notes in the agreement that “Fully understanding the terms of this Engagement, I hereby affix my hand this 15th day of June 1875.” The agreement was executed in front of H.S.Bivar.

As per notification 1877 Section 3, the power of Assam Province that was under the Governor-General delegated to Chief Commissioner of Assam. Guwahati till then was Head Quarter of Assam Division under Commissioner of Bengal Province. However in 1874, Shillong became the HQ of Assam Province under a Chief Commissioner. In Assam Province the first Chief Commissioner was Colonel Keatings. It is interesting to note that without permission, Keatings made Shillong the HQ from 20 March 1874. Only in 1921 that Assam province had a Governor.¹⁵⁵

The Indian Council Act was amended in 1892 and in the year 1905, from the province of Bengal was carved out and merged the Eastern Bengal and Assam Province with Dacca as its Headquarters. All Khasi British Areas were brought under the new province of East Bengal and Assam Province. There was further Amendment of Indian Council Act in 1909. However by 1912, the province of Assam was reverted back to a Chief Commissioners Province and Bengal reunited with East Bengal. Again the Assam Province’s capital was reverted back to Shillong from Dacca.

The Period 1862 to 1913

- 1862 Dun Sing, son of Oola Beang Koonwur as ruler of *Nusteng* in 22 July, 1862, he was forced to enter into an agreement with the Deputy Commissioner of Cherra Poonjee
- 1863 Agreement between J.C.Haughton (Offg. Govr.-Genl.'s Agent, N.E.F.) with the Chief of Moleem in 10 December, 1863
- 1866 18 May; No.LXXXVII. Engagement with the Chief of Nungklow-1866.
KJHD Head quarter was shifted from Sohra (Cherrapunjee) to

155 For a detailed account of this historical event please refer to L.Gilbert Shullai (1989) Ka Symboh HistoryBad Ka Ri Hynniewtrep. Ri Khasi Press, Umsohsun, Shillong. pp.5-6.

Shillong

- 1867 No. LXXIV. General Form of Agreement-1867
- 1868 19 August; No.LVII. Sunnud Recognizing the Succession of Chand Rai-1868
- 1869 6 May; No. CI. Agreement of The Chief of Maoiang-1869.
1 November; No. CXII. Agreement of the Chief of Malai Sohmat-1869
- 1870 5 May; No. XCIII. Agreement with the Chief of Dwara Nongturmen-1870.
31 August; No. CX. Agreement of the Chief of Nongsophoh-1870.
- 1874 On 6 February, Assam was put under a Chief Commissioner by taking away its management from the Lt.Governor of Bengal and brought directly under Governor-General. Ten districts-Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, Garo Hills, Khasi & Jaintia Hills, Naga Hills, Cachar and Goalpara (The KJHD does not include Khasi State). Assam province created under Chief Commissioner in which 10 districts were a part of Sylhet. Lushai Hills brought in later. KJHD includes British Areas within Jowai Subdivision and Shillong Sadar Subdivision.
- 1874 Scheduled District Act: Para 3 Section 1- all 10 districts within Assam Province are Scheduled Districts 1874 (Lushai Hills became scheduled while Sylhet was not). However the SDA operationalised in Assam Province in 1874.
- 1874 Assam province removed from Bengal and became a Chief Commissioners Province. Shillong became capital on 20 March.
- 1875 Another General Form of Agreement appears, noted as No. LXXV. A line stating that “[His Excellency the Viceroy and Governor-General of India, or by the Chief Commissioner of Assam” was inserted.
15 June; No. XCV. Agreement With The Chief Of Maosenram-1875.

- 1876 Extension of Bengal Municipality Act to Shillong Municipality
- 1877 23 July; No. C. Agreement With The Chief of Bhawal-1877.
 (Notified...) 1877 (Section 3) Power of Assam Province goes to the Governor-General delegated to Chief Commissioner of Assam. Guwahati was Head Quarter of Assam Division under Commissioner of Bengal Province. Shillong became the HQ of Assam Province under Chief Commissioner. In Assam Province the first Chief Commissioner was Colonel Keatings (without permission Keatings made Shillong HQ from 20 March 1874 (9 Only in 1921 that Assam province had a Governor)
 Another General Form- No. LIX. General Form of Sanad Prescribed by the Government of India In 1877.
 16 October; No. LX. Sanad Granted To U Hajon Manick of Cherra in 1877.
- 1878 15 November; No. LXI. Agreement Executed by Hain Manik, Seim of Myllem, Relative to the Inclusion of the Suburbs of Maokhar and Laban in the Boundaries of the Shillong Station, - 1878.
 Shillong came under the provision of the Bengal Municipal Act 1876. Agreement executed by Hain Manik, Syiem of Myllem on 15th November
- 1883 22 February; No. LXII. Agreement Executed by the Wahadadars of Shella and Nongtraï regarding the Lime Quarries on the Boga River,-1883.
 14 May; No.CXI. Agreement of the Chief of Jirang-1883
- 1892 17 June; No. LXIV. Translation of an Agreement Entered into by the Syiem of Myllem Ceding 75 Feet on Each Side of the Gauhati Road,- 1892
 Indian Council Act was amended
- 1895 29 November; No. LXV. Letter from Hain Manick, Syiem of Myllem to Deputy Commissioner Khasi and Jaintia Hills
- 1903 Captain D.Herbert published the book 'Succession to Syiemships in the Khasi States.

- 1905 Bengal was divided and Eastern Bengal and Assam Province merged with Dacca as HQ. Khasi British Areas brought under East Bengal Province and capital shifted to Dacca till the year 1912.
- 1907 No. LXVI. General Form of Sanad Prescribed by the Government of India in 1907.
- 1909 No. LXVII. General Form of Sanad Prescribed by the Government of India in 1909
Further Amendment of Indian Council Act
- 1910 Shillong became full municipality under the Bengal Municipal Act 1884.
- 1912 Assam was reverted to Chief Commissioners Province and Bengal reunited with East Bengal. The Assam Province's capital reverted back to Shillong from Dacca.
- 1913 9 August; No. LXVIII. Agreement Executed by U Ron Singh, Siem Of Myllem, Regarding the Extension of the Bengal Municipal Act, Iii (B.C.) of 1884 to the Villages of Malki, Laitumkhrah, Jhalupara and Mawprem,-1913
Ron Singh agreed to the extension of this Act on 9 August to some areas of village Malki, Laitumkhrah, Jhalupara, Mawprem to the rivers of Umshirpi and Umkhrah

A small hima, compared to the others situated right between Hima Maharam and Malai sohmat known by the name- Hima Bhowal entered into a similar agreement with the British Government in the year 1877. Agreement No.C¹⁵⁶ between U.Bamon Sing and W.S.Clarke, Deputy Commissioner Khasi and Jaintia Hills states that

I, U. Bamon Singh, resident of Bhawal, having been appointed to be Chief of the State of Bhawal alias Warbah, in the district of Khasi and Jaintia Hills, do hereby agree and promise that I will, in the administration of the said

156 No. C. Agreement with the Chief of Bhawal-1877. Vol.1 Aitchison, C.U (1892).

State, conduct myself agreeably to the following rules...

These rules as with the other chiefs, made U Bamon Sing to submit that he consider himself to be under the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills. In the event of any dispute arising between himself and the Chief of any other Khasi State, such dispute shall be decided by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer duly authorized in that behalf by the Chief Commissioner of Assam or by the Government of India. Also that he will adjudicate and decide all civil cases and all criminal cases, not of a heinous kind, which may arise within the limits of the State, in which his subjects alone are concerned. He will report the occurrence of heinous offences within the limits of the State immediately to the Deputy Commissioner of the Khasi and Jaintia Hills, and will arrest the persons concerned in them, whom he will deliver up, to be dealt with by the Deputy Commissioner, or by any other officer appointed by him for that purpose. He promises to refer all civil and criminal cases arising within the limits of the State, in which the subjects of other Khasi States, or Europeans, or Natives of the plains may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer appointed by him for that purpose. Further, in case of him using any oppression, or of his acting in a manner opposed to established custom, or in the event of his people having just cause for dissatisfaction with him, the Chief Commissioner of Assam may remove him from his Chiefship and appoint another Chief in his stead. Also that he will surrender to the Deputy Commissioner of the Khasi and Jaintia Hills, on demand, all civil or political offenders coming to, or residing within, his jurisdiction. That he will supply any information relative to the country under his control and its inhabitants whenever he may be required to do so by the Deputy Commissioner of the Khasi and Jaintia Hills. He will always use his best endeavours to maintain the well-being of the people subject to his rule, and he, will give aid and protection with all his might to officers of the British Government and travellers passing through, also to people of other jurisdictions residing in, his jurisdiction. He will also endeavour to facilitate free intercourse and trade between the people of the State under him and the people of other districts

and States. He acknowledges the right of the British Government to establish civil and military sanitararia, cantonments, and posts in any part of the country under his control, and to occupy the lands necessary for that purpose rent free. He will give to the British Government every assistance which may be required in opening roads within the State of Bhawal or Warbah. In this connection he will implicitly obey all orders issued to him by the Deputy Commissioner of the Khasi and Jaintia Hills, or other officer duly authorized in that behalf by the Chief Commissioner of Assam or by the Government of India. In case of him violating this rule, he shall suffer fine or such other penalty for his misconduct as such officer may think fit to inflict. He then adds his agreement to the cession by his predecessors of the natural products of the soil of the State, *viz.* lime, coal, and other minerals, and of the right to hunt, and capture elephants within the State, on condition that he shall receive half the profits arising from the sale, lease, or other disposal of such natural products or of such right. On the same condition, he agrees to the cession of all waste lands, being lands at the time unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as waste lands. Also that he will not alienate to any person any property of the State, moveable or immoveable, which he possess, or of which he may become possessed, as Chief of the State. Finally he will cause such areas as may be defined by the British Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State of *Bhawal*. He will take efficient measures to secure these areas against destruction by fire and jhuming. The agreement ends that he “Fully understanding the terms of this agreement, I hereby affix my hand this twenty-third day of July 1877,” Shillong.

In the year 1877 another Performa related to Sanad was prescribed by the Government of India. In the general form of a Sanad No LIX¹⁵⁷ it states:

You,having been elected Seim of the State ofin the district of the Khasi and Jaintia Hills, this Sanad ratifying your election and

157 No. LIX. General Form of Sanad prescribed by the Government of India in 1877. Vol. 12 Aitchison, C.U (1931).

appointing you Seim, is conferred upon you on the following conditions :-

I.-You shall be subject to the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills, who will decide any dispute that may arise between yourself and the Chief of any other Khasi States. You shall obey implicitly any lawful orders which the Deputy Commissioner or other officer authorised on that behalf by the Government of India, may issue to you.

II.-You are hereby empowered and required to adjudicate and decide all civil cases and all criminal offences, except those punishable under the Indian Penal Code, with death, transportation, or imprisonment for five years and upwards, which may arise within the limits of the State, in which your subjects alone are concerned. In regard to the offences above excepted, you shall submit an immediate report to the Deputy Commissioner of the Khasi and Jaintia Hills, and faithfully carry out the orders he may give concerning their disposal. And you shall refer all civil and criminal arising within the limits of your State, in which the subjects of the other Khasi States, or Europeans, or native of the plains, may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer appointed by him for that purpose

III.-The Government of India shall be at liberty to establish civil and military sanitarium, cantonments, and posts in any part of the country under your control, and to occupy the lands necessary for that purpose rent-free.

IV.-You hereby confirm the cession to the British Government by your predecessors of all the lime, coal and other mines, metals and minerals found in the soil of your State, and of the right to hunt and capture elephants within your State, on condition that you shall receive half the profits arising from the sale, lease, or other disposal of such lime, coal, or other minerals, or of such right. On the same condition, you confirm the cession to the British Government of all waste lands, being lands at the time of cession unoccupied by villages, cultivation, plantations,

orchards, etc. which the British Government may wish to sell or lease as waste lands.

V.-You shall not alienate or mortgage to any person any property of the State, moveable or immoveable, which you possess, or of which you may become possessed, as Chief of the State.

VI.-You shall cause such areas as may be defined by the British Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State. You shall take efficient measures to secure these areas against destruction by fire and by jhuming.

*VII.-You do hereby accord your assent and agreement to sit together with the Deputy Commissioner for the trial of suits for divorce and other matrimonial cases arising between Native Christians, who have been married in accordance with provisions of the Indian Christian Marriage Act, XV of 1872. *(This clause is retained, modified, or excluded in case in accordance with the Agreement made with the Seim on the subject).

VIII.-If you violate any of the conditions of this Sanad, or in the case of your using any oppression, or of your acting in a manner opposed to established custom, or in the event of your people having just cause for dissatisfaction with you, you shall be liable to suffer such punishment as the Chief Commissioner of Assam, subject to the orders of the Government of India may think proper to inflict.

IX.-. According to the conditions above enjoined, you are hereby confirmed Seim of the State of..... in the Khasi Hills. In virtue whereof this Sanad is granted to you under my hand and

seal thisday of19 .

Chief Commissioner of Assam.

In the same year- 1877, a Sanad was granted to U Hajon Manick of

Hima Sohra. The Sanad No.LX¹⁵⁸ states that

‘You, U Hajon Manick, having been elected Seim of the State of Cherra in the district of the Khasi and Jaintia Hills, this Sanad, ratifying your election and appointing you Seim, is conferred upon you on the following conditions:-‘

Following the new format, U Hajon Manick was made to accept that he shall be subject to the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills, who will decide any dispute that may arise between himself and the Chief of any other Khasi State. That he shall obey implicitly any lawful orders which the Deputy Commissioner, or other officer authorised on that behalf by the Government of India, may issue to him. That he is hereby empowered and required to adjudicate and decide all civil cases and all criminal offences, except those punishable under the Indian Penal Code with death, transportation, or imprisonment for five years and upwards, which may arise within the limits of the State in which his subjects alone are concerned. In regard to the offences above excepted, he shall submit an immediate report to the Deputy Commissioner of the Khasi and Jaintia Hills, and faithfully carry out the orders he may give concerning their disposal. And he shall refer all civil and criminal cases arising within the limits of his State, in which the subjects of other Khasi States, or Europeans or natives of the plains may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer appointed by him for that purpose. That the Government of India shall be at liberty to establish civil and military sanitarium, cantonments, and posts in any part of the country under his control, and to occupy the lands necessary for that purpose rent-free. That he hereby confirms the cession to the British Government by his predecessor of all the lime, coal and other mines, metals and minerals found in the soil of his State, and of the right to hunt and capture elephants within his State, on condition that he shall receive half the profits arising from the sale, lease, or other disposal of such lime, coal, or other minerals, or of such right. On the same condition he confirms the cession to the British Government of all waste lands, being lands at the time of

158 No. LX. Sanad Granted to U Hajon Manick of Cherra in 1877. Vol. 12 Aitchison, C.U (1931).

cession unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as waste lands. Also that he shall not alienate or mortgage to any person any property of the State, moveable or immoveable, which he possesses, or of which he may become possessed, as Chief of the State. That he shall cause such areas as may be defined by the British Government for that purpose to be set aside for the growth of trees to supply building timber and firewood to the inhabitants of the State. That he shall take efficient measures to secure these areas against destruction by fire and by jhuming. That if he violates any of the conditions of this Sanad, or in case of him using any oppression, or of him acting in a manner opposed to established custom, or in the event of his people having just cause for dissatisfaction with him, he shall be liable to suffer such punishment as the Chief Commissioner of Assam, subject to the orders of the Government of India, may think proper to inflict. Finally that according to the conditions above enjoined, he is hereby confirmed Seim of the State of *Cherra* in the Khasi Hills. In virtue where of this Sanad is granted to him under their hand and seal this sixteenth day of October one thousand eight hundred and seventy seven. This sanad was signed by Lytton, Viceroy and Governor-General of India, Simla, 1877.

An important agreement that has far flung implications to current day dynamics especially related to the struggle of the Federation of Khasi States was contained in an Agreement No.LXI¹⁵⁹ executed by Hain Manik, Syiem of Myllem, “relative to the inclusion of the suburbs of *Maokhar* and *Laban* in the boundaries of the Shillong Station, -1878.”

Hain Manik, the Syiem of Hima Myllem had consented in the agreement that:

understanding that it is required by the Chief Commissioner of Assam that the villages of *Maokhar* to the northward and *Laban* to the south-westward of, and adjacent to, the station

159 No. LXI. Agreement executed by Hain Manik, Seim of Myllem, Relative to the Inclusion of the Suburbs of *Maokhar* and *Laban* in the Boundaries of the Shillong Station, -1878. Vol. 12 Aitchison, C.U (1931).

of Shillong, and within my territory, should be subjected to sanitary and municipal regulations, do hereby agree that the said village of Maokhar and Laban shall be included within the Municipality of Shillong: and I agree to pay on account of such villages, and on account of the residents thereof, all rates and taxes which may be provided for to be paid under the bye-laws, or which may, from time to time, be fixed, by the Commissioners of such Municipality, and to do every and all things required by such Commissioners: Provided that my proprietary and manorial rights and my authority as Seim within such villages, otherwise than necessary to be waived for the purposes of such municipality, shall not be interfered with. I further agree that, for the purpose of this agreement, the limits of the said villages shall be deemed to include the whole of the land at present occupied by such villages, or which may be occupied as such villages shall enlarge and extend : and such limits may be fixed, varied or extended as the Commissioners for the Municipality may from time to time find to be expedient.

This was signed in the presence of Jeebon Roy, Extra Assistant Commissioner in-charge for Deputy Commissioner in Shillong on the 15 November 1878. The witness to the signing of the agreement were U Bidon Roy (Court Head Constable) and U Larsing. Following which on 26 November, 1878 a Proclamation was issued by the Chief Commissioner of Assam General Department

whereas an application was made to the Chief Commissioner for putting in force Chapter IV of Act V (B.C.) of 1876 (Bengal Municipal Act) in the Station of Shillong, and its suburbs, Laban and Mawkhar,, in the district of the Khasi and Jaintia Hills, and whereas it has been reported by the Deputy Commissioner of the Khasi and Jaintia Hills that the inhabitants of the said station and its suburbs have declared themselves wholly in favour of the adoption of the said Chapter therein: It is hereby ordered and declared that the application aforesaid appears to the Chief Commissioner of Assam to be wholly according to the wishes of the inhabitants of the said station and its suburbs, and that Chapter IV of Act V (B.C.) of 1876 shall be henceforth in force in the said station of Shillong and its

suburbs, Lanan and Mawkhar, in the district of the Khasi and Jaintia Hills, for all the purposes set forth in the said chapter.¹⁶⁰

It was also notified by the Chief Commissioner that the Deputy Commissioner (ex-officio) Chairman, Senior Assistant or Extra-Assistant Commissioner (ex-officio), The Executive Engineer, The Civil Surgeon, The Siem of Myllem and the Lt.E.Raban,R.E are appointed to be Municipal Commissioners for the Station of Shillong, and its suburbs, Laban and Mawkhar, and are authorised to prepare rules for the more effectually accomplishing the purposes for which they are appointed.¹⁶¹

The Wahadadars of Shella and Nongtraï together executed an agreement No.LXII¹⁶² in 1883 with the British Government about their submission to jointly allow the rights and control of the lime quarries on both banks of the river Boga. The agreement states that the Government has the right of taking as much limestone as it wishes from the limestone-quarries on both banks of the Boga river. While the Shella and Nongtraï people are the proprietors of these quarries, their rights are now amalgamated under new conditions. These are that (1) the sole management of these quarries shall be vested in the Government. (2) That the net profit derived from the management of the quarries shall be shared equally, that half will be taken by the Government and half by the people of Shella and Nongtraï. (3) That Government agrees to allow the people of Shella and Nongtraï when they want to build pucca dwelling-houses for themselves alone, to pick up the small pieces of limestone and burn these for the said building purposes. To prevent abuse of this clause, the assent of the Wahadadar must be obtained in each case in writing, and this clause Government reserves to itself the right to rescind at any future time. (4) That Government consents to take entire responsibility of this amalgamation. (5) That we, the undersigned, the Wahadadars and

160 Proclamation published in the Assam Gazette of the 30 November, 1878.

161 Notification published in the Assam Gazette of the 30 November, 1878.

162 No. LXII. Agreement executed by the Wahadadars of Shella and Nongtraï Regarding the Lime Quarries on the Boga River,-1883, Vol. 12 Aitchison, C.U (1931).

elders of the people, do hereby give our assent to and sign this agreement for ourselves and on behalf of all the people of Shella Punji and Nongtraï village.

The agreement was signed by U Khana, Wahadadar and U Shan, Wahadadar. The officiating Deputy Commissioner- A.E.Heath oversaw the signing of the agreement on 22 February, 1883. In the same agreement the People from Nongtraï on their part submitted that

We, the proprietors of the Nongtraï lime-quarry situated on the banks of the Boga River have given an agreement paper, together with the Shella people and Wahadadars that the proprietors and the Government shall share equally the profit. We beg to show our prayer below in order to avoid future disputes. The above lime-quarry, Nongtraï, is the private property of some people and they have divided into parts according to their respective rights, the owners or proprietors will get the half share from their respective rights, as shown below:

(1) Ka Ber, widow of Laïthat, will get the half share from the place within the following boundaries, as she bought from the original proprietors: East-The Boga river, West-The property of Ka Timil, South-U Mawiong, the Shella boundary, North-U Mawsaw and the property of Ka Wawmoh (2) U Josing will get the half share from within the following boundaries for 12 years and 8 months from the 26th January 1878, as he leased from the original proprietor: East-The Boga river, West-The, property of Ka Timil, South-Ditto ditto U Byteng and Ka Kumwan, North-Ditto ditto U Laitiong (3) U Nusing and his relation will get the half share from within the following boundaries, being the original owners: East-The Boga river, West-The property of Lorwan, South,-Ditto ditto Ka Wounah, North-Ditto ditto U Bamonsing (4) U Sundorai, Wahadadar, for U Bosing, will get the half share from within the following boundaries from 5th September 1873 for 15 years as leased from the original owner: East-The Boga river, West-The property of U Lorwan, North-Ditto ditto Ka Nor, and beyond Ka Nor, the property of U Sabrat, South-Ditto ditto

U Bordonuluk (5) U Dosing, U Tonsing and their relation will get the half share from within the following boundaries, being original owners: East-The Boga river, West-The property of Ka Litshong, North-The Norumbloi, South-The property of U Bamonsing.

This was sign by U Donrai for his mother Ka Ber., U Josing, U Nusing, U Bosing, U Dosing on 22 February 1883.

The Hima Jirang situated close to and bordering present day Assam signed an agreement No.CXI¹⁶³ with W.S.Clarke on 14 May, 1883. In the agreement U. Bang, Sirdar of Jirang, noted that

having been appointed by the Deputy Commissioner of the Khasi and Jaintia Hills to be Sirdar of the State of Jirang, in the district of Khasi and Jaintia Hills, he do hereby agree and promise that he will, in the administration of the said State, conduct himself agreeably to the following rules set by the British Government.

That he considers himself to be under the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills and in the event of any dispute arising between himself and the Chief of any other Khasi State, such dispute shall be decided by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer duly authorized in that behalf by the Chief Commissioner of Assam or by the Government of India. Also that he will adjudicate and decide all civil cases and all criminal cases not of a heinous kind, which may arise within the limits of the State in which his subjects alone are concerned. He will report the occurrence of heinous offences within the limits of the State immediately to the Deputy Commissioner of the Khasi and Jaintia Hills, and will arrest the persons concerned in them, whom he will deliver up to be dealt with by the Deputy commissioner or by any other officer appointed by him for that purpose. He promises to refer all civil and criminal cases arising within the limits of the State, in which the subjects of other Khasi States, or Europeans, or Native of the plains may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any

163 No.CXI. Agreement of the Chief of Jirang-1883 in Vol. 1 Aitchison, C.U (1892) and No.LXIII in Vol. 12 Aitchison, C.U (1931).

other officer appointed by him for that purpose. That in case of his using any oppression or of him acting in a manner opposed to established custom, or in the event of his people having just cause for dissatisfaction with him; the Deputy Commissioner may remove him from his Sirdarship and appoint another Sirdar in his stead. That he will surrender to the Deputy Commissioner of the Khasi and Jaintia Hills, on demand, all civil and political offenders coming to, or residing within, his jurisdiction. Further that he will supply any information relative to the country under his control and its inhabitants whenever he may be required to do so by the Deputy Commissioner of the Khasi and Jaintia Hills. He will always use his best endeavours to maintain the well-being of the people subject to his rule, and he will give aid and protection with all his might to officers of the British Government and travellers passing through, also to people of other jurisdictions residing in, his jurisdiction. He will also endeavour to facilitate free intercourse and trade between the people of the State under him and the people of other districts and States. In this context he acknowledges the right of the British Government to establish civil and military sanitaría, cantonments, and posts in any part of the country under his control, and to occupy the lands necessary for that purpose rent-free. He will give to the British Government every assistance which may be required in opening roads within the State of Jirang. He will also implicitly obey all orders issued to him by the Deputy Commissioner of the Khasi and Jaintia Hills or other officer duly authorized in that behalf by the Deputy Commissioner. In case of him violating this rule, he shall suffer fine or such other penalty for his misconduct as such officer may think fit to inflict. Following which he hereby adds his agreement to the cession by his predecessors of the natural products of the soil of the State, viz., lime, coal, and other minerals, and of the right to hunt and capture elephants within the State, on condition that he shall receive half the profits arising from the sale, lease, or other disposal of such natural products or of such right. On the same condition he agree to the cession of all waste lands, being lands at the time unoccupied by villages, cultivation, plantations, orchards, etc. which the British Government may wish to sell or lease as waste lands. He will not alienate to any person any property of the State, moveable or immovable, which he possess or of which he may become possessed, as Chief of the State. Finally he will cause such areas as may be defined by the British

Government for that purpose, to be set aside for the growth of trees, to supply building timber and firewood to the inhabitants of the State of Jirang. He will take efficient measures to secure these areas against destruction by fire and jhuming.

In an agreement entered with the British Government by Hain Manik, the Syiem of Myllem No.LXIV¹⁶⁴ pertaining to ceding 75 feet on each side of the Shillong - Gauhati road, Hain Manik agreed to hand over to the Government, the piece of land for the sake of the Shillong - Gauhati road, towards the west all along from the 11th mile, which is situated very closely to the Simana Khasi and Jaintia Hills and Kamrup up to Burni Noneah mauza elaka. The whole piece of land up to the above-named places, which belongs to elaka, he gives away. This agreement was dated 17 June, 1892, Shillong.

In another agreement addressed to Deputy Commissioner of the Khasi and Jaintia Hills, dated 29 November, 1895 No.LXV,¹⁶⁵ Hain Manik noted that

with regard to your parawana No. 367, dated the 29 October 1895, asking me to allow the land in which the Railway authorities build their office, to be included within the limits of the Shillong Municipality, as desired by the Chief Commissioner, in reply, I most respectfully beg to say that as the objections set forth in the previous reports were considered unreasonable, as far as myself is concerned, I have no other objection whatever to allow the land to be included within the municipality, I, therefore, leave it to the consideration of the Government for the inclusion, and so that my right and authority may not be endangered thereby, and that no expressed discontent of the landlord of the place and the residents of it be met with and brought against me for this.

In 1896, 16 April, E.A.Gait, Officiating Secretary to the Chief Commissioner of Assam notified through No.1342 J which is in continuation of General Department Notification dated the 26

164 No. LXIV. Translation of an Agreement Entered into by the Siem of Myllem Ceding 75 Feet on Each Side of the Gauhati Road,- 1892, Vol. 12 Aitchison, C.U (1931).

165 No. LXV. Vol. 12 Aitchison, C.U (1931).

November 1878, the new boundaries of the Shillong Station bringing these areas under Act V of 1876 Bengal Municipality Act.¹⁶⁶ The redrawing of the boundaries of Shillong was constantly reworked. This was the year 1906, 7 June by K.J.Kershaw, secretary to the Govt.of Eastern bengal and Assam.¹⁶⁷ Again in 1910, 15 November by L.J.Kershaw, Secretary to the Government.¹⁶⁸ By Notification No.6277 M., dated 23 October 1914, the Chief Commissioner declared the boundaries of the British Portion of the Shillong Municipality¹⁶⁹ and again in 1917, 25 April, by A.W.Botham, Second Secretary to the Chief Commissioner of Assam.¹⁷⁰ In 1925 wards were created in Shillong Municipality dividing the same into ten wards.¹⁷¹ The boundaries were again revised on the 11 April 1928 by Notification No.953 L.S.G noted in Assam Gazette of 18 April 1928, Part II, page 579.¹⁷²

In and around the year 1897, most of the public offices and private houses in Shillong were built of rough-hewn masonry, but on June 12 of the same year the station was reduced to a heap of ruins by one of the most disastrous and widely felt earthquakes on record. After the earthquake new building were erected on what has been found in Japan to be the most earth-quake proof principle. They rest on a wide, firm plinth, of brick or concrete, but the superstructure in each case is designed with timber framework to be as elastic and light as possible. Fortunately the earth-quake occurred at 5 o'clock on a Saturday afternoon, when nearly everyone was out of doors and only two Europeans and 27 Indians were killed. Had it taken place at night, there would have been few survivors. So tremendous was the shock that it completely wrecked such places as Shillong and Goalpara, did serious damage in Darjeeling, and was

-
- 166 Available as Appendix-IX in L.Gilbert Shullai (1998) Ka Shillong (Naduh Ka Snem 1863) Part I & Part II. pp.31
- 167 Ibid., Available in Appendix XI in L.Gilbert Shullai (1998). pp.34
- 168 Ibid., Available in Appendix-XII in L.Gilbert Shullai (1998). pp.36
- 169 Ibid., Available in Appendix -XVII in L.Gilbert Shullai (1998). pp.46 (Also see Assam Gazette of 28 October 1914, Part II page 2066)
- 170 Ibid., Available in Appendix-XIV in L.Gilbert Shullai (1998). pp.39
- 171 Ibid., No.203 L.S.G available in Appendix- XX in L.Gilbert Shullai (1998). pp.48
- 172 Ibid., Available in appendix XXII in L.Gilbert Shullai (1998). pp.52

strong enough in Calcutta to injure nearly all brick buildings. One authority, indeed, estimates that the shock was felt over an area of 1,750,000 square miles. Early in June faint tremors had been felt at Shillong, but the warnings of this great catastrophe were almost imperceptible ... At 5-15, (wrote one observer at Shillong who is quoted in Dr.Charles Daison's 'A Study of Recent Earthquakes') a deep rumbling sound, like near thunder commenced, apparently coming from the south or southwest...The rumbling preceded the shock by about two seconds...and the shock reached its maximum violence almost at once, in the course of the first two or three seconds. The ground began to rock violently, and in a few seconds it was impossible to stand upright, and I had to sit down suddenly on the road. The shock was of considerable duration, and maintained roughly the same amount of violence from the beginning to the end. It produced a very distinct sensation of sea sickness. The feeling was as if the ground was being violently jerked backwards and forwards very rapidly, every third or fourth jerk being of greater scope than the intermediate ones. The surface of the ground vibrated visibly in every direction, as if it was made of soft jelly; and long cracks appeared at once along the road. The road is bounded here and there by low banks of earth, about two feet high and these were all shaken down quite flat. The school building, which was in sight, began to shake at the first shock, and large slabs of plaster fell from the walls at once. A few moments afterwards the whole building was lying flat, the walls collapsed, and the corrugated iron roof lying bent and broken on the ground. A pink cloud of plaster and dust was seen hanging over every house in Shillong at the end of the shock. The whole of the damage done was completed in the first ten or fifteen seconds of the shock.¹⁷³

In 1907, a two page note on the Khasi Hills appeared in the report prepared by the Intelligence Branch, Division of the Chief of Staff, Army Headquarters, India. They noted that "This country is inhabited by the *Khyee*, called by us *Khasias*, who, with the decay of the Ahom kingdom, had settled in the plains, but, on the advent of the British into Assam, were swept back into their own hills. For

173 From the Hooghly to the Himalayas (1913) Illustrated Handbook to the chief places of interest reached by the Eastern Bengal State Railway. Times Press, Bombay.

some time the British had no further dealings with them than the establishing of frontier posts, and their occasional exclusion from the markets of the plains; and until the year 1826 the hills were visited by no Europeans. About that time it became an object with Mr. Scott to establish communication by road between Assam and Sylhet. An opportunity presented itself in 1826, when the Raja of *Nongklao* expressed a wish to rent some lands in Assam; in return for the granting of this request Mr. Scott was able to obtain permission for a road to be made from Gauhati to *Cherrapunji* ... For eighteen months after this agreement most cordial relations existed, and operations on the road were commenced. But in 1829 a survey party of about fifty men at *Nongklao*, under Lieutenants Bedingfield and Burlton, was suddenly attacked and cut up. Mr. Scott himself had a narrow escape, having just left for Cherrapunji. Troops were immediately called up from Sylhet and Assam to avenge this massacre, and a long and (Expedition, 1829) harassing war ensued. The Sylhet Light Infantry under Captain F. G. Lister defeated the Khasias at Mamlu on the 14 April 1829, retook Nongklao and stormed the strong position of Mogandi on the 21 May. The Khasias maintained a desultory conflict, in spite of their being hunted by Captain Lister from post to post, until the chief insurgent *Tirat* (Tirot) Singh gave himself up in 1833....Since that time the maintenance of a British garrison at Cherrapunji, and afterwards at Shillong, has sufficed to maintain the Khasi States in perfect tranquillity. The Khasi States are twenty-five in number. They are governed by chiefs in subsidiary alliance (LXXIII) with the Government of India, and control their own internal affairs.¹⁷⁴

Another General Form of Sanad prescribed by the Government of India was issued in 1907. This year is important because the Khasi states were at this moment under the East Bengal and Assam province with headquarters in Dacca. This General Form No.LXVI¹⁷⁵ read as follows:

174 Frontiers and Overseas Expedition From India (1907) Compiled in the Intelligence Branch, Division of the Chief of Staff, Army Headquarters,India.Vol.IV, North and North-Eastern Frontier Tribes, Simla, Govt. Monotype Press.pp.195-196.

175 No. LXVI. General form of Sanad prescribed by the Government of India in 1907, Vol. 12 Aitchison, C.U (1931).

You,having been elected Siem of the State ofin the district of the Khasi and Jaintia Hills, this Sanad ratifying your election and appointing you Siem, is conferred upon you on the following conditions :-

I.-You shall be subject to the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills, who will decide any dispute that may arise between yourself and the Chief of any other Khasi State. You shall obey implicitly any lawful orders which the Deputy Commissioner, or other officer authorised on that behalf by the Local Government may issue to you.

II.-You are hereby empowered and required to adjudicate and decide all civil cases and all criminal offences, except those punishable under the Indian Penal Code with death, transportation, or imprisonment for five years and upwards which may arise within the limits of the State, in which your subjects alone are concerned. In regard to the offences above excepted, you shall submit an immediate report to the Deputy Commissioner of the Khasi and Jaintia Hills, and faithfully carry out the orders he may give concerning their disposal. And you shall refer all civil and criminal cases arising within the limits of your State, in which persons other than your own Khasi subjects may be concerned for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer appointed by him for that purpose.

III.-The Local Government shall be at liberty to establish civil and military sanitarium, cantonments and posts in any part of the country under your control, and to occupy the lands necessary for that purpose, rent-free.

If Government wishes at any time to construct a railway through your territory, you shall provide the land required for the purpose without compensation save for occupied land, and shall render to the Local Government in this behalf all assistance in your power.

IV.-You hereby confirm the cession to the British Government by your predecessors of all the lime, coal and other mines, metals and minerals found in the soil of your State, and of the right to hunt and capture elephants within your State, on condition that you shall receive half the profits arising from the sale, lease or other disposal of such lime, coal, or other minerals, or of such right. On the same condition, you confirm the cession to the British Government of all waste lands, being lands at the time of cession unoccupied by villages, cultivation, plantations, orchards, etc. which the British Government may wish to sell or lease as waste lands.

V.-You shall not alienate or mortgage to any person any property of the State, moveable or immovable, which you possess or of which you may become possessed, as Chief of the State.

V1.-You shall cause such areas as may be defined by the Local Government for that purpose to be set aside for the growth of trees to supply building timber and fire-wood to the inhabitants of the State. You shall take efficient measures to secure these areas against destruction by fire and by jhuming.

VII.-You do hereby confirm the agreement given by your predecessor, regarding the trial by the Deputy Commissioner alone of suits for divorce and other matrimonial cases arising between Native Christians, who have been married in accordance with provisions of the Indian Christian Marriage Act, XV of 1872. (This clause is retained, modified or excluded in each case, in accordance with the agreement made with the Siem on the subject.)

VIII.-If you violate any of the conditions of this Sanad, or in the case of your using any oppression, or of your acting in a manner opposed to established custom, or in the event of your people, having just cause for dissatisfaction with you, you shall be liable to suffer such punishment as the Local Government, subject to the control of the Government of India, may think proper to inflict.

IX.-According to the conditions above enjoined, you are hereby confirmed Siem of the State ofin the Khasi Hills. In virtue whereof this Sanad is granted to you under my hand and seal thisday of 19...

By 1909, another General Form of Sanad was prescribed by the Government of India as contained in No.LXVII¹⁷⁶. The general form read as follows:

You,having been elected Siem of the State ofin the district of the Khasi and Jaintia Hills, this Sanad ratifying your election and appointing you Siem, is conferred upon you on the following conditions :-

I.-You shall be subject to the orders and control of the Deputy Commissioner of the district of the Khasi and Jaintia Hills, who will decide any dispute that may arise between yourself and the Chief of any other Khasi State. You shall obey implicitly any lawful orders which the Deputy Commissioner or other officer authorised on that behalf by the Local Government, may issue to you.

II.-You are hereby empowered and required to adjudicate and decide all civil cases and all criminal offences, except those punishable under the Indian Penal Code with death, transportation, or imprisonment for five years and upwards which may arise within the limits of the State, in which your subjects alone are concerned. In regard to the offences above excepted, you shall submit an immediate report to the Deputy Commissioner of the Khasi and Jaintia Hills, and faithfully carry out the orders he may give concerning their disposal. And you shall refer all civil and criminal cases arising within the limits of your State, in which persons other than your own Khasi subjects may be concerned, for adjudication by the Deputy Commissioner of the Khasi and Jaintia Hills, or by any other officer appointed by him for that purpose.

176 No. LXVII. General form of Sanad prescribed by the Government of India in 1909. Vol. 12 Aitchison, C.U (1931).

III.-The Local Government shall be at liberty to establish civil and military sanitararia, cantonments and posts in any part of the country under your control, and to occupy the lands necessary for that purpose, rent-free.

If Government wishes at any time to construct a railway through your territory you shall provide the land required for the purpose without compensation save for occupied land, and shall render to the Local Government in this behalf all assistance in your power.

IV.-You hereby confirm the cession to the British Government by your predecessors of all the lime, coal and other mines, metals and minerals found in the soil of your State, and of the right to hunt and capture elephants within your State, on condition that you shall receive half the profits arising from the sale, lease or other disposal of such lime, coal, or other minerals, or of such right. On the same condition, you confirm the cession to the British Government of all waste lands, being lands at the time of cession unoccupied by villages, cultivation, plantations, orchards, etc., which the British Government may wish to sell or lease as wastelands.

V.-You shall not alienate or mortgage to any person any property of the State, moveable or immoveable, which you possess or of which you may become possessed, as Chief of the State.

VI.-You shall not without the sanction of Government lease or transfer or allow to be leased or transferred to persons, other than your own Khasi subjects, any land or lands in your jurisdiction. VII.-You shall cause such areas as may be defined by the Local Government for that purpose to be set aside for the growth of trees to supply building timber and fire-wood to the inhabitants of the State, You shall take efficient measures to secure these areas against destruction by fire and by jhuming.

*VIII. --You do hereby confirm the agreement given by your predecessors regarding the trial by the Deputy Commissioner alone of suits for divorce and other

matrimonial cases arising between Native Christians, who have been married in accordance with provisions of the Indian Christian Marriage Act, XV of 1872.

IX.-If you violate any of the conditions of this Sanad, or in the case of your using any oppression, or of your acting in a manner opposed to established custom, or in the event of your people, having just cause for dissatisfaction with you, you shall be liable to suffer such punishment as the Local Government, subject to the control of the Government of India, may think proper to inflict.

X.-According to the conditions above enjoined, you are hereby confirmed Siem of the State ofin the Khasi Hills. In virtue whereof this Sanad is granted to you under my hand and seal thisday of 19.

Again as Shillong began to expand, more land was demanded by the British Government from Hima Myllem. In agreement No.LXVIII¹⁷⁷ Ron Sing who was then Syiem of Myllem agreed to the extension of the Bengal Municipal Act, III B.C. of 1884 to the villages of Malki, Laitumkhrah, Jhalupara, and Mawprem to the rivers Umshirpi and Umkhrah provided that his proprietary and manorial rights and his authority as Syiem with the Myntries within such villages, otherwise than necessary to be waived for the purposes of such Municipality, shall not be interfered with, and provided that the Municipality will not give permission to anyone to build houses on new sites without his previous consent. This letter was dated 9 August 1913.

177 No. LXVIII. Agreement Executed by U Ron Singh, Siem Of Myllem, regarding the Extension of the Bengal Municipal Act, Iii (B.C.) Of 1884 to the Villages of Malki, Laitumkhrah, Jhalupara and Mawprem,-1913, Vol. 12 Aitchison, C.U (1931).

The Period 1913 to 1946

When in 1912, Assam reverted back into a Chief Commissioner's Province it was given a Legislative Council with 25 members (14 nominated and 9 elected). This was declared during George V Coronation Durbar. By this time British India spread from Fort St. William, Calcutta to Delhi. The KJHD was brought under Assam Province and a portion of current day Shillong again made the capital of Assam province. Beginning 1915, a series of Acts were made that had direct implications to the governance structure and the role of people in governance. The first was Government of India Act, 1915.

The Montagu-Chelmsford Report of 1917 saw the beginning of political development in the Khasi-Jaintia Hills. Prior to that, while there was some form of emergence of political consciousness and organising, the above report stirred the Khasi into action. The report recommended that Assam should become one of the full-fledged Governor's provinces and proposed to exclude from the scope of the Reformed Council the typically backward areas and they be administered by the executive head of the province. This exclusion meant that a backward tract should be wholly excluded from the working of the constitution and that no legislation should be enacted and that no resolution concerning these areas should be moved in the legislation. Legislation for such areas should be affected entirely by means of a regulation made by the Governor-General-in-council under section 71 of the Government of India Act 1915.¹⁷⁸ The report was referred to the Assam Government. Sir Archdale Earl, the Chief Commissioner of Assam (1912-1918) had assumed in discussion on the announcement of the 1917 that all Hills District where the ordinary law was not in force would be excluded from the schemes.¹⁷⁹ Beatson Bell, the Chief Commissioner (1918-1921) proposed the exclusion of the Naga and Lushai Hills, the Frontier Tracts and Manipur as "Typically Backward Areas." The Khasi and Jaintia Hills, however, occupy a

178 David R. Syiemlieh 1989

179 Please see Helen Giri 'Khasi Renaissance'

peculiar position because partly it consisted of Khasi States which were in Subsidiary Alliance with the British and partly of British Territory. The Shillong Cantonment was a British enclave and part of the civil station was also British but the remaining portion was not. The Municipal law had also been applied to non-British part of Shillong under the operation of the Foreign Jurisdiction order.¹⁸⁰

The suggestion put forward by Beatson Bell could not be accepted by the Functions Committee (Southborough Committee). In 1918 this committee recommended the exclusion of the tracts in question from the jurisdiction of the Reformed Provincial Government and be administered by the Governor himself as proposed in paragraph 199 of the Joint Report 2. The Committees also suggested that some department like excise, forest and public works may be treated as “Reserved Subjects.”

The Government of India agreed that the hills areas should be excluded from the reforms but did not agree to take over their administration. Further the Government of India said that all the hill areas were not backward completely. Therefore, total exclusion was not desirable. The backward areas should be classified into two; the areas in which Reforms should not be introduced and the areas in which Reform may be introduced. The First would remain under the control of the Governor. The latter would be administered by the Governor-General-In-Council of ministers. The legislature would have the power to make law for these areas.

This was followed by the Govt. of India Act 1919 where Assam was brought under a Governor and made a Governor’s province. The first governor was Nicholas Dodd Beatson Bell. In 1919, the Assam province had only the Legislative Council. The government of India Bill 1919, containing the recommendations of the Government of India was referred to the Joint Select Committee and the Government of India Act was passed by Parliament on 23 November 1919. Acting upon the provisions of the Act the Governor-General-In-Council declared; “the Lushai Hills, the Naga Hills, the British portion of the Khasi-Jaintia Hills (Excluding the Shillong municipality and cantonment) the Garo Hills, the Mikir

Hills (in Nowgong and Sibsagar Districts) the North Cachar Hills, the Lakhimpur Frontier Tracts, the Sadiya Frontier Tracts and the Balipara Frontier as backward Tracts”

The Act also declared that all laws provincial or central shall apply only as directed by the Governor-in-council and with such modifications as may be made by him. Further the Governor was authorised to extend to these areas laws passed by the Provincial and Legislative Council with such modifications and exceptions as the Governor thinks fit. The Governor was also given great discretionary powers of the Assam Frontier Tracts Regulation of 1880 and the Assam General classes Act 1915. The Instrument of Instructions issued to the Governor enjoined him to see that due provision was made for the advancement and social welfare of the people of the tribal areas committed to his charge. To give effect to this Instruction the Governor framed a rule that all proposals which affected a backward tract directly or indirectly, all proposals for postings to backward tracts, transfer or grant of leave to Officers of backward areas should be submitted to him. As a matter of fact all cases affecting the backward areas must be taken to the notice of the Governor¹⁸¹

The Legislative Council did not understand the difficulties involved in the administration of these areas. The member of the Legislative Council resented the Union of the Hills and the plains. They grumbled that the plain districts has to meet the deficit of the hill areas and demanded that the entire burden of the cost of the administration of the hill must be borne by the Government of India, particularly that of the Assam Rifles. Some of the members went to that extent of demanding the separation of the hills from the plains.

In 1920 for the first time the hill areas were represented by a nominated member. At first a member of the Garo community, Jangin Sangma was nominated but he attended only two sessions and found it difficult to communicate in the language of the British. By 1924 these areas were represented by J.C.Evans, the Welsh Missionary whose experience has been confined mainly to the Khasi and Jaintia Hills. However, Rev.J.J.M.Nichols-Roy was

181 Simon Commission Report for Assam

elected in 1920 as independent candidate from the British portion of the Khasi Hills and was appointed a Minister-in-charge of Medical services in 1927. He was the single non-official member nominated, the only representative of the backward tracts in the council.

The first elections for the Shillong General Urban Constituency were held in 1921. This constituted the Shillong Municipality and the Shillong Cantonment areas. It must be noted that this does not include the British Area and Khasi States areas. The Reverend J.J.M.Nichols-Roy contested against Srijut Sivanath Dutta. In the contest J.J.M.Nichols-Roy got 358 votes and S.S Dutta got 112 votes. In the province the Legislative Council consisted as follows: among the Europeans 6 were elected and 7 nominated and for Indians 33 were elected and 8 nominated. The Shillong General Urban Constituency sent only one representative in J.J.M.Nichols-Roy. No representation from the Khasi States was possible as they were not part of Assam Province.

The second elections held in 1923 were fractured by debates pertaining to the Assam Opium Smoking Bill. The Province of Assam got a new Governor in 1925. Sir John Henry Kerr was appointed to the post. However in the same year William James Ried was appointed Governor of Assam Province. In the elections of 1926 to the Assam Legislative Council, Rai Bahadur loss and M.Sadullah and J.J.M Nichols Roy won. J.J.M Nichols-Roy became Excise Minister. In 1927, John Henry Kerr was again appointed Governor but in the same year Egbert Laurie Lucabs Hammond was appointed Governor. In 1928, M.Saadullah became KCSI and was given the title Sir. In 1929 elections, J.J.M.Nichols-Roy nomination papers were rejected and Rai Bahadur Jogendra Nath Chowdhury was elected. However, the election was set aside and a by elections held. In the elections there were three contestants- Rai Bahadur Jogendra Nath Chowdhury, J.J.M.Nichols-Roy and A.Macdonald Kharkongor. J.J.M Nchols-Roy was challenged by A.Macdonald who was represented by T.R.Phookan (Barrister-in-Law), Adv.Rohini Kumar Chowdhury, G.Bordoloi (Pleader) Lala Bijoy (Pleader) K.Chakravarty (Pleader). Those who argued the case of J.J.M Nichols-Roy was Suresh Das Gupta (Pleader) and S.G.Nalle (Pleader). This case pertaining to elections generated tremendous interest among the Khasis and it was reported in *U*

Nongpynim, a Khasi Newspaper that ‘the galleries in the Council Chamber where the Commissioners are sitting are always full.’¹⁸² The Commission set up to decide on the case decided in favour of J.J.M.Nichols-Roy. Another case was filed by Rai Bahadur Jogendra Nath Choudhury against J.J.M. Nichols-Roy and the Secretary of State for India pertaining to the ‘revised’ electoral rolls as appeared in Suit No. 522/1930 in the Court of the First Sadr Munsief Sylhet. However this case was not able to remove J.J.M.Nichols-Roy from being a Member of the Assam Legislative Council.¹⁸³

The Period 1912 to 1929

- 1912 Assam became Chief Commissioner’s Province and given a Legislative Council with 25 members - 14 nominated and 9 elected. There was declaration of George V Coronation Dorbar. British India spread from Fort St. William, Calcutta to Delhi. KJHD brought under Assam Province and Shillong (Municipality and Cantonment areas) again made the capital of Assam province
- 1915 Govt. Of India Act
- 1919 Govt. Of India Act where Assam was brought under a Governor and made a Governor’s province. The first governor was Nicholas Dodd Beatson Bell
- 1919 Assam province had only the Legislative Council. The Khasi and Jaintia Hills District was declared a ‘Backward Tract’ with the exception of the ‘Shillong Normal Area’ as per the power invested by Section 52-A of the Government of India Act.
- 1921 Assam became a Province under a Governor.
- First elections for the Shillong General Urban Constituency. This constitutes the Shillong Municipality and the Shillong Cantonment. This does not include British Area and Khasi States J.J.M.Nichols-Roy contested against Srijut Sivanath Dutta. J.J.M Nichols-Roy got 358 votes and SS Dutta got 112 votes. (The Khasi States did not send any representative because they were not

182 L.Gilbert Shullai (1989) *Ki Symboh History Bad Ka Ri Hynniewtrep. Ri Khasi Press, Umsohsun Shillong.* Pp.15-17.

183 *Ibid.*, p.16

part of Assam Province) Among the Europeans 6 were elected and 7 nominated. For Indians 33 elected and 8 nominated. The Shillong General Urban Constituency sent only one representative.

- 1923 Second Elections was fractured by debates relating to the Assam Opium Smoking Bill.
- 1925 Sir John Henry Kerr appointed Governor of Assam province. Same year William James Ried appointed Governor of Assam Province
- 1926 7 September; No. LXIX. "Agreement executed by U Kmuin Manik, Siem of Myllem, consenting to the application of certain ACTS to the six villages of the Myllem State adjoining Shillong which have been placed under the municipal administration of the SHILLONG MUNICIPALITY,-1926,
- Rai Bahadur loss and M.Sadullah and J.J.M. Nichols-Roy became ministers (J.J.M. Nichols-Roy became Excise Minister)
- 1927 John Henry Kerr again appointed Governor and same year Egbert Laurie Lucabs Hammond appointed Gov.
- 1928 M.Saadullah became Knight Commander of Star of India (KCSI) and was given the title Sir.
- 1929 2 January; Arrival of Simon Commission to Shillong. The Syiem of Hima Myllem- K.Manik put up a welcoming *Khilon* in Motphran.
- 1929 J.J.M Nichols-Roy nomination papers rejected and Rai Bahadur Jogendra Nath Chowdhury elected but set aside and by elections held. In the elections Rai Bahadur Jogendra Nath Chowdhury, J.J.M Nichols-Roy and A.Macdonald Kharkongor contested. J.J.M. Nichols-Roy was challenged by A.Macdonald Kharkongor who was represented in the case by T.R.Phookan (Barrister-at-Law), Rohini Kumar Chowdhury (Advocate), G.Bordoloi (Pleader) Lala Bijoy (Pleader) K.Chakravarty (Pleader). On the side of J.J.M Nichols-Roy he was represented by Suresh Das Gupta (Pleader) and S.G.Nalle (pleader). This case pertaining to elections generated tremendous interest among the Khasis

With the rise of new administrative structures and persistence of the British to bring symmetry within its administration Kmuin Manik, the Syiem of Myllem had to consent to the applications of specific

laws to six villages adjoining Shillong Municipality which have been placed municipal administration. By agreement No.LXIX¹⁸⁴ Kmuin Manik, on behalf of the Myllem State Durbar, agreed to the extension of the following Acts; (i) The Bengal Vaccination Act, 1880 [V (B. C.) of 1880], (ii) The Bengal Births and Deaths Registration Act, 1873 [IV (B. C.) of 1873], (iii) The Assam Municipal Act, I of 1923 [with the exception of Section. 58, 59(b) to 59(g), 65, 78, 129, 216, 217, 218 and with the reservation that the rivers Umshirpi and Umkhrah so far as they are within that area should remain the property of the Myllem State], (iv) The Glanders and Farcy Act, 1899 (XIII of 1899), (v) The Lepers Act, 1898 (III of 1898), (vi) The Assam Medical Act, I of 1916, (vii) The Indian Post Office Act, 1898 (VI of 1898), (viii) The Indian Telegraph Act, 1885 (XIII of 1885) and (ix) The Epidemic Diseases Act, 1897 (III of 1897) to the non-British portion of the Shillong Municipality and ceded to the British Government the jurisdiction necessary for the administration of the said Acts and the rules framed there under in the said area, provided that his proprietary and manorial rights and his authority as Syiem within such areas, otherwise than necessary to be waived for the purposes of the said Acts and the rules framed there under, shall not be interfered with. This agreement was dated Shillong, 7 September 1926.

In the year 1932, Michael Keane was appointed as Governor Assam Province. The Assam Legislative Assembly extended by a year till 1935 as no elections were held supposedly in expectations of the decisions after the Simon Commission report. By 1935, Abraham James Lanie was appointed Governor of Assam Province and in the same year the Government of India Act was pronounced. This Act is important for many reasons. One of which is the declaration of Excluded and Partially Excluded areas.

As of 1947 the Assam Province constituted of the same:

184 No. LXIX. Agreement executed by U Kmuin Manik, Siem of Myllem, consenting to the application of certain ACTS to the six villages of the Myllem State adjoining Shillong which have been placed under the municipal administration of the Shillong Municipality,-1926,” in Vol. 12 Aitchison, C.U (1931) A Collection of Treatise, Engagements and Sanads Relating to India and Neighbouring Countries. Government of India Central Publication Branch.

A. General Areas: (1) Goalpara (2) Kamrup (3) Darrang (4) Sibsagar (5) Lakhimpur (7) Cachar (other than North Cachar Hill Subdivision) (8) Sylhet (9) Garo Hills (10) Khasi and Jaintia Hills District.

B. In General Areas which were declared as partially Excluded Areas by order 1936: (i) Mikir Hills in Nowgong & Sibsagar District (2) Garo Hills District (3) Khasi and Jaintia Hills District except Shillong Municipality and Shillong Cantonment.

C. Excluded Areas: (1) North East Frontier (Sadiya, Balipura & Lakhimpur) Tract (2) Naga Hills District (3) Lushai Hills District (4) North Cachar Hill District.

In Partially Excluded Areas: Sends representative to Assam Legislative Assembly but at the same time the Governor of Assam has power over the areas as per Sub Section 1 & 2 of Section 92, in GOI Act 1935.

In Excluded areas: Does not send a representative to Assam Legislative Assembly. The Governor of Assam has special powers over Excluded Areas as per subsection 3 of Section 92. The governor exercise powers as per his direction

In Tribal Areas: Which is beyond the external boundaries of the province of Assam? The Governor is Agent to the Governor-General of India.

However it needs to be noted that the Khasi and Jaintia Hills District constitutes only British Areas. Khasi States was not under KJHD. Khasi States had relation with crown representative. The Governor of Assam was Agent of the Crown. There was a Political Officer who holds relation with Khasi States who also happens to be the Deputy Commissioner of KJHD.

In Section 91 GOI, Excluded and Partially Excluded Areas were marked by order 1936. The Khasi and Jaintia Hills District except the Shillong Municipality and the Shillong Cantonment was declared as Partially Excluded Areas. Two assemblies were formed- Legislative Council and Legislative Assembly.

The Khasi States does not fall under 'British Areas' and therefore was not part of Assam province, meaning they never sent a

representative to either house. However there is one portion ‘Shillong Myllem State Portion’ that participates in electing representatives to Legislative Assembly from Shillong Urban Constituency. Since the passage of the GOI Act, 1935, the Scheduled Districts Act 1874 ceases to have effect with the passage of the GOI (Adaptation of India Laws) Order 1937 with special reference to rules as per First schedule.

Further as per the 9 Schedule Government of India (Provincial Legislative Assemblies) Order 1936, the constituencies within Assam Province were identified. In KJHD there were 3 constituencies – The Shillong Constituency which constitutes of ‘British Area’ of Shillong Subdivision including Shillong Myllem States Portion, The Jowai Constituency which constitutes of Jowai Subdivision and the Women (Shillong) constituency where representative and voters were only women. The total seats were 108. Territorial-84 and Special-24.

In the 1937 elections to Legislative Assembly, J.J.M. Nichols-Roy was voted from Shillong Constituency, Larsing Khyriem from Jowai and Mavis Dunn Lyngdoh from Shillong Women constituency. Khasi States did not vote or sent representatives to Assam Legislative Assembly. The government elected M.Saadullah as the first premier of Assam LA. This year Robert Neil Reid took over as Governor of Assam province. By 1938, the government was taken over by a Congress Coalition Ministry headed by Gopinath Bordoloi as Premier. This year also saw the appointment of two Governors; Gilbert Pitcairn Hogg and Henry Joseph Turyman, one after the other. Following year, 1939, M.Saadullah came back as premier of the government of Assam. This was also the year that the Second World War began. In 1942, the province got a new Governor in Andrew Gourlay Clow. J.J.M Nichols-Roy left India for America in 1943 and came back only after the war in 1945. This year, i.e., 1943 also saw NEFA being carved out of Tirap Frontier Tracts as per NEFT (Internal Administration) Regulation. Later the Frontier Tracts was known as Assam Tribal Areas. In 1946, Fredrick Chalmen Bounie officiated as Governor followed by Henry F Knight who also officiated as Governor. The elections to the Legislative Assembly of Assam were held in 1946 and J.J.M Nichols-Roy was voted again and Gopinath Bordoloi became premier. However, by 1947, M.Sadullah became premier and Akbar

Hydari as Governor.

The Period 1932 to 1948

- 1932 Michael Keane appointed as Governor Assam Province
- 1932 No Elections supposedly waited for Simon Commission report. The Assam Legislative Assembly extended by a year till 1935
- 1935 Abraham James Lanie was appointed Governor of Assam Province
- 1935 Government of India Act where Section 91 GOI Excluded and Partially Excluded Areas order 1936- were marked. The KJHD except the Shillong Municipality and the Shillong Cantonment was declared Partially Excluded Areas. Two assemblies were formed- Legislative Council and Legislative Assembly. Khasi States do not fall under 'British Areas' thus does not fall within Assam province- that is they never sent a representative to either house. But there is one portion "Shillong Myllem State Portion" that participates in electing representatives to Legislative Assembly from Shillong Urban Constituency. The Schedule Districts Act 1874 ceases to have effect with the passage of the GOI (Adaptation of India Laws) Order 1937 with special reference to rules as per First schedule
- 1936 As per the 9th Schedule GOI (Provincial Legislative Assemblies) Order 1936, the constituencies within Assam Province were identified. In KJHD there were 3 constituencies – The Shillong Constituency which constitutes of 'British Area' of Shillong Subdivision includes Shillong Myllem States Portion, The Jowai Constituency which constitutes of Jowai Subdivision and the Women (Shilling) constituency where representative and voters only women. The total seats were 108. Territorial-84 and Special-24.
- 1937 Elections to Legislative Assembly. J.J.M.Nichols-Roy voted from Shillong Constituency, Larsing Khyriem from Jowai and Mavis Dunn Lyngdoh from Shillong Women. Khasi States did not vote or sent representatives to Assam Legislative Assembly. M.Saadullah was elected first premier of Assam LA. In the Shillong General Urban Constituency there were a total of 6144 eligible voters.

- 1937 Robert Neil Reid appointed Governor of Assam province
- 1938 Congress Coalition Ministry headed by Gopinath Bordoloi as Premier
- 1939 Gilbert Pitcairn Hogg appointed Governor of Assam province
- 1939 Henry Joseph Turyman appointed Governor of Assam Province
- 1939 M.Saadullah came back as premier. This was also the year that the Second World War began.
- 1942 Andrew Gourlay Clow appointed Governor of Assam Province
- 1943 J.J.M.Nichols-Roy left India for America and came back only after the war in 1945.
- 1943 NEFA was carved out of Tirap Frontier Tracts as per NEFT (Internal Administration) Regulation. Later the Frontier Tracts known as Assam Tribal Areas
- 1946 Fredrick Chalmen Bounie officiated as Governor
- 1946 Henry F Knight officiated as Governor
- 1946 Assam LA elections held and JJM Nichols-Roy voted again; Gopinath Bordoloi became premier
- 1947 M.Sadullah became premier and Akbar Hydari as Governor.
- 1948 21 Feb; Frontier Tracts includes Sadiya, Balipura, Tirap and Lakhimpur
- 1948 3 June; Sadiya Divided into Abor and Mishmi Hills

CONCLUSION

The long chequered history of each of the Khasi Himas under the British Government provides both an interesting insight into British colonialism and also the concrete plus intricate socio-political conditions of Khasi Himas. The key source for most of the archival material comes from the writings of British Administrators cum colonial anthropologist such as Robert

Lindsay's (1778) Lives of the Lindsay Anecdotes of an Indian Life, the Sylhet District Records Volume One (1785), Pemberton's (1835) Report on the Eastern Frontier of British India, Fischer's (1840) Memoirs of Sylhet, Kachar and Adjacent Districts, J.D.Hooker (1854) Himalayan Journals, W.J.Allen (1858) Report on the Administration of Cossyah and Jynteah Hill Territory, W.W.Hunter (1879) A Statistical Account of Assam-, John Alexander Mackenzie (1884) History of the Relations of the Government with the Hill Tribes of the North Eastern Frontier of Bengali, C.U.Aitchison (1892) Volume One, A Collection of Treatise, engagement and Sanads Relating to India and Neighbouring Countries, D.Herbert's (1903) Succession to Syiemship in the Khasi States, B.C.Allen, E.A.Gait, C.G.H Allen, H.F.Howard (1905) Gazetteer of Bengal and North East India, Edward Gait (1905) A History of Assam, B.C.Allen's (1906) District Gazetteer of the Khasi and Jaintia Hills, P.R.T Gordon's (1907) The Khasis, C.U.Aitchison's (1931) Volume Twelve, A Collection of Treatise, Engagement and Sanads Relating to India and Neighbouring Countries and Keith Cantlie (1934) Notes on Khasi Law.

In the next section of the book we will begin to trace the history of the Federation of Khasi States beginning from 1923 onwards with the formation of the Khasi National Dorbar. Some of the narratives we have provided above will overlap and coincide with the events in this section. This is because of the felt need to follow our line of inquiry that we have consciously chosen.

The Federation of Khasi States

From 1923 to 1949

The Genesis

The genesis of the Federation of Khasi States can be traced back to the formation of the Khasi National Dorbar (KND), formed on 4 September 1923 in a meeting that lasted three full days. Sib Charan Roy writing on the matter noted:¹⁸⁵

On the side of the Khasi States Area, conceived as being outside of Assam Province in which Jaintia Hills and the British Areas and Villages were part off, there was mobilisation taking place to unite the 25 Khasi States into a federation. The first gathering of such a platform in 1923 provided impetus for the realisation of the Federation of Khasi States. Its chief purpose being the unity of all Native States of Khasi Hills which constituted of all 16-Syiem(s), 3-Lyngdoh(s), 5-Sirdar(s), 1-Wahadadar including small 31 Sirdar(s) villages /group of villages and 18 Dolloi(s) 1 Sirdar in Jaintia Hills known as British India/Areas under one central grouping.

From the first notice sent out in the name of the KND, it can be observed that the Dorbar was convened as a response to the changes brought forth by the Government of India Act, 1919 (GOI Act 1919). This was especially in regard to participation in governance at central and the newly constituted provincial government of Assam. Over this, there prevailed an increased sense of fear among the Hynniewtrep people. They were concerned as to what would happen to them if the British left India and a new dispensation took its place. In this sense, the Khasi National Dorbar was in a way an attempt by the intellectuals and elderly of the community, together with some of the Khasi Chiefs at uniting all Hima(s) (Territory) under one central Dorbar to face the impending challenges.

185 From a local newspaper- '*Nai Risaw*' 1928. Also published in another local newspaper- *U Nongpynim*, No 29, Nailur (September) 1931.

After the GOI 1919 Act, the Assam Province held an election to the Legislative Council. Its first meeting was held on 12 February, 1921 in the Council Chamber, Government House Shillong. In the Khasi Hills, a 'Shillong General Urban Constituency' that constituted of the Shillong Municipal Area also voted for a member to the Council.

The Khasi Hills was under the Governor of Assam. A Deputy Commissioner was in-charge of the District. The same person was also the Political Officer when it came to the British's relations with the 25 Khasi States. Under the Governor-in-Council, the legislative Council was empowered to make laws on specific subjects. None of these laws however applied to the Khasi States. Their applicability was limited to British Areas and the portion of the areas in Hima Myllem which was rented to the British. The latter gradually became a part of the municipal area. It was because of this arrangement that the Chief of Myllem also sent a representative from his end to the British Municipality.

During this period there were two distinct spaces in Khasi inhabited areas; the portion of British Areas and the Khasi States areas. The British Areas consisted of (i) the Shillong British portion, which Mile Singh, the Syiem of Hima Myllem, had leased to the British, in 1863 (ii) the Jaintia Sub-division which came under British control in 1835, as its Chief Rajendra Singh was not willing to take charge of the hill areas of Hima Jaintia and (iii) the 31¹⁸⁶ British Villages/Areas within the Shillong Sub-division. These areas came to be called the Khasi and Jaintia Hills District and were directly under the Governor General of India. These were part of the 'British India'.

The Khasi States on the other hand comprised of 25 states. They

186 1.Byrong, 2.Jyrngam, 3.Laitkyngkot, 4.Laitkroh, 5.Lakading, 6.Mawmluh, 7.Mawbeh Larkhar 8.Mawthangsoh-khyllung, 9.Mawsmal-Nongthymmai, 10.Marbisu, 11.Myntang, 12.Myrdon, 13.Nongpoh, 14.Nongbah, 15.Nongkroh, 16Nongjri, 17.Nongriat, 18.Nongshluid, 19.Nongriangngi, 20.Nonglang, 21.Nonglyngkien, 22.Nonglait, 23.Ramdait, 24.Saitsohpen, 25.Synnei, 26.Sinai Mawshynrut, 27.Sohbar, 28.Tyrna, 29.Tynrong, 30.Tynriang, 31. Umniuh-Tmar

included 16¹⁸⁷ Syiem(s), three¹⁸⁸ Lyngdoh(s), five¹⁸⁹ Sirdar(s) and one Wahadadar¹⁹⁰. In the Khasi States, elections to the Syiemships rest with the clans of each Hima. This same process applied to the Raid and the Shnong. Each of these Khasi States were in subsidiary alliance with the British and held a semi-independent status as states. In the Khasi States there was a Political Agent who was the immediate representative of the Crown under the Viceroy. The Viceroy was the Crown Representative of British India in relation to Indian States in which the Khasi States were part off.

A few Khasi elders within the Khasi community noted the changes of 1923 as something fundamental. Accordingly, they issued a public notice calling for serious thinking and planning under a platform they called the 'Khasi National Dorbar'. Calling upon every Khasi to give serious thought to this 'very urgent matter', the khasi chiefs and elders in the community were urged to take greater responsibility by investing time in deeper deliberation on impending changes. The public notice sent to every village (that could be reached) within the Khasi Himas read as follows:

Do you know that in India now there is a great struggle where the Indians will get the right to rule? Since 1921 the control of the Indian State which was in the hands of the British is beginning to change hands. These changes taking place are called the 'Reformed Government'. In this reformed government many Indians are beginning to take over the place of the British. So as time progresses the British will become less and there will be more Indians who will become the rulers and the Governor. Probably in

187 1.Khyrim, 2.Mylliem, 3.Nongkhlaw, 4.Sohra(Cherra), 5.Nongstoin, 6.Maharam, 7.Nongspung, 8.Langrin, 9.Mawsynram, 10.Myriaw, 11.Rambrai, 12.Mawiang, 13.Bhowal, 14.Malaisohmat, 15.Nobosohphoh, and 16.Jirang..

188 1.Sohiong, 2.Mawphlang and 3.Lyngiong.

189 1.Mawlong, 2.Nonglwai, 3.Pamsangut, 4.Mawdon, and 5.Dwara Nongtyrnem

190 1.Shella Confederacy

another ten years from now there will be more Indians who will take over from the British. So if this is the kind of rule, in over twenty years it is probable that there will be very less British in positions of power to the point that they will not be there at all. All Captains, Colonels, Army men will be Indians. We are grateful to the British government because since they came they have been kind and helpful and done many good things for us as a community that is yet to become self reliant, and they have protected our rights over lands, our way of life and culture, and in many other areas ... Now when a new governing framework is being put in place in a new creation like the provinces, and where the representatives will be only Indians including the Governor, so it is important for all of us to awake and think seriously about our own community in relation to such a new structure with tremendous power to rule. We cannot be caught sleeping in such a moment. If we do not mobilise, we will regret later once we are not allowed to speak anymore. All the Syiem, Lyngdoh, Sirdar, Wahadar, Myntri and Rangbah must get the required knowledge about this new governing structure so as not to become extinct and as illiterate people that will be marginalised.

The notice while noting that there were people within the community who were knowledgeable about the same, further stated:

Friends please do not take this activity lightly. All the elderly persons of the community must stand united to protect and promote, in this momentous time to save ourselves from the destruction of our Hima(s) and from our illiteracy about politics, so that we will also be one among equal in the country... For this important and urgent activity to strategize for the future we have decided to convene a Dorbar of the Khasi(s) from all Hima(s) which will include the Syiema, Lyngdoha, Sirdara, Wahadar, Myntri and elderly people to think together on how to defend our country from any mishap and bloodshed that might befall us in this new structure ... this dorbar will be convened in the name of the “Khasi National Dorbar” that will be held in Laban (Shillong) for three full days in the month of September,

1923 from 4th to 6th in Iewduh ... In this Dorbar, we will, as a single united Khasi community come to a single understanding on how to protect and strengthen our rights and culture, our political power, our lands as it was and is today and to strategise as per the need of the hour for today and for the future.

The signatories of this notice were U Kmuin Manik (Syiem of Myllem), Bidor Singh (Syiem of Nongkhlaw), Hormu Rai Diengdoh, K.Swett, Assaim Lyngdoh, J.J.M.Nichols-Roy and Wilson Reade.

Fifty four representatives from various Hima(s) and about three hundred people from different parts of the Khasi and Jaintia Hills attended the Dorbar. Out of the twenty five Khasi Hima(s), sixteen Hima(s) were represented in the meeting. People from the Non States (British) areas also attended this meeting. The Reverend J.J.M.Nichols-Roy, Joab Solomon, Hajam Kissore Singh, Kishore Swett, Chandra Nath Roy, Sahib Hormu Rai Diengdoh and Mon Lyngdoh were prominent participants among them.

In the Dorbar, five of the participants were chosen to take charge of various positions in the newly formed Khasi National Dorbar (KND). These were Join Manik (Syiem Sohra) as President, Sahib Hormu Rai Diengdoh as Vice President, J.J.M.Nichols-Roy as Secretary, Hajom Kissor Singh as Assistant Secretary and Chandra Nath Roy as Treasurer. Another eleven members were appointed to the executive committee. They included Kishore Swett, Joab Solomon, Assiam Lyngdoh, Ronjit-Syiem Khynnah (Khyrim), Mohon Roy Rynjah, Agent (Khyrim) Wilson Reade, Nimar Basan-Myntri (Myllem) Bor Kusain-Syiem Khynnah (Khyrim) Jirthiaw Doloi, Sabu Rai, Agent (Myllem) and Maha Sing-Syiem Khynnah (Myllem).

J.J.M.Nichols-Roy read out the proposed rules of the KND to the attendees. The Dorbar was framed in such ways as to include all Khasi(s). However section three of the rules that qualified membership to the KND stated: (a) the members of this Dorbar would be (i) the Syiem of Ri Khasi ('Ri' in Khasi generally is understood as Country) (ii) the Wahadar (iii) the Lyngdoh (iv) the Sirdar (v) Myntri Syiem or Basan Raid or Rangbah Shnong in

places where there are no myntris (vi) any elderly Khasi that the Dorbar appoints. On point (b) regarding how one can become a member, it noted: “by virtue of being Syiem, Lyngdoh, Sirdar, and Wahadar, they can become members of the KND - however they must show interest in wanting to be members by signing in the form that is kept for all other members.” Further, Section V of the rules pertaining to 'who can be elected as President' it noted “the post of President will be elected only from among the Syiem.”

The objectives of the Dorbar were (a) to use various ways and means to unite the Khasi(s) spread across the length and breadth of the country into one (b) to think and produce methods to develop the community in its entirety, in education and intelligence and in government and governance (c) to reflect and find ways to bring together an agreement about the governance of the institutions of Syiem, Lyngdoh, Sirdar, and Wahadar, so as to arrive at a way of governing that is strategic and intelligent (d) to think seriously on how to protect the rights and culture as has been the practice (e) to plan and operationalise economic activities for the benefit of the country (f) to attempt other activities to develop members of the community towards progress. Among the key Khasi Chiefs who participated actively and took immediate membership was Join Manik (Syiem Sohra), Olim Sing (Syiem of Khyrim), Kison Singh (Syiem Maharam), Syiem Myllem and Ronsing (Sordar Jirang), with other chiefs showing interest in becoming part of the KND.

In the second dorbar of the KND held from 11 to 13 August 1924, a number of Chiefs were present. One of the key subjects for discussion was “*Ka Jinglong Khun Hima ha Ri Khasi*” (Becoming a Citizen of a Hima in Khasi States). Under the heading “*Ka Jingthoh Pynpyrkebat Ia Ka Jinglong Khun-Hima Ha Ki Khasi States*” (Proposals for deliberation about citizenship of Hima(s) in Khasi States), eight points were proposed for further deliberation. Interestingly a more detailed reading of the minutes of the Dorbar reveals a subtle tension between '*Ki Khun kei Hajar*' represented by the elderly men such as Sahib Hormu Rai Diengdoh, Assiam Lyngdoh, Minot Sordar, and those of the Chiefs represented by Borkusain Syiem of Khyrim. This tension revolved around the concept of Syiem. The former were of the understanding that *U Khun U Hajar* was the

fundamental basis for the creation of Hima(s) and the Syiem merely was one who was chosen to provide unbiased service to the people. The latter on the other hand opined that the Syiem was the real leader of '*ki Khun ki Hajar*' or the Citizens of Khasi States.

Two individuals that need special mention at this point are J.J.M.Nichols-Roy and Joab Solomon. J.J.M.Nichols-Roy set for himself the task of documenting 'all possible laws', followed by its publication, dissemination and threadbare deliberations in every *Hima* and envisioning the finalization of the document in four to five months time. Joab Solomon, on the other hand was keen to galvanise the people towards a unified Khasi community while respecting and maintaining the distinct character of every *Hima*. He noted:

Our objective is to unite our country and to bring a cohesive understanding amongst the Syiem(s) and other Chiefs with the citizens so that we bring semblance amongst all Hima(s), and reach an understanding among us to preserve and strengthen our rights and cultural practice in the governing structure.

Discussion in the KND that followed on 12 August 1924 revolved around the 'Sanad of the Syiem' given to every Chief by the British Government on occupying the position of Chief of a *Hima*. The discussion was initiated by Joab Solomon who in his characteristic style impelled the Chiefs to read the Sanad in greater details while becoming aware of the changes that have taken place since the signing of the first Sanad issued by the British. Sahib Hormu Rai Diengdoh then detailed the process. His speech was followed by J.J.M.Nichols-Roy, who lamented on the dangers that awaits the community if they were not awakened to the social and political conditions that are beginning to erupt. The Syiem of Hima Khyrim (Olim Singh) then stood up and delivered a short speech noting the following:

(i) I was greatly troubled when I became Syiem and when I was handed a SANAD. When I looked at it closely, the sanad given to me was very different in some areas compared to the sanad that the earlier Syiem(s) of the Hima Khyrim, who were my own uncles had received (ii) now the sanad is no more signed by the Viceroy or Governor

General of British India, and later signed by the Chief Commissioner of Assam Province. Now the signatory of the sanad is a mere commissioner of the Surma Valley and Hill District (iii) this came to me as a shock as I do not know the reason how this has come to be because we Khasi(s) signed treaties with the British Government relating to our rights and cultural practices with the knowledge and consent of the elders in the Hima during the time of the East India Company (iv) so now that we have assembled here together amongst Khasi(s), I would be grateful if we unite together as one to petition the British Government to preserve the treaties in the earlier manner as practiced, for every single *Hima*, as was done during the time of the East India company since the signing of the first treaty.

Babu Mohon Roy Rynjah,¹⁹¹ further reiterated this point. “It is a real pity”, he pointed out, “how these processes were taking place with time as new Syiem(s) were given sanad in which the powers of the Syiem was being curtailed and reduced with the issue of every new Sanad. The Sanad itself, being signed by those lower in the hierarchy of government from the Governor General earlier to the Commissioner now.” Sabu Rai, the representative of Syiem Myllem further noted that it was the strategy of the British to centralise power of ownership on the Syiem so that they could take whatever private land they wished for their use by controlling and pressurising the Syiem alone. They did not recognise nor pay heed to the fact that all lands belong to the clans and not the Syiem. Babu Sib Charan Roy then urged the gathering to impress upon the British Government to stick to the old sanad noting that ‘it is only the KND that can pursue such a matter’. Finally a note of caution was stressed by Join Manik-Syiem of Sohra reminding the gathering about the politics behind the sanad. He noted “in earlier times before the British came, there was nothing called a Sanad. In any of the Hima(s), if the Syiem dies or if the Syiem is disqualified for any reason, the place is occupied by the Myntri (Basan/Bakhraw), duly appointed and recognised by the Dorbar of the Hima. But now

191 He was the Agent of Syiem Khyrim. An Agent is a representative of the Syiem to the British Government.

whoever occupies the position of Syiem is given a Sanad by the British Government. Thus the sanad can be read as a method of the British to appoint and control the Syiem of the hima.”

In the third meeting of the KND held from 25 to 26 March 1925, the Secretary, J.J.M.Nichols-Roy reported to the General Body that the discussion on the Law pertaining to citizenship in Hima(s) had been printed and sent to every Hima for discussion and suggestions, the next agenda for the KND, he noted was to begin deliberating and documenting practices on land rights. Taking liberty and deviating a bit from the core report, he made an argument:

I want to speak a bit about what people think about this dorbar. There are two groups. One are those who are willing to support wholeheartedly the activities of the KND and two, are those who have loss hope about achieving the goals of the Dorbar seeing the difficulties we are encountering as a community.

He further expounded on the difficulties the community would face in the light of misinformation from both the side of the Syiem and the British who thought the Syiem to be an owner of the lands like the 'jomidar dkhar' (Zamindar). As per his understanding no such thing was in operation amongst the Khasi(s) as the Syiem was powerless over the people. The governing system always referred to '*U Syiem and the Dorbar Hima*'. The Syiem had no power especially over the lands of the people and the clans in the respective Hima(s). On this he further noted:

we are extremely grateful that there are Syiem(s) and Nongsynshar who understand these truths of our condition and that the Hima will persist and remain intact as long as the people hold firm over their lands within the Dorbar Hima. If there are no rights of land by the people, then who will appoint the Syiem and what need then will there be for a Syiem and Nongsynshar. Those residents from the plains will become owners of our lands. Then there will not be any Syiem anymore and the Dorbar will become extinct. Now is the time for the Syiem to show and display their intelligent leadership by motivating and guiding the people to develop and thus keep the Hima intact.

Immediately after J.J.M.Nichols-Roy, Join Manik who was the president of the KND during this term noted:

there are many people from the Hima(s) who are scared about the formation of the KND initially but as we keep spreading the word and advocating for our cause, many are starting to see how important this Dorbar is to the community.

Joab Solomon made an interesting mention in his intercession about an incident concerning the Governor of Assam-John Kerr. First noting that there were people who were not happy with the KND and even perceived it very negatively, he stated:

listen I will read this paragraph published in U Lurshai (name of local newspaper) on March 1925. The Governor, Sir John Kerr, in his response to the request of the Jaintias, when he had gone to Jowai Sub division in the month of November that had gone by, he had spoken a bit about the Khasi National Dorbar. I put forth before you his exact words- 'I have recently read with much interest the proceedings of the Khasi National Dorbar which was held in Shillong a few months ago, and if I understand that movement right, its founders and supporters are in favour of developing the national genius of the Khasi races on independent lines'.

In this meeting the draft of '*Ka Ain Jinglong Khun Ka Hima Ha Ki Hima Khasi?* (Laws Pertaining to Citizenship Rights in Khasi States) was proposed as a final draft. J.J.M.Nichols-Roy made a point of order noting "the reason why we started with this rule about citizenship is because this is the fundamental basis on which we are as a community within our own Hima(s)." On the last day of the gathering new office bearers were chosen with Olim Sing - Syiem of Khyrim as President, Sahib Hormu Rai Diengdoh as Vice-President, J.J.M.Nichols-Roy as Secretary, Joab Solomon as Assistant Secretary, Chandra Nath Roy as Treasurer and S.G.Nalle to be Assistant to the Secretary. Further discussions began on the next Act that was directly related to the rights over land or the law pertaining to land rights in every Hima.

In the same year, the KND held a meeting on 1 and 2 of October.

The participants grew in number, with representatives from nearly all Hima(s) including a huge number of elderly individuals from within the British areas in Shillong. The discussions revolved much more around the building of the National Hall of the KND and the need to mobilise money for the same. J.J.M.Nichols-Roy interceded, as part of his short speech, about mobilising funds from Hima(s) by sending two representatives from the KND to tour all the Hima(s) and explain to people about the larger motive of the KND. He noted:

the executive committee has decided to send two elderly individuals from the dorbar to go to every Hima(s), not only to mobilise contributions and funds, but also to find out about various practices that exist in every hima related to 'ain ioh pateng' 'ain jingteh Hima' and 'ain bri-khyndew' (Hereditary Rights, Citizenship Rights, Land Rights). It is a fact that there are only very few people among us who really know about these practices ... there are some Syiem who are really illiterate and there are some who are really intelligent and informed. Thus for those who are clueless about such issues, there is a need for knowledgeable people to go and bring awareness to them. If we do not do it we will suffer greatly as a community in the future ... in our community it is not the Syiem who makes laws but the people and the Syiem who work together to arrive at such laws in the Dorbar. This is what we need to make everyone aware about.

The gathering later proposed the name of Joab Solomon and S.G.Nalle as the two representatives who will tour the Hima(s) for the said objectives on behalf of the KND. At the end of the meeting, J.J.M.Nichols-Roy again interjected to make a point that probably was the first time ever discussed in the KND:

Before we close the Dorbar on this day I want to make one point. We see now in this age that there is a mass movement in many countries that are developed, about the role of women in governance. In our country (referring to Ri Khasi) we also see that women participate in many activities. Here in this Dorbar also they are many who have come. The Executive Committee intends to change the rules

here and there to make way for women to become active members. We also hope that women will come and join the KND. When we have built the National Hall we will keep a special room for women.

In the year 1926, the Syiem of Nongstoin and Nongspung took membership in the KND. Noting that there were still some Chiefs and Myntri / Bakhraw that were yet to join the dorbar, the Secretary reported that people were starting to perceive the KND as a Court of Appeal which the KND was not. He pointed out that this can be realised when a consensus was arrived at between the members of the dorbar on laws that should govern the community. A key discussion in this gathering was about “*Ka Jingthob Pynpyrkebat Ia Ka Ain Bri Khyndew Ha Ki Hima Ri Khasi*” (Thoughts on Laws Related to Land Law in the Khasi *Hima(s)*). The note was very detailed but it suffices to state that an important fact this note achieved was the identification of 16 types of land and land holding systems in the 25 Khasi States.

In 1927, the post of Secretary was taken over by Joab Solomon from J.J.M.Nichols-Roy. This was due to J.J.M.Nichols-Roy being appointed as a Minister in the provincial government. Further, new office bearers were chosen; Olim Singh the Syiem Hima Khyrim as President, Rai Sahib Hormu Rai Diengdoh as Vice-President, Joab Solomon as Secretary, S.G.Nalle as Assistant Secretary and Chandra Nath Roy as Treasurer. There was less substantive discussion in this Dorbar, the reason as pointed by Wilson Reade, was that people were busy and excited over the proposed visit of the “Royal Commission” (Simon Commission) and there were various parleys happening about the same. Joab Solomon did however mention that

the Native States in India have begun moving fast to make the commission aware about their existence. We also have our own agreements which are similar to those of the Native States and so we must also move quickly to make ourselves known to this commission. These 'syiem dkhar' (Referring to the Kings of the Princely States) now as a way to show themselves and their powers in front of the commission have formed a Legislative Council. So we also have our own, such as the Khasi National Dorbar and we

can say that we already have a Legislative Council.

The year 1927 was significant in many ways. After the elections to the Legislative Council of Assam in which J.J.M.Nichols-Roy won from Shillong, there was a complaint by the congress leader Basanta Kumar Das against him. The complaint was on the basis that J.J.M.Nichols-Roy did not have the “Qualifications” as per Rule 2 of the Second Schedule of the Assam Electoral Rules. On this count E.A.M. Reade noted (in his discussion with me) that this was the first time he remembered that most Khasi(s) began to speak openly about the enmity that existed between the 'dkhar' [non-Khasi(s)], mostly referring to people from the plains) and the Khasi(s). Later in the year 1929 when the fourth elections to the Assam Legislative Council was held, J.J.M.Nichols-Roy's nomination papers were rejected. R.B.J.N.Choudhury was elected unopposed and the acrimony between the Khasi(s) and the non-Khasi(s) deepened.

The coming of the Simon Commission to Shillong in 1929 spurred the Chiefs and the Khasi leaders into action. Throughout the period from 1926 to 1928, there were very intense discussions taking place in the Khasi community as observed in the minutes of the KND. Joab Solomon in his secretary's report for the year 1928 noted:

as we had discussed in the Dorbar that took place on the 29-30 September 1927, there will be a massive change in the governance of the country – India. The King and the elderly people in Britain have appointed an individual who will come to India to examine matters related to governance. As we can see in the newspaper, this commission has arrived in the last month itself. When Sir John Simon Commission arrived there was a massive movement. There are some who are finding ways not to allow and accept this commission at all. We have no doubt whatsoever that the people who have been sent to India are people who are the best, especially as we read about Sir John Simon, a person who is very popular in Britain as a lawyer and whose income is fifty Thousand pounds per year. Such people I believe, if they come to India have no other, but good intentions. But even if such things

happened and even though they are intelligent people, we hope that they will not be able to comprehend everything about the country that is so big in such a short period of time. It is because of this, it is observed that the head of this commission seeks advice from thought leaders to help him in his activity. We as a country (Ri Khasi) have many States (lane *Hima(s)*) looked after by Ki Syiem, Ki Lyngdoh, Ki Wahadadar and Sirdar. Even though we have very small *Hima(s)*, each has treaties (promises) that were arrived at by the Syiem earlier with the British Government. We cannot expect this Commission to know in detail about these treaties, without us ourselves telling and asserting in front of them in various ways, so that these treaties will be protected. Now I put before the Dorbar to think whether we need or not to find ways to submit in writing or by sending people to this commission or in front of the Butler Committee.

On 9 March, 1928 there were further discussions about the Statutory Commission and the Butler Committee and it was decided that the Executive Committee would think and find ways on how to proceed on the matter. The Executive Committee of the KND¹⁹² together with Syiem Jormanik, Olim Singh (President KND), Syiem Bidor Sing, Sati Raja and many others drafted a memorandum that was sent to the Simon Commission and the Butler Committee on 1 May 1928. A threadbare discussion happened over a single topic - "*Ka Jingiasyrdoh lang Ki Hima Khasi*" (Federation of Khasi Native States). The opening note on the subject was delivered by S.G.Nalle, a Khasi lawyer.

S.G.Nalle spoke at length. His key points were (i) post the submission of the memorandum to the Statutory Commission that came to Shillong and the Butler Committee by the Executive Committee as permitted by the Khasi National Dorbar, it was argued that great benefit will accrue for all the Khasi *Hima(s)* if they are brought together under one Federation, whose draft constitution has already been submitted. The draft submitted was only to show how such a Federation can be framed (ii) we cannot

192 Eight years after the first Dorbar of the KND, it was noted that its active members have grown to four hundred and four (404) individuals.

but be united. Unity among the Hima(s) in one Federation is imperative (iii) there are two ways in which the federation can take place among the himas: (a) A Unitary Government where each of the Hima(s) come together under one single Syiem as it is in the United Kingdom in Britain (b) The Federal Union as in the coming together of himas for the single purpose of the good of all without compromising on the powers of any himas as it is today. “Many Syiem(s)”, he noted “are feeling discomfort because they feel that if we do such a thing they will lose the opportunity of being syiem and will henceforth have to work under only one Syiem. The thinking on our part is not to form a Unitary Government but a Federal Union.” (iv) quoting 'Dicey' he argued that there are two things that are mandatory to make a Federal Union or Federation (a) there must be people (body of communities) that join together by association in a common place, with a common history, same race, and other more points that can show everyone and others of the unique nature of a common nationality (b) there must be a felt need to join together without being homogenous (union without unity) to bring objectives that are different, yet brought together while remaining distinct, at the same time to also recognise intersections that are beneficial for coming together of all himas and recognising things that are not beneficial for coming into a common platform because of the diversified needs and interest (v) “As Khasi(s)”, he argued, “we cannot say that we do not have a sense of commonness even though among us there are differences in the form of communities such as 'War', 'Khasi', 'Bhoi' or 'Pnar'. If we share many things in common then it is not without any real argument that we can state 'let us form the Federation among us as people who are so intrinsically related'. There is no one also who wants to obliterate or let go of being Syiem in the Hima and the power to govern that is held by them, however we can easily do it if we want to enjoin together into a Federal Union without doing away with current ways of governance as has been since earlier times” (vi) that there are many benefits to form a Federation. Noting that there are many very informed elderly people and educated youths who know the subject well, he sought to read out a passage to augment his argument. The statement he read was “Introduction to Political Science: Among the more conspicuous merits of the federal system may be noted, first of all, that it affords a means of uniting

into a powerful state commonwealths more or less diverse in character ... without extinguishing wholly their separate existences ... Federation has been the means of bringing together many petty states in the past which ... for this, would have remained forever apart. It has thus proved a powerful unifying force where other forms of government in the effectiveness with which it combine the advantages of national unity and power with those of local autonomy. It secures at the same time all the advantages of uniformity in the regulation of affairs of general concern with those of diversity in the regulation of local affairs. Instead of concentrating the power of the state in a single organ or set of organs, as is the case in the unitary state. Federalism distributes it between a common central government and a number of local governments, and thus prevents the rise of a single despotism absorbing all political power and menacing the liberties of the people” (vii) thus, in forming a Federation there is no attempt to do away with the system of Syiemship and the power within every Hima as some people think. “The formation of the Federation”, he pointed out, “will instead allow us to draft laws and commit to making developmental activities that are good for the whole 'Ri Khasi' that individual Syiem cannot achieve. Once there is a consensus to come together into a Federation, we can then proceed to frame a constitution as a community where each and every Hima participates actively.” He ended his speech by stating that the formation of the Khasi National Dorbar has shown that “we have moved one step ahead in our own knowledge and intelligence. However the formation of the Federation will be many steps ahead taken (great advance) in the world of knowledge and intelligence.”

By all accounts the speech of S.G. Nalle seems to be the key starting point of the formation of a Federation of Khasi States, but as can be observed, these were initial ideas. It is important however to note that if one analyses the debates taking place in the Khasi community during this period, there was a deep rooted sense within them that they conceived themselves as a nation. Although there was recognition of differences among and within them, they perceived themselves as nationalities that were

progressing towards a nation state based on federal principles.¹⁹³

Following S.G. Nalle's speech, the secretary - Joab Solomon stood up to speak, making some key points that are crucial to understanding how the platform of the KND viewed itself and how it conceived other's perception of the platform. Joab Solomon noted:

The 'Ri Khasi' is really a small country but its name is spread far and wide. The place Cherrapunji is well known for its rains. As Subhas Bose (Subhash Chandra Bose) in his speech in Poona in the previous year stated 'the Ri Khasi is a place and structure that all of India should follow as an example for governance (Democratic Govt.)'. Do you remember when Sir John Simon came to Shillong, he was full of praise for the Shillong - Guahati Road. He said this road in the hills is one of the best compared to any other in the world. When he stayed in Shillong for a few days, he spoke greatly of Ri Khasi, so much that he asked 'Who are the Governor Generals who has come to visit this place and how many days have they stayed? An individual, who came only for a few days to our place, yet spoke so highly of the place. We from here must see this ... Mr. Wynton and others who know about the minerals beneath our lands say that there is 'ki ksair ki rupa' (rich and costly minerals) that are of different varieties. We find limestone and coal in plenty. We have potato and other (agricultural wealth) in great varieties. There is one 'sahib' who knows about medicinal plants, he says this country is full of them. There is so much wealth in our lands but we ourselves do not know about this ... twenty years back when Lord Minto had gone to Shan state in Burma, he exhorted the number of small *Himas* to unite under one framework (Federation) where under such a framework lots can be achieve as Lord Irwin noted in November 1928

193 There is not a single point made that even gives a sense that they conceived themselves as merging into the larger society framed on the principle of caste. This point needs reiteration because of the ample arguments generally made in Indian academia around a 'Tribe Caste Continuum' which in the case of the Khasi was simply not present.

when he himself visited the Shan States. They have made their roads to walk and drive, they have their own Dorbar house that is respectful. How is this possible? Because they were able to come together. Now is the time to wake up. I do not know, if later India gets Swaraj, we will get such help to make good roads as we have today. We have 500 schools! Who will support them? We know that nearly 130 schools are supported by the Christian public. Suppose we do not get help from Welsh Mission and from the Government, who will take care of these schools? I therefore request that in order to take care of the above needs such as roads and schools we must think how to create a Fund. So I propose before this Dorbar that we come together and create awareness among all Himas so that we develop and progress ...

The fledgling idea and somewhat dormant committee of Khasi States, after a brief period of lull reassembled in Shillong on 28, 29 and 30 January and on 11 to 15 February, 1932. The gathering was convened to discuss matters of collective governance and the likely repercussions of the Constitutional Reform's Report. They submitted a memorandum to the Governor of Assam asserting as follows:

In the report on Indian constitution reforms in para.310, only 15 out of the 25 Khasi States have been classed as 'important'...this conference respectfully beg to urge that in view of these twenty-five states being sister states in the same country, inhabited by the same people having the same usages and customs, being contiguous one to another in territory, and the inevitability of their having one common Political Officer together, it is essential from all points of view that they be treated as an inseparable group. It will also open the way for certain villages which originally belonged to a state or commune of these Native States but had for certain domestic reason separated themselves therefore after the British had conquered the country, to be reconciled gradually to their former relationship with advantages to themselves and to the States.

Further the committee argued that:

these States have not lagged behind in identifying themselves with the British Government during the last war. They gave both men and money according to their ability. Whenever they find any trouble even in internal and domestic affairs they have grown to look to the British Agent for relief and redress. Any other new form of arrangements while causing no gain to others, will cost the people of these states all their present rights; instead of their remarkable progress it will force them back to retrogression, and it will ultimately bring about even an extinction of their long preserved race which with its scientifically correct social laws and perfect democratic institutions would be an ever shining piece of relic in the museum of nationalities under the protection of and in alliance with the British Crown.¹⁹⁴

The following year generated great excitement among the Khasis. This was 1933. The Viceroy of India was to make a visit to Shillong. On the occasion of the visit of the Viceroy, Lord Wellington (Freeman Freeman-Thomas) to Shillong on 3 October, a loosely knit platform called the Khasi States Federation presented a memorandum. This memorandum requested the representation of the Khasi States in the proposed Indian Federal Legislature. The proposed Indian Federated was mooted when discussions were in progress for another round of constitutional change. The idea dominating the Khasi States was that there should be one body to discuss matters relating to both Indian states and British territories.

The Khasi States also demanded placing them in direct relations with the Viceroy through a Political Agent who would work exclusively for the States. The Viceroy in his reply to the memorandum of the Khasi States referred to the energy and competence of the Khasi people which enabled the “republics” to maintain their freedom. Speaking of the representation in the Federal Legislature, the Viceroy remarked:

for some time in the past, you have been considering the

194 Statement of the conference of the Khasi States which assembled in Shillong on the 28, 29, 30 January and on 11 to 15 February, 1932 for a sympathetic consideration by his Excellency, the Governor of Assam.

feasibility of closer association amongst yourselves with a view to constituting a Federation of the Khasi States. I would commend this idea of your most earnest attention and this is obviously the first and most useful step which should pave the way towards your entry into the greater federation.¹⁹⁵

However the Viceroy was restraint with the demand of placing the Khasi States in direct relations with the Viceroy. As an answer for the preservation of ancient rights and customs, he assured:

...you have been protected under the Shield of the British crown and have been loyal to His Majesty, the King Emperor, I assure you that whatever changes may occur in this constitution of this great country, this shield of His Majesty will continue to cover and safeguard His people in retaining their ancient rights and privileges...¹⁹⁶

On the suggestions of the Viceroy, the Khasi States met and passed the following resolutions, "We the Chiefs of the Khasi States, the Syiems, the Lyngdohs, the Sirdars on behalf of the Khasi States whom we represent have now associated and made a Federation of States- Khyrim, Myllem, Nongkhlaw, Cherra, Nongstoin, Nongspung, Maharam, Mawaing, Myriaw, Mawsynram, Langrin, Rambrai, Nobosohphoh, Malaisohmat, Bhowal, Sohiong, Lyngiong, Mawphlang, Jirang, Mawlong, Shella, Mawdon, Nonglwai, Ponsangut and Dwara Nongtyrnem which will be called the Federated Khasi States."¹⁹⁷

The first basic objectives at this point were to represent the Khasi States and to deliberate and act on matters of common concern. Secondly, the Federation would impress on the Government that the Khasi States having subsidiary allegiance to the British Crown should be given special consideration. Thirdly, it put forward a claim for securing greater judicial power and higher status in view of the progress and advancement of the Khasi states in their own jurisdiction as autonomous bodies. Fourthly, it would settle inter-state dispute through the chiefs chosen from the parties concerned.

195 As noted in Giri (1990). p.133.

196 As noted in Lyngdoh (1996). p.163.

197 In the note released by the Federated Khasi States (1946).pp.1- 4.

Finally the Federation wanted to show on all occasions that their loyalty and allegiance to the British Crown.¹⁹⁸

To the above proposals which were sent to the government, Sir Keith Cantlie who was the Deputy Commissioner of the Khasi Jaintia Hills responded by way of suggestion to the Federation. He stated that for the proper working of the Federation, all the 25 Hima(s) must come together and reworked its structure and jurisdiction. Instead of 25 Hima(s), there must instead be only six Hima(s). He further suggested that the three states under Lyngdohs (Mawphlang, Sohiong and Lyngiong) with a population of 65000 be merged with Myllem and Khyrim into a single Hima.¹⁹⁹

Post the Government of India 1935 Act

After the passage of the Government of India Act 1935, read together with Notification No.144-Fed dated 4 March 1937,²⁰⁰ two heads of British India were pronounced; Governor General and the Crown Representative. The Governor General of India concerned himself with the Provinces and the Crown Representative with the Native States. As a matter of practice, however, it was a single individual that occupied both the positions.

Post 1935 Act, provincial autonomy emerged, that would take effect after the 1937 General Elections. Other than Bengal, all other provinces were won by the Congress. In Assam however there was a coalition headed by the Muslim League. Members were now known as 'Member of the Legislative Assembly' and the leader of the government was called 'Premier'. The Governor had veto rights over decisions in the assembly. Across the country, Native/Indian States were represented in a Chamber of Princess.

The Khasi States however had no direct relations whatsoever with the Assam government. They had direct relations with the British through the Political Agent. During the heated debate that ensued about the 1935 Act, one of the issues being discussed among the

198 Ibid., pp.1-4. Also see Giri (1990). p.135.

199 As noted in Giri (1990). p.136.

200 Published in Gazette of India Part I, p.436.as quoted in Gilbert Shullai 'Ka Ri Hynniewtrep Shuwa Bad Hadien Ka "Independence Day" p.2.

Khasi(s)²⁰¹ was to include the Khasi States into the Reform which meant to include the Khasi States into the 1935 Act. Kongor Macdonald was stated to have argued “it is better to be wholly excluded instead of being partially excluded” while referring to the Khasi and Jaintia Hills District.

J.J.M.Nichols-Roy however pointed out “I see great danger for the community if we don't enter into the Reform because we must have a say and guide the Governor in his dealings with Shillong, British Areas and the Khasi all over.” To this Macdonald replied “no, we should not become mere followers of the Governor. It is we who can speak clearly and firmly with the Governor in his relations and dealings with key issues concerning our community.”²⁰²

In the Khasi inhabited areas, after the 1935 Act, the Khasi and Jaintia Hills District was declared a Partially Excluded Area. Inhabitants in the Partially Excluded Areas had direct relations with the Assam Government, where its Acts and Rules apply. The rented portion of Hima Myllem also came directly under the Assam Municipality Act as per agreements between the British Government and Myllem State. Shillong Municipality was governed by Ward Commissioners who in turn chose a Vice Chairman to overlook affairs of the municipality. The Deputy Commissioner held the post of Chairman. The Syiem of Myllem within this structure was guaranteed the right of being a Member of the Shillong Municipality and sent his representative to the board. The reason being that the rented portion, as noted above, falls within British areas. Shillong was the head quarter of the Assam Province.

The Government of India Act 1935 had provided for representation from both the Khasi and Jaintia Hills. In the supplementary memorandum to the Simon Commission, the

201 As noted by the Khasi College teacher E.M.Reade Syiem in his book 'Ka Synjuk Lang Ki Hima Khasi Ka Federation of Khasi States' (2004).

202 The above transaction between the two took place in Khasi National Dorbar Hall in May 1936 chaired by Babu Dohory-Rai Bahadur Ropmay. Text is quoted from E.M.Reade Syiem's book “Ka Synjuk Lang Ki Hima Khasi Ka Federation of Khasi States, (2004).

Assam government recommended the inclusion of Khasi-Jaintia Hills in the Reform Scheme while excluding the other hills. Perhaps, this was due to the pressure from J.J.M.Nichols-Roy and the strategic position of Shillong. The Simon Commission accepted the views of the Provincial Government. It however recommended the classification of the backward areas into the Excluded Areas and Partially Excluded Areas. But the Simon Commission did not specify which areas were 'Excluded' and which were 'Partially Excluded' Areas²⁰³.

The White Paper on Indian Constitutional Reforms generally agreed with the recommendations of the Simon Commission. Under Section 91(V) of the Government of India Act 1935, an Order-in-Council was passed on 3rd March 1936 which classified the Khasi-Jaintia Hills as Partially Excluded Areas other than the Municipality of Shillong and Cantonment Areas.

The 1937 elections were definitive in fragmenting the Khasi community. It all began with electoral party affiliations, pitting the Indian National Congress and its Non-Khasi and Khasi

203 From Gassah (2007) chapter titled 'Prelude to Integration: Political Consciousness, Political Organisation and Development in Khasi-Jaintia Hills (Upto 1952) in (Eds) "Making of the Indian Union: Merger of Princely States and Excluded Areas" by Sajal Nag, Tejimala Gurung and Abhijit Choudhury. It is important to note here that the difference between the Excluded and Partially Excluded is this: The Excluded Areas were areas whose inhabitants are in a lower stage of civilization than their neighbours, and they require special arrangement for their administration. They could send representatives to the Legislative Assembly. The Partially Excluded Areas were areas which were developed to some extent. They could send representatives to the legislature. The governor General-in-Council would decide how far local legislation should apply to them. The extent to which the governor should act in consultation with the council of ministers in regard to the administration of these areas would be determined by rules frame by the Government of India. The revenues received from these tracts must be spent on them. Additional funds required should be processed by the Central Government. The historian David Syiemlieh has detailed the same in his book 'British Administration in Meghalaya: Policy and Patterns'.

supporters, seen by many as a Non-Khasi political party against parties that stood for the rights of Khasis. In the prelude to the tense electioneering process, J.J.M Nichols-Roy was quoted to have said “anyone who votes for the Congress is a traitor of the community”. He contested the elections as an independent candidate. His opponents were A.S.Khongphai (Congress candidate) and A.Macdonald Kharkongor (another Independent candidate). Reflecting about these events, Reade (2004) notes

all the non-Khasis (dkhar) voted for Khongphai and most Khasis voted for Nichols-Roy. We, the youths worked hard and with great fervour for Nichols-Roy, and he won by 400 votes against Khongphai ... it is also during this period that Nichols-Roy started one socio-political party 'Ka Seng Iaid Shaphrang' ('The Progressive Organisation').

J.J.M Nichols-Roy became a Minister in the Muhammad Saadullah²⁰⁴ government and held the portfolio of Local Self Government. In October, 1938 the Congress succeeded in engineering the fall of the Saadullah government and in its place came the Coalition government under the leadership of Gopinath Bordoloi. During this time Subhash Chandra Bose, who was the national president of the Congress, came to Shillong to congratulate the newly formed ministry. Reade (2004) notes:

just few weeks after this government took power a news clip appeared in 'the New Era' that Rev.J.J.M.Nichols-Roy joins Co-alition'. This stunned and angered us a lot in the light of his earlier statements that he does not want to break governments ... plus the fact that the Congress coalition was seen by the Khasis as pro non-khasi, and in various ways more inclined and supportive of non-khasi who were in search of a government that would support their claim to land, which was a contentious issue during the said period.

During the Second World War, the Khasi States supported the British Government who they had a direct relation with, without

204 Mohammed Saadulla: Muslim League leader who became member of Assam Governor's Executive Council before provincial autonomy; Prime Minister of Assam after resignation of Congress Ministry, 1939.

any dealing whatsoever with the Assam Government. An interesting incident occurred during this time that further led to animosity against J.J.M.Nichols-Roy. During the Second World War when the Japanese were closing on the Khasi inhabited space, the Khasis were extremely stressed. There was also a shortage of essential commodities. Amid this period of great turmoil, J.J.M.Nichols-Roy left Shillong for the United States of America even while he was the M.L.A in the government. Referring to this incident one elderly gentlemen noted 'U *khanpud ba u la tieng eb ia ki bomb u Japan, u phet bad ieb ia la ka Ri kblem da kbein aiu kan jia ia ngi.*' (Coward, he is so scared of the bombs of Japan that he has run away and left the community/country without a single thought of what will happen to us all). However after the war, as soon as the British Government declared it will organise a General election in India, which will be followed by the Constituent Assembly to begin the process of Home Rule in India, J.J.M.Nichols-Roy came back to Shillong to ready himself to contest the general elections.

During the period 1945, another association, the Khasi-Jaintia Political Association was formed under the leadership of Dr. H. Lyngdoh. Unlike, the Khasi National Dorbar which stayed away from direct electoral politics, [*although their original constitution was to organise /determine the political future of the Khasi(s), strangely its objectives was changed sometime in the 1960s*] the Khasi Jaintia Political Association got itself directly involved with political activities. Two of its candidates contested the 1946 general elections from the British portion of the Khasi States areas.

With the imminent emergence of Free India, the British regime began formulating the idea of a British Crown Colony²⁰⁵ in which the Khasi States were to be made part off. However, some Khasi leaders like J.J.M.Nichols-Roy did not want to part from Assam and resisted the idea of a crown colony. These leaders were mostly inhabitants of the Shillong General Urban Constituency. Their arguments were that the proposed colony will be a landlocked colony and not beneficial to the khasis. He achieved in convincing

205 From the article by David. R.Syiemlieh (2014) titled 'On the Edge of the Empire-Four British Plans for North East India, 1941-1947'. Also refer to Syiemlieh, D. R. (2011). 'The Crown Colony plan for the hills of North East India: Concept to Collapse 1941-1946'.

the Khasi public²⁰⁶ that they would benefit by being with India rather than be part of the proposed crown colony.

The Political Officer circulated the Cabinet Mission's Memorandum on States Treaties and Paramountcy and the Cabinet Mission Plan dated 16 May, 1946 to all the Syiem(s), Lyngdoh(s), Sirdar(s), and Wahadadar. Immediately, events began to move fast in the Khasi States. The States' Standing Committee noted in a statement of 10 June, 1946 that the Cabinet Mission Plan provided ample space and a fair basis for negotiating the States' representation in the Constituent Assembly. Its "mandates was (a) to fix the distribution of seats in the assembly not exceeding 93 in number, which Cabinet Mission had stated were to be reserved for the Indian States, and (b) to fix the method by which the representatives of the states should be returned to the Constituent assembly."²⁰⁷ A meeting was convened by the Chiefs of Khasi States at the residence of Kedro Manick, Syiem of Hima Nongkhlaw at Jaiaw, Shillong on 1st and 2 July and on 22 August, 1946.²⁰⁸ A number of Khasi community leaders including J.J.M.Nichols-Roy were present at the gathering. All participants concluded that there was a need to revive the Federation of Khasi States, formed in 1923 and resolved that the FKS should frame its positions clearly.

Formation of the Federation of Khasi States

On 22 August, 1946 it was thus declared through a public notice:

We the Chiefs of Hima Khasi, have met in a Dorbar on this day to resurrect the Dorbar of Khasi States again which we initiated in the year 1933. We who are present here in this gathering have together decided to work from today as per our understanding the advice of the Cabinet

206 David Red Syiemlieh have written extensively about 'The Crown Colony- Protectorate for North East India: The Tribal Response' and clarifies the arguments posed from his side.

207 From the White Paper on Indian States (1950), Government of India, Ministry of States. Printed by the Government of India Press. The Adviser and spokesperson of the FKS, John.F.Kharshiing has republished 10 pages of the same in 2013, and has distributed the copy widely to the khasi public.

208 From the text 'Ka Durbar Seng Synjuk lang ki Hima Khasi', Vol.I.p.2.

Mission to make the Khasi Himas as one capable to engage with powers from outside, to improve and strengthen the governance of our Himas today and tomorrow and to protect our rights and culture of Khasis.

The key decisions made on this day were (i) to form a standing committee that would look into the affairs of “Ka Dorbar Ki Khasi States” in which the Syiem of Nongkhlaw, Nongstoin, Maharam, Mawiang, Jeebun Wahadadar, Lyngdoh Sohiong and Sirdar/Syiem Jirang would be members for a period of one year (ii) the Syiem of Khyrim to be Chairman of “*Dorbar ki Khasi States*” and its Standing Committee (iii) the Secretary to have proper qualification and Jor Manik to take charge as Secretary and also be the Standing Committee ex-officio member if the Agent of the Crown Representative (A.C.R) permits to do so. Further the Syiem of Khyrim and Syiem Nongkhlaw to meet the A.C.R for taking the said permission (iv) to give Mr.G.S.Guha, Minister Tripura State, the power to speak on behalf of the Khasi States in the Chamber of Princes or in any other forum having direct relations to Indian States as per the needs of the Khasi States and to inform him via the Advisory Committee that would include the Chairman and Secretary and one member of the Standing Committee (v) that power is given to the Chairman and Secretary to write to Mr.Guha to inform him of the decision of the Dorbar to permit him to speak on behalf of the Khasi states and (vi) that the decision of the Dorbar be made known to all Chiefs of other Himas who were not able to attend plus the english copy of the said decision be sent to the Political Officer and the A.C.R for information.²⁰⁹

The Standing Committee formed, were tasked to draft a constitution of the FKS for further debate and discussion among the general body, and to negotiate on behalf of the FKS a representative in the Chamber of Princes. “Olim Syiem, Syiem of Khyrim was elected its Chairman and Jor Manick Syiem the Secretary. Besides the Chairman and Secretary, the following Chiefs were elected as members of the Standing Committee: Kedro Manick Sing Syiem- Syiem of Hima Nongkhlaw; Sib Sing Syiem- Syiem of Hima Nongstoin; Bamon Sing Syiem- Syiem of

209 Copy of the letter can be found in Bah Gilbert Shullai's book “Khasi States Constitution Making Dorbar” Appendix -'B'. p.13.

Maharam; R. Atiar Sing Syiem- Syiem of Mawiang; Jebuni-Wahadadar of Shella; Mawoon Lyngdoh- Lyngdoh of Sohiong; and Serindre- Sirdar/Syiem of Jirang.”²¹⁰ The general understanding among members was that the FKS would shoulder the responsibility of forming the Government for the Khasi States which were till then in subsidiary alliance with the British Government. In relation to successor Government in India, it would seek its negotiations within and in line with the decision to be taken by the Indian States through the Chamber of Princes.

The Standing Committee had been ready with a draft Constitution by 24 February, 1947 and had even begun circulating the same for deliberation and approval hoping to send its decision on or before 25 March, 1947. The Standing Committee was grateful for having been recognised by the Chamber of Princes, its draft constitution was approved by the FKS general body. Its Preamble reads:

With a view to achieving better and higher standards of administration in the Khasi States, collectively and individually the Khasi rulers and their Durbars as constitutional representatives of the people, hereby agree to join together in a Union to be called “The Federation of Khasi States.

The Federation shall have powers to make laws relating to, and to administer matters of common concern to be called “Federal subjects” which the component States surrender to it. The component States shall in return receive certain protection and services from the Federal Government as shall be agreed upon from time to time. The Federal Government shall have an Executive, a Legislature and a Federal Court. All subjects other than the Federal subjects and all residuary powers shall vest in the component States.”²¹¹ The Constitution contained various subject domains; Federal Legislature, Federal subjects, Federal executive and a federal Court; Government and various subjects- External Affairs, Law and Order, Public Works and Communications, Public Health, education, Federal Finance, Economic

210 Lyngdoh (1996).p.176.

211 From the proceedings of the Federation of Khasi States available with its Spokesperson.

Development; Legislature; Executive; Law and Order; Secretariat; Finance and Relations noting that- the relations of the Federation of Khasi States with other Governments shall be by negotiations.

Throughout this period, negotiations were taking place between the Standing Committee of the Chamber of Princess and the Negotiating Committee appointed by the Constituent assembly. It was agreed that the States representative join the Constituent assembly during the April 1947 session. With the exception of Hyderabad, all the representatives of the States joined the Constituent assembly. There was a single representative for the princely states of Manipur and Tripura and the twenty five Khasi states. The individual chosen to represent all these three states was G.S.Guha. He presented his credentials to the Constituent Assembly on 14 July 1947.²¹²

It is important to note that when presented to the Government in Shillong, the draft Constitution of the FKS was perceived as being too rigid. The Political Officer, Khasi States, on 10 May 1947 opined to the FKS as recommended by the Cabinet Mission that the States should make their constitutions flexible in order to allow people to actively participate in government. In his opinion “the system of sending representatives by the clans were no longer in tune with the spirit of the time” and thus sought their views on the subject of people's proper representation in the State Durbar at the earliest.

The FKS went into a huddle framing and reframing its plans in relation to the emerging Government. During this time many other changes were taking place in the country. The British Government came out with a Statement on 3 June, 1947 through Mountbatten, laying down “the methods by which power will be transferred from British to Indian hands.” Plus, it announced the principles by which British India be divided into India and Pakistan. This division created tremendous confusion among members of the FKS as many of the Khasi States were historically close to Sylhet District. Further with the announcement of a referendum being held in Sylhet to choose whether it desired to be with India or Pakistan, the Khasi States began to experience the

212 From the Constituent Assembly Debates, Vol.IV. p.537.

complexities of the formation of State Nations.

Nonetheless, for those wanting to identify themselves with India, reassuring words were made by Sardar Patel who along with Sardar Abdur Rab Nishtar were appointed to head the States Department²¹³ that came into being on 5 July 1947 with V.P.Menon as Secretary. Sardar Patel in his statement noted “We ask no more of them than accession of these three subjects (Defence, Foreign Affairs and Communications) in which the common interests of the country are involved. In other matters we would scrupulously respect their autonomous existence.”²¹⁴

The draft of the Agreement between the Chamber of Princes/States and the Government of India in the meantime had already been distributed to the States by the Political Department which came prior to the States Department and a conference was planned to be called to finalise the agreement. However the Government of India deemed the Agreement (Standstill) not compatible with immediate context. Thus the States Department, it was felt, should initiate negotiations with the States and that accession of the States was negotiated on the question of Defence, External Affairs and Communication. This was to be the main agenda in the proposed conference.

In the month of July 1947, there was great confusion and uncertainty that prevailed among the Khasi peoples and the rulers /chiefs were extremely tense. On 5 July 1947, the Political Officer, “Khasi States” wrote to the Khasi Chiefs noting:

His Excellency the Governor of Assam, Agent to the Crown Representative will hold a durbar at Government House, Shillong of all the heads of the Khasi States on the 14th and 15th July 1947. You should reach Shillong not later than 13th July positively, without fail. The exact time His Excellency will open the Durbar I will notify later to the Syiem of Khyrim from whom you may obtain the latest information on your arrival in Shillong. Be sure to arrive in

213 This is a Press Communiqué of 27 June, 1947, Cabinet of the Interim Government as decided in its meeting on 25 June, 1947.

214 This was Vallabhbai Patel's statement on 5 July, 1947 noted in the White Paper on Indian States (1950) New Delhi. pp.157-159.

time. No excuse for absence be entertained.²¹⁵

Most of the Rulers /Chiefs attended the meeting but the Governor was not present even though the Chiefs kept waiting for hours. From the Governor's house, the Khasi Chiefs met among themselves in the Office of the FKS in Riatsamthiah (Mawkhar) Shillong in the evening. On 16 July they again went to the Governor's house and met him in the Government House, Shillong. In this meeting, there was an agreement between the Chiefs and the Governor that was known as the Standstill Agreement that noted:

The Durbar of the Federation of Khasi States which included all the Khasi States as members agrees that with effect from the 15th August 1947 all existing administrative arrangements between the Province of Assam and the Indian Union and the Khasi States shall, with the exception to be noted below, continue in force for a period of two years or until new or modified arrangements have been arrived at between the respective authorities concerned.²¹⁶

So an agreement was reached between the States and Akbar Hydari, (Governor of Assam) on the three terms that Patel had asked the states to accept. The agreement was subject to certain exception which gave the federated states judicial, administrative, and legislative and revenue powers. It was also agreed that all British villages in the district which decided to rejoin states of which they formerly formed a part or as units should be allowed to do so.

Mountbatten, the Crown representative then, was entrusted with the responsibility to negotiate with the States. He called a special meeting of the Chamber of Princes on 25 July, 1947. His advice to the States was to accede to any of the two dominions on the basis of the three identified subjects. He stated "the Indian Independence Act releases the States from all their obligations to the Crown. The States have complete freedom - technically and legally they are independent."²¹⁷ However he noted that there had

215 Purwana No.457-81/XIV/13/KS dated 21 June 1947. pp.5-6.

216 Shullai (1975). pp.20-22. Appendix-B Agreement (Standstill Arrangement)

217 Quoted in the White Paper on Indian States.Government of India, Ministry

evolved over the years under the British administration coordinated system of administration on matters of common concern in the light of the historical fact that the Crown Representative and the Viceroy was one and the same person. He posited “that link is now broken. If nothing can be put in its place, only chaos can result, and that chaos, I submit, will hurt the States first...even the biggest of the States will feel itself hurt just the same as any small State.”²¹⁸ He reassured the princely states that their accession on the three subjects-Defence, External Affairs and Communication, would involve no financial liability and that in other matters there would be no encroachment on their internal sovereignty. He also added a word of caution noting “remember that the transfer of power is very close at hand and, if you are prepared to come, you must come before the 15th August, I have no doubt that this is in the best interest of the states, and every wise ruler and wise government would link up with the great Dominion of India on the basis which leaves you great internal autonomy and which at the same time gets rid of your worries and cares over External Affairs, Defence and Communications.”²¹⁹

In the backdrop of these events and new processes of negotiations, “the Federation of Khasi States faced a dilemma. The decision to arrange a referendum in Sylhet clearly indicated that Sylhet would become a part of Pakistan. For centuries, the trade connections of the Khasi(s) had been both with the Assam valley and with Sylhet. The dilemma was how to reconcile the seemingly irreconcilable views expressed by various leaders and organisations in the Khasi and Jaintia Hills.”²²⁰

J.J.M.Nichols-Roy played a key role during this time. He had strong support among the Khasi, the Non-Khasi staying in Shillong (British Areas) and also the powerful Assam congress and the Assam government. His antagonism with the Syiem(s) was entrenched and became more overt. As a Minister in the Assam Legislative assembly, he held the food supply portfolio. This gave him great power to leverage with the people, which was

of States.(1950). p.161.

218 Ibid., p.161.

219 Ibid., p.163.

220 Lyngdoh (1996).p.186.

strategically also used to reduce the power of the Syiem(s) in the eyes of the general Khasi public. Showing that the Khasi economy is intrinsically linked with Assam and the power derived from such an alignment, his supporters were stated to have begun a campaign together with the Congress party against the Syiem(s). They were heard saying “*La Lait luid ym don Syiem shub*” [We are free, there is no more Syiem(s)].²²¹

J.J.M.Nichols-Roy formed another organisation known as Khasi Jaintia Federated National Conference (KJFNC) to counter the Federation of Khasi States. The KJFNC stood for the rights of the British Areas of Khasi and Jaintia Hills to sit on the negotiating table alongside the Khasi States when arrangements were made for the transfer of power by the British on the lapse of the Raj. Its grounds were that the so called British Areas in Khasi Hills were originally part and parcel of the Khasi States.

It is in the light of this kind of strategy employed by J.J.M.Nichols-Roy that many Khasi youths started another organisation; the 'Khasi States People Union' aimed at challenging J.J.M. Nichols Roy and the Congress party. This was in October 1947. It is this formation that provided the needed support for the Syiem(s) and the organic institutions of the Khasi(s). Also during this period there were talks that J.J.M.Nichols-Roy intended to lead the Khasi(s) to a merger with Assam and thus impose one universal structure over the diverse realities of the Khasi institutions. Seeing the rise of the Khasi States People Union as a threat and an impediment to his plans, he is quoted to have advised his followers to “Go nip them in the bud”. This however did not succeed and the Federation of the Khasi Rulers /Chiefs remained intact.

Before the signing on 15 December the Government of India found a problem when it came to the question of getting the Khasi States to sign the Instrument of Accession. On 2 December that year Hydari informed the Khasi Rulers /Chiefs that he had brought with him from Delhi the Instrument of Accession and that they should sign it. It was accordingly agreed that all the twenty five Rulers/chiefs should assemble at the Governor's residence on 15 December and individually sign the Instrument. Twenty Rulers

221 Reade.E.M (2004).p.35.

/chiefs signed the Instrument that day, while among the remaining five states, the Rulers/chiefs of three khasi states were ill and would sign at home and two chiefs refused to sign. Hydari reported to Patel:

that various underhand forces had been at work between 2 December and 15 December is shown by the fact that this morning's proceedings seemed likely to break; for, three of the principal Syiem, i.e., those of Myllem, Khyrim and Sohra refused to sign and wanted more time 'to consult their people'. I made them realise what the consequences of not signing would be, and after nearly an hour's confabulation among themselves they signed. The rest was easy.

The final signing of the Instrument of Accession and Annexed Agreement with the Khasi States, started with the agreement to a draft with the then Governor of Assam to a Standstill Agreement on 16th July 1947 which was to remain for a period of two years, which was sent to the central authorities for approval. From records it is also found that during this interim period prior to 15 August 1947 about ten khasi states also signed conditional Agreements. However, the 16th July 1947 draft Instrument of Accession (which was also known as the Standstill Agreement because it had a term of two years defined in the agreement) and was the primary agenda of negotiations between the Federation of Khasi States, the Governor of Assam and the Ministry of States.

This was followed by a prolonged negotiation in the Ministry of States which led to a redraft Instrument, wherein the same agreed Instrument of Accession or Standstill Agreement and Annexed Agreement was approved but with the words "for a period of two years" deleted from the original draft Instrument of Accession or Standstill Agreement agreed with the Governor of Assam on 16th July 1947.

This changed draft without the words "for a period of two years" was reluctantly signed on 15 Dec 1947 by the Khasi States at Shillong with the Governor of Assam. The date of signing of the conditional Instrument of Accession by each of the Himas was published in the White Paper on Indian States. This was accepted officially by C. Rajagopalachari, the then Governor General of

India on the 17 of August 1948.²²² This White Paper enclosing and listing the agreements made with all the Indian States was placed by the then Deputy Prime Minister Sardar Vallabhai Patel before the Dominion Legislature. The date is as follows:

Sl.No	Name of the State	Date of Execution of the Instrument of Accession	Date of acceptance by the Governor General
1	Khyrim State	15-December 1947	17-August-1948
2	Myllichem State	Ditto	Ditto
3	Cherra State	Ditto	Ditto
4	Nongstoin State	19-03-1948	Ditto
5	Rambrai State	17-03-1948	Ditto
6	Myriaw State	-	Ditto
7	Nobosohphoh State	11-01-1948	Ditto
8	Nongspung State	-	Ditto
9	Nongkhlaw State	15-12-1947	Ditto
10	Bhowal State	Ditto	Ditto
11	Jirang State	Ditto	Ditto
12	Maharam State	Ditto	Ditto
13	Mawsynram State	Ditto	Ditto
14	Langrin State	Ditto	Ditto
15	Mawiang State	Ditto	Ditto

222 White Paper on Indian States (1950).pp.215-218.

16	Malai State	Sohmat	Ditto	Ditto
17	Mawphlang State		Ditto	Ditto
18	Sohiong State		Ditto	Ditto
19	Lyngiong State		Ditto	Ditto
20	Shella Confederacy		Ditto	Ditto
21	Mawlong State		10-03-1948	Ditto
22	Nonglwai State		15-12-1947	Ditto
23	Pamsangut State		Ditto	Ditto
24	Mawdon State		Ditto	Ditto
25	Dwara Nongtyrnem State		Ditto	Ditto

In all the negotiations that took place, it is interesting to note that the thorny issue that created antagonism between the FKS and J.J.M.Nichols-Roy was partly resolved with the signing of the IOA and AA. In the IOA and AA it was agreed that efforts be invested to integrate all British villages that were conquered by the British government throughout their period of rule into the new set up under the Khasi states. This created increased discomfort for J.J.M.Nichols-Roy and his followers but eased the tension among the 25 Khasi states. As per para 4 of the Annexed Agreement read with Section 290 (b) of the Government of India Act, 1935,²²³ it was accepted that the 'British Areas' would be permitted to become part of the FKS. Para 4, reads “Khasi Territory in the Province the Federation requests that all possible help should be given to

223 The Government of India Act, 1935 Section 290 (b) which is generally quoted by the current leaders of the FKS especially the Spokesperson, concerns the “Creation of new provinces and alterations of boundaries of Provinces- (1) subject to the provisions of this section, His Majesty may by Order in Council- (b) increase the area of any Province.”

facilitate the unification of all Khasi Territory. All Khasi villages which desired to rejoin States of which they had formerly formed a part should be allowed to do so. Other Khasi Territory in the Province should, if they desired, be allowed to join the Federation as Units.’²²⁴ On 15 December, 1947, the day of signing of the Instrument of Accession and Annexed Agreement by twenty Khasi States in the Government House, Shillong, the Governor of Assam as representative of the Ministry of States, Government of the Dominion of India stated to the Chiefs who were present:

When in August last I had the pleasure of visiting the office of your Federation, I welcomed the idea of a Federation as an agency which sought to unite. I am therefore very happy that the Government of India in confirming the Agreement I reached with the *Siem* of the Khasi States in July has, by the Instrument of Accession which you have signed today, given their blessing to the idea of a Federation. I must however emphasise that the federation is not of the *Siems* alone but of the States; a State is an organic entity and apart from the purely legal aspect it is not only the *Siem* alone but the *Siem* and its people together ... My advice therefore is that before proceeding to set up the administrative machinery allowed under the Agreement, the representatives of the States Federation and of the Khasi-Jaintia Federated States National Conference should come together and reach an agreement as to how such administration should run. Given good will on both sides and a realisation that there must be a legal head of a State in the person of a *Siem*, and on the other that it is better to govern on advice and in consultation rather than by dictation, it should not be difficult to reach an understanding ... I would like that the two sides, who together compose the Khasi people, should arrive at such an understanding by themselves; but if in this connection, especially in the framing of the rules of business governing the running of the Federation, and this require great care and thought- you want any help from me or my officers,

224 As agreed upon in the Instrument of Accession and Annexed Agreement.

that needless to say will be readily given. Please do not be in hurry- there is no need for it- but act after due consideration and consultation. A great opportunity lies open before you. If you act in the manner I have advised, you will endure the well-being and progress of the people of the Khasi states and so earn their affection and support.²²⁵

Out of the three Chiefs who were reportedly ill, Nobosohphoh and Nongspung states signed the Instrument on 11 January, 1948 followed by Mawlong on 10 March. Only two Khasi states, Rambrai and Nongstoin were adamant and refused to sign. Hydari then sent G.P.Jarman, the Deputy Commissioner/Dominion Agent and his Assistant, R.T. Rymbai to these states with the instructions that failure to comply with signing the Instrument would be followed by pressure of various kinds and in the last resort to deposition. At one time, it looked as if Jarman might encounter armed opposition from Nongstoin and so a platoon of the Assam Rifles was sent into the state “whose presence and Jarman's tact did the trick”. Rambrai had signed two days earlier but special mention may be made here of the high drama relating to Hima Nongstoin. Sibsing, Syiem of Hima Nongstoin, would not agree to sign the Instrument of Accession unless the same was approved by the Dorbar Hima. For this act he was unduly arrested one day while leaving Nongstoin, the State headquarters to attend a Church meeting in one of the villages outside Nongstoin. This incident brought more complications to the case of Nongstoin. Finally, Sibsing Syiem of Nongstoin signed the Instrument of Accession. But he did it under duress and not by wilful act of the ruler of a peaceful State who actually wanted to abide by the decision of the Dorbar Hima, the highest decision making body of a Khasi State. The Syiem signed on 19 March, 1948.²²⁶

225 Shullai (1998) p.9.in his book 'Ka Ri Hynniewtrep Shuwa Bad Hadien Ka “Independence Day”.'

226 John F Kharshiing recalls in one of the Dorbar Hima of Nongstoin in the year 2001 while reading the names of those who attended the famous Dorbar Hima of Nongstoin on 13 January 1948 which resolved to declare independence, an elderly participant got up to say introduce himself to state that I had just read his name, a number of us gathered around him to enquire to narrate to us the events and he stated that the

It is important to note that Hydari who felt that the policy should be one of conciliation and patient adjustments of difficulties is said to have told Rymbai before leaving for Nongstoin, "Let Junagadh not be repeated". Behind a tough exterior Hydari had a concern that there should be no violence in the integration process.

During this very uncertain period, rumours rent the air in the Khasi states especially when the Indian National Congress (INC) came to power in the Constituent Assembly. It was stated that the INC's aim was to rid the country of all Native States especially its chiefs, and all such institutions connected to them. Nehru was quoted to have said in relation to the Native States and their future, 'and the rulers will be pensioned off'.²²⁷ "Among the Native States there is a party, "States People Conference" closely associated with the INC who wanted to dissolve the Native States and their rulers to receive a pension in return for winding up the Native State."

Under the sanction of the Khasi States People's Union, the Khasi States Federation Court was set up and some departments of Administration were opened. The Federation using those powers as were prescribed under the Instrument of Accession and the Annexed agreement. The FKS had also used its own flags with 25 stars (representing 25 States) side by side with the Indian National Flag. However the setting up of a Federation was only temporary in character i.e., August 15 1947 to 25 January 1950.

The Khasi Jaintia Federated National Conference led by J.J.M.Nichols-Roy, countered the political processes and views entertained by the Khasi States People Union. Instead it advocated the enforcement of the Sixth Schedule of the Constitution of India (of which the late J.J.M.Nichols-Roy, Minister Assam was its author) which provided for the setting up of the District Council,

soldiers and officials ransacked the office looking for some documents and on the day of signing the Instrument of Accession being permitted to call only a few members of the council of Dorbar Hima Nongstoin the Syiem(s) announced before signing the IOA & AA- to tip ba nga soi ym da ka mon lajong - know all that I sign not with my own free will.

227 Reade,E.M. (2004). p.34.

with direct links with the Central Authorities. The two parties could not reconcile their differences.

The Assam Congress on the other hand was hell bent on capturing the Khasi States and other regions inhabited by many other indigenous communities into its fold. They were backed by the States Peoples Conference call to merge the states with the province. Reade (2004) asserted that the fundamental difference between the States People Conference that arose from Native States wanting to merge them into provinces and the Khasi States Peoples Union which arose as a defence of the Khasi Indigenous institutions against any form of dilution and integration with the province was fundamental. These back and forth negotiations and the persisting tension between these two opposing perspectives led to the Governor agreeing to the formation of the 'Khasi States Constitution Making Dorbar'. In the agreed upon framework the chiefs were given a dominant role to negotiate political space in an emerging Indian State.

Constituent Assembly of India

The Constituent Assembly was convened on 31 October 1947. The total membership of the assembly after Partition was 299 out of which 70 were representatives of native States. The draft constitution was introduced on 4 November 1948 (**First Reading**). The clause by clause consideration or **second** reading commenced on November 15 1948 and ended on 17 October 1949. Eight committees were constituted for specific areas plus other minor committees. The **third** reading began on 17 November 1948 and ended on 26 November 1949; date it was declared passed. Some provisions relating to citizenship, provisional parliament, etc came into effect on 26 November 1949 (Article 395). This was also the date mentioned in the Preamble as the date in which the People of India adopted, enacted and gave to themselves this Constitution. Remaining provisions came into effect on 26 January 1950 which the Constitution terms as the date of commencement. The Constitution as adopted in 1949 contained 395 Articles and 8 Schedules. It was signed by the members of the Constituent assembly on 24 January 1950, the last date on which it met.

The Drafting Committee functioned as the group that had to give effect to the Committees' report and views in the Draft

Constitution. It must be noted that the freedom of the Drafting Committee was limited and most decisions were made through voice vote and there was no division of benches. Thus in some ways, the decision making process could be seen as being arrived at unanimously, although one can challenge the same as a method to silence those who stand opposed to some of the decisions made. They were a number of committees²²⁸ set up to look into various aspects of the Draft constitution. For the purpose of this study the North East Frontier (Assam) Tribal and Excluded Areas Sub Committee headed by Gopinath Bordoloi as Chairman and

-
- 228 The committees of the Constituent Assembly and their Chairman are given: Committee on Rules of Procedures - Dr.Rajendra Prasad; Finance and Staff Committee-Dr.Rajendra Prasad; Credentials Committee-Alladi Krishnaswami Ayyar; House Committee-Dr.Pattabhi Sitaramayya; Order of Business Committee-K.M.Munshi; Ad hoc committee on the National Flag-Dr.Rajendra Prasad; Committee on the functions of the Constituent Assembly- G.V.Mavalankar; States Committee-Jawaharlal Nehru; Advisory Committee on Fundamental Rights, Minorities etc-Vallabh Bhai Patel; Advisory Committee had four sub committees- (i) Minorities subcommittee - H.C.Mookherjee, (ii) Fundamental Rights subcommittee - J.B.Kripalani (iii) North East Frontier (Assam) Tribal And Excluded Areas Sub Committee (iv) Excluded and Partially Excluded Areas (other than Assam) subcommittee-A.V.Thakkar (Chairman) Members-Jaipal Singh; Devendra Nath Samanta; Phul Bhanu Shah; Dr.Prafulla Chandra Ghosh; Raj Krushna Bose. Co-opted Members- Khetramani Panda (Phulbani area) Sadashiv Tripathi (Orissa P.E.areas) Kodanda Ramaiah (Madras P.E. Areas) Sneha Kumar Chakma (Chittagong Hill Tracts) Damber Singh Gurung (Darjeeling District) Secretary-R.K.Ramadhyan. Further the Union Powers committee-Jawaharlal Nehru; Union Constitution Committee-Jawaharlal Nehru; Adhoc committee on Supreme Court - S.Varadachari (not a member of Constituent Assembly); Provincial Constitution committee - Vallabh Bhai Patel; Committee on Chief Commissioner's Provinces - Dr.Pattabhi Sitaramayya; Drafting Committee – Dr.B.R.Ambedkar; Expert committee on the Financial Provisions of the Union Constitution - Nalini Ranjan Sarkar (not a member of Constituent Assembly); Linguistic Provinces Commission - S.K.Das (not member Constituent Assembly)

other members²²⁹ is important. The North-East Frontier (Assam) Tribal and Excluded Areas Sub Committee was appointed by the Advisory Committee on Minorities' Fundamental Rights, etc. to the Constituent Assembly of India in their meeting held on February 27, 1947, in pursuance of paragraph 19(IV) and 20 of the Cabinet's Mission's statements dated May 16, 1946.”

In the Constituent Assembly J.J.M.Nichols-Roy emerged as a member and representative of the Assam Province to the Constituent Assembly through the Assam Province. Here it is important to note that while the FKS framed their strategies premising their argument on the agreed upon IOA and AA through the newly constituted 'Khasi States Constitution Making Dorbar', J.J.M.Nichols-Roy had already begun to frame his strategy around a District Council as a schedule in the Indian Constitution. This was being carried forth with the tacit support of Gopinath Bordoloi, under the framework of North-East Frontier (Assam) Tribal and Excluded Areas Sub Committee.

Khasi States Constitution Making Dorbar

With the appointment of Sardar V. Patel as head of the Ministry of States, he immediately began to implement this stated aim which came to be called “Integration of States”. The idea was to merge these native states with the provinces. These strategies were also observed and spoken about among the Khasi(s), resulting in the observations of Syeed Mohamed Sadula, Member Constituent Assembly, that there is a Constitutional Anomaly that presently exist where the Khasi States have been relegated and being merged by a promulgation of the act with - the Assam Province.

While the Khasi states had acceded to India through the Instrument of Accession and Annexed Agreement (IOA & AA),

229 The members of the committee were J.J.M.Nichols Roy, Rup Nath Brahma, A.V.Thakkar and Aliba Imti. The co-opted members were Khawtinkhuma and Saprawng from Lushai Hills, Harrison W. Momin and Mainram Marak from Garo Hills Area, S.S.Ingti and K.S.Terang from Mikir Hills, Kezehol Khelhoshe from Kohima Area, Swat Daulagopu and C.T.Tnanga Biete from Haflong Area and Josing Rynjah and Larsingh Khyriem from Khasi and Jaintia Hills Area. Its secretary was R.K.Ramadhiani.

they refused to fully merge on the ground that the Rulers/chiefs were elected heads of their respective states. Their refusal caused Patel to visit Shillong on 1-2 January, 1948 and it was recorded that he himself seemed keen to keep the Khasi States out of Assam. Both the Federation of Khasi States and the Khasi States Peoples Union asserted that they do not want to be inside Assam and want their organic indigenous institutions to remain intact. When Sardar Patel heard these petitions, he was reluctant to disintegrate the *Khasi(s)*. In his speech to the gathering he was stated to have noted "You are living in the country of the Gods to live in. Its airs, its natural scenery, its pure atmosphere, its sweet waters, would attract even Gods if your hearts were pure. But the population was lazy and it did not know how to make the best of resources. You must first, therefore, get rid of your enemy which is laziness. There is so much to be done."

His meeting with the chiefs in Shillong however ended in a stalemate over the merger issue. The Khasis said that only a duly constituted Dorbar of the states could decide on such a move. Accordingly rules were drawn up by the Dominion Agent for the nomination and election of members of the Khasi States Constitution Making Dorbar. This took almost sixteen months. The Dorbar was inaugurated on 29 April 1949 in Dinam Hall, Shillong. The meeting was chaired by N.N.Phukan – the Dominion Agent, Khasi States. The Governor of Assam, Sri Prakasa delivered a speech. Those present were Olim Sing Syiem of Khyrim (President of FKS), Jormanik Syiem, (Secretary,FKS), G.S.Guha (Representative of Khasi States in Constituent Assembly), B.M.Roy (Additional Deputy Commissioner, Khasi and Jaintia Hills), R.T.Rymbai (Assistant Dominion Agent, Khasi States), David Roy (Chief Administrative Officer, Myllem State), A.S.Khongphai (Assistant Judge, Courts of FKS) Dr.H.Lyngdoh, Rai Bahadur Ropmay, Prof.R.R.Thomas, A.Mac Donald, E.M.Roy, Mavis Dunn Lyngdoh,²³⁰ Berlie Diengdoh and others.

230 Miss Mavis Dunn Lyngdoh (1906-1962) was elected member of the Assam Legislative Assembly in 1937 from the Shillong Constituency. She was the first woman M.L.A in Assam. In 1940 she was the cabinet Minister Incharge of Health Services. She was the lady in Assam and the second in India to hold that rank. In 1960 she toured America and

The Khasi States Constitution Making Dorbar constituted of

(I) ki Rangbah Hima” of the “Khasi States” of which there were (a) sixteen²³¹ Syiems (b) three²³² Lyngdoh (c) One²³³ Wahadadar (d) four Sirdars²³⁴ (e) One Dolloi²³⁵

(II) representatives of 'ki khun ki hajar' of “Khasi States” which included (a) twelve from Khyrim State (b) eleven from Myllem State (c) four from Maharam State (d) four from Nongkhlaw State (e) three from Nongstoin State (f) three from Cherra State and (g) one each from the following States – Nongspung, Langrin, Mawsynram, Myriaw, Rambrai, Mawaing, Bhowal, Malaisohmat, Nobosohphoh, Jirang, Sohiong, Mawphlang, Lyngiong, Shella, Mawlong, Mawdon, Dwara Nongtrynem, Nonglwai, Pansangut.

(III) eight nominated members of whom four were women (Miss Mavis Dunn Lyngdoh, Mrs. B.Khongmen, Mrs.L.Shullai and Mrs. B.Taylor.) Other four nominated members were Dr.H.Lyngdoh, Rai Bahadur D.Ropmay, Prof.R.R.Thomas and Rev.J.J.M.Nichols-Roy. Of the total number of members of eighty nine (89), Dr.H.Lyngdoh was chosen as Chairman.

The second sitting of the KSCMD was held from 11 July, 1949 till

delivered a series of lectures to American Universities. She was a key architect of the FKS during the period 1947-1950 and was a member of the KSCMD Negotiating Committee. She was a member of the advisory council related to the formation of the District Councils as envisaged by the Sixth Schedule.

- 231 Khyrim State- Olim Sing Syiem, Myllem State- Sati Raja, Nongkhlaw State- Kedro Manick, Cherra- Join Manik, Nongstoin- Sib Singh, Maharam- Bamon Singh, Nongspung- Pyrba Singh, Langrin- Doli Singh, Mawsynram- Ijolin Singh, Myriaw- Ram Singh, Rambrai- Hershon, Mawaing- Hiro Singh, Bhowal- Hewarshon, Malaisohmat- Elenshon Singh, Nobosohphoh- Sune Singh and Jirang- Sirendron
- 232 Sohiong- Mawoon, Mawphlang- Nokol Singh and Lyngiong- Jken
- 233 Shella State or Shella Confederacy- Orju
- 234 Mawlong- Illiam, Mawdon- Hadon, Dwara Nongtrynem- Mosaiah, Nonglwai- Kendrowell
- 235 Pamsangut- Sumer

21 July, 1949. On the first day of the gathering, Jormanick Syiem who was already Secretary FKS was elected as Secretary of KSCMD. The FKS began functioning officially from 15 August 1947 with its head office “Merivelle” in Riatsamthiah, Shillong and for a while Rai Bahadur D Ropmay was its acting Secretary.

On the 14 July, 1949, the Chairman called upon J.J.M.Nichols-Roy to move his motion while suspending discussions on rules which were going on. Tension within the KSCMD between the two sides; one led by those affiliated with the FKS and the other by those supporting J.J.M.Nichols-Roy was about to explode. This in many ways was a historical moment in Khasi history. J.J.M.Nichols-Roy moved his motion in the house.

In response to the motion proposed by J.J.M.Nichols-Roy, another leader Prof.G.G.Swell proposed another counter motion the following day. After these two motions were moved the chairman appointed a committee consisting of Dr.H.Lyngdoh, Prof.R.R.Thomas, Rev.J.J.M.Nichols-Roy, Mr.A.Alley, Syiem Jirang, Prof.G.G.Swell, to discuss the same threadbare and to feel the pulse of the Governor about the two resolutions and to report the same to the KSCMD.

Discussions on the two motions carried on and many other members participated in the debate. The key arguments seem to centre on an argument between J.J.M.Nichols-Roy and Mr.Rosaiah Nongrem. While J.J.M.Nichols-Roy noted that there were a number of protective mechanism embodied in the Sixth Schedule of the draft Constitution of India of which he has been following up with the Cabinet Mission to further strengthen the same, he pointed out that both States and Non-States areas are seeking unification as observed from both proposed motion, and since the non-States area are already in the Sixth Schedule, so the States area should probably seek the same. Mr.Rosaiah Nongrem however argued that the sixth schedule is not the place for the Khasi States because the space negotiated for the Khasi States is the Instrument of Accession. Thus it would be difficult to position the Khasi States within the Sixth Schedule.²³⁶ Many other speakers which included Prof.R.R.Thomas, O.H.Rease, G.G.Swell and later Mr.A.Alley put

236 Shullai (1975).p.10. from the book 'Ki Hima Khasi'.

forth their point of view either for or against the two motions.

During the debate that ensued, the Syiem of Jirang – Paiem Sirendro, proposed an amendment to Prof.G.G.Swell's motion, which G.G.Swell accepted and withdrew his motion in preference to Syiem of Jirang's motion. After the arguments of both sides were heard, the Chairman closed the discussion and called for a “vote” over the two resolutions; the one moved by J.J.M.Nichols-Roy and the other by Syiem of Jirang. On the day of voting, 21 July, 1949, the chairman announced that there was one resolution and one amendment in front of the Dorbar. He read out the amendment explaining that there were two portions in it. The first related to the principle in which to formulate the government and the other related to the appointment of a Committee that would negotiate with higher authorities²³⁷. The amendments read as follows:

This Constitution Making Dorbar of the Khasi States, consisting of the Heads and elected Representatives of the people of these States realising the urgent need for one Administration of the 25 Khasi States and the Non-States Areas (31 Sirdarships in Khasi Hills and the Jowai Sub-Division in the Khasi and Jaintia Hills) having a large measure of self Government and being convinced that such Administration is possible under the provisions of the Instrument of Accession and the Annexed Agreement entered into between the Dominion of India and the Province of Assam on the one hand and the Khasi States on the other hand, and also possible under the Provinces of the Draft Constitution of India, with necessary modifications and /or adjustment of the said Provinces to suit conditions in the Khasi States, do hereby solemnly declare their ardent desire for the formation of the said one Administration, wherein amongst other, the following rights, privileges and customs shall be preserved and maintained:- 1. The existing democratic institutions of the Heads of States (viz., The Syiem, Lyngdohs, Wahadadars and Sirdars) and the Durbars. 2 Land its protection thereof and the ownership, according to customs, to rest with the people and not with Government, 3. Water Rights, 4.Minerals, 5.Excise,

237 Ibid., p.11.

6. Forests, 7. Judiciary & Legislative powers covering all these subjects mentioned herein. This Durbar further resolved to appoint a Committee with Powers to co-opt and fill vacancies consisting of the following members:- (1) Dr.H.Lyngdoh (2) Syiem of Nongkhlaw (3) Syiem of Jirang (4) Prof.R.R.Thomas (5) Sirdar Illiam (6) Prof.G.G.Swell (7) Syiem of Khyrim (8) Mr.Albert Lyngdoh (9) Mr.O.H.Rease (10) Syiem of Myllem (11) Syiem of Myriaw (12) Jumsingh Syiem (13) Rai Bahadur D. Ropmay (14) Miss Mavis Dunn (15) Mr.Mesingh Syiem (16) Mr.H.Cotton with full powers to demand negotiate and settle the implementation of the above resolution and also to decide the connection of the Khasi States with all authorities concerned within the Union of India.²³⁸

Further, the Chairman also read the Resolution of J.J.M.Nichols-Roy which was as follows:

This Constitution Making Durbar of the Khasi States consisting of the Heads and elected Representatives of the people of these States realising the urgent need for a United Administration of the 25 Khasi States and the non-States Areas in the District of Khasi and Jaintia Hills, having a large measure of self-Government and feeling the necessity of being connected with the Government of Assam in higher spheres of administration, and being convinced that such said United Administration and said connection are possible under the provisions of the Draft Constitution of India as to the Administration of the Tribal Areas in Assam relating to the autonomous Districts and Regions (and of the Agreement entered into between the Dominion of India and the Province of Assam on the one hand and the Khasi states on the other hand) with necessary modifications or adjustment to suit conditions in the Khasi States do hereby solemnly declare their ardent desires for the formation of the Autonomous Unit of Khasi and Jaintia Hills, comprising the 25 Khasi States and non-States Areas of the District of Khasi and Jaintia Hills, and for having one united

238 Noted as Appendix-I in Gilbert Shullai (1997) Khasi State Constitution Making Durbar. pp. 37-39.

administration for the Union of Khasi and Jaintia Hills be so formed under the said provisions of the Draft Constitution of India; and resolve to request the higher Authorities concerned (namely, His Excellency the Governor of Assam, as Agent to the States Ministry in India, and Government of Assam) to take immediate necessary steps to bring about the said Union and United Administration. This Durbar further resolved that a committee of Members of this Durbar, mentioned herein below (five of whom form a Quorum) be appointed to negotiate with the said authorities as to the manner in which the above mentioned united Administration, connection and modifications or adjustments may be brought about. Name of Members:- (1) Dr.H.Lyngdoh (2) Syiem of Myllem State (3) Syiem of Khyrim State (4) Syiem of Langrin State (5) Syiem of Myriaw (6) Lyngdoh of Sohiong State (7) Lyngdoh of Mawphlang State (8) Rai Bahadur D.Ropmay (9) Prof.R.R.Thomas (10) Mr.A.Alley (11) Prof.G.G.Swell (12) Mr.Maniwell Jahrin (13) Mr.Owenton Roy (14) Mr.B.Khongmen (15) Miss Mavis Dunn (16) Mr.Handel Manick Syiem (17) Mr.Gurunath Roy (18) Rev.J.J.M.Nichols-Roy.²³⁹

After both these resolutions were read out by the Chairman, he explained to all members how the voting will work out. He first put the Amendment to vote and there were 46 members who voted supporting the same. When the second amendment was put to vote only 40 members supported it. Before the announcement of the final votes the Chairman noted the importance of democracy and thus the need to accept the majority decision. After this the Chairman put the second portion of the Amendment that related to the appointment of the Negotiating Committee. The 40 members who voted for the earlier Resolution did not want to participate in the voting any further and staged a walkout. The Dorbar then

239 From Shullai (1975). *Ki Hima Khasi*. pp.12-13. This Resolution was published in Newspaper-U Khun Ka Ri, Vol.X. No.11, Shillong-July 1949 and also from the text by O.L.Snaitang (2014) "Ka Political Theology U Rev. J.J.M.Nichols-Roy. Rev.J.J.M.Nichols-Roy Bad Ka Sixth Schedule." Volume VI.pp.221-224.

decided to appoint the following individuals as members of the Negotiating Committee. These are (1) Dr.H.Lyngdoh (2) Prof.R.R.Thomas (3) Syiem of Jirang (4) Syiem of Nongkhlaw (5) Prof.G.G.Swell (6) Iliam Sirdar (7) Syiem of Khyrim (8) Mr.Albert Lyngdoh (9) Mr.O.H.Rease (10) Syiem of Myllem (11) Syiem of Myriaw (12) Jum Singh Syiem (13) Mr.Mesingh Syiem (14) Mr.Rai Bahadur D.Ropmay (15) Mis Mavis Dunn (16) Mr.H.Cotton.

It is in this context that E.M.Reade Syiem noted in the interview we had with him. He stated that after the loss of votes, J.J.M.Nichols Roy and his group, staged a walkout and did not accept the majority vote. While walking out they stated “You have won here, but you just wait and watch, we will win through Delhi. This vote doesn’t really matter.” These statements uttered by J.J.M.Nichols-Roy’s followers created great heart-burn and anger amongst most of the Khasis present in the hall. (Late) E.M.Reade Syiem told us “we were all enthusiastic followers of Nichols-Roy, and even kept our ill-feelings in check when he was not here during the war days and when the community faced great difficulties, but after this specific event, i just hated J.J.M.Nichols-Roy. For this one act of betrayal I will never forgive him till I die, more so because he broke our belief in the Khasi democratic system forever. We were betrayed by Bah Joy.” Harsh words from an individual who was at the thick of the struggle for Khasi Political System.

The politics of this moment manifests itself to this very day in very complex ways. It is spoken overtly by the Syiem(s) and many of those who are aware, rooted in the institution of Syiemship. However most of the people of the general populace, are unaware of this event and live out this contradiction in the structures that have emerged since then. One of such contradictions is the 'Sanad' that was a British practice was strangely continued post 1950 and given by the KHADC to all Chiefs when sworn in as Syiem, Lyngdoh or Wahadadar. The 'Sanad' is viewed by the Chiefs as a method of enslavement of the whole political edifice of Syiemship by the seed sown by J.J.M.Nichols-Roy. In many ways this can be viewed as the fundamental source of most contradictions in Khasi society today.

The Sixth Schedule

On 22 October, 1949, a letter D.O.No.1768-69/C dated 22

October, 1949 was given to the Chairman of the KSCMD by N.K.Rustomji, Adviser, Governor of Assam noting that a copy of the amendments to the Sixth Schedule passed recently by the Constituent Assembly of India was sent to the KSCMD. The letter also mentions about the statement by the Governor about the meeting between him and the KSCMD. This letter was also distributed to all members of the KSCMD.

The key content of this statement from the Governor related to the Sixth Schedule and the inclusion of the Khasi States into the same even though the KSCMD has fully objected to it. In order to convince the Negotiating Committee, the Governor stressed upon one single point that is the arguments of both J.J.M.Nichols-Roy and the Khasi States for a unified structure. He noted that

The main demand of the Khasis had been for a united administration and an amalgamation of the States and the non-States areas into a single administrative unit. The Khasi people had felt that the divisions as existed at present were purely artificial and divided the people in a manner that was prejudicial to their cultural and material growth. Now that the Country was free, any further division of the people should be eliminated so that all might unite together for the common good. The Sixth Schedule gave the Khasi people a single administration, and would bring an end to the previous distinction between the States and the non-States people. All Khasi would henceforth, be able to work for the common good of the people.

In other words the Khasi States were brought within the purview and powers of the District Council as per the Sixth Schedule. This negated the powers conferred on the KSCMD and its proposed recommendations to create a separate state outside of Assam. This in many ways was a total betrayal of the Khasi States by the Ministry of States on the one hand and by J.J.M.Nichols-Roy on the other. The political historian R.S.Lyngdoh, who also happened to be the first speaker of the Meghalaya Legislative Assembly, posits seven reasons why the Negotiating Committee of the KSCMD failed to realise the objectives of the Federation of Khasi States. These were: (i) the Federation of Khasi States made a fatal mistake when it handed over the responsibility of negotiating with the

Ministry of States to a Negotiating Committee, (ii) the resolution passed by the Dorbar gave an indirect indication that the Khasi States would reconcile themselves to any provision of the Constitution provided that both the States and non-States areas would have a unified administration, (iii) the Negotiating Committee failed to settle with the Ministry of States before the Draft Constitution was taken up at the Second Reading, (iv) most members of the Negotiating Committee depended solely on the advice of a few top advisers who were no longer active, although they had long experience in administration or teaching, their age would not allow them to be active. The younger leaders were still inexperienced both in administration, Constitution-making or practical politics, (v) after 21 July, 1949 many rulers of Khasi States abandoned their stand and joined the party headed by Rev. Nichols-Roy. Even the Sirdar of Mawlong resigned his membership of the Negotiating Committee; (vi) the most important problem was finance as most of the Khasi States were poor. The Syiem of Myllem bore the maximum amount of expenditure during the period of negotiation. His resignation from the Negotiating Committee was a fatal blow and (vii) the Negotiating Committee treated all its correspondence with the Ministry of States as top secret. The Chairman of the KSCMD did not even summon the session of the Dorbar so that he might take it into confidence. That was the reason why they were always late in taking any follow-up action. Thus the circumstances conspired and compelled the Khasi States to reconcile themselves to the Sixth Schedule²⁴⁰.

As per letter No.14/CMD/49/20 dated 25 October, 1948, from the Chairman KSCMD to the Governor of Assam, it was observed that the KSCMD did raise two important issues. One was in regard to an assurance given by the Governor to the KSCMD, which was noted in a 'statement of discussion' held on 27 September, 1949. The second was its assertion that "the Sixth Schedule does not guarantee the traditional rights and privileges of the Khasi People as set forth by the Negotiation Committee in the document submitted on 30 July, 1949." Therefore the KSCMD requested that

240 Lyngdoh, R.S. (1996). *Government and Politics in Meghalaya*. New Delhi: Sanchar Publishing House. pp.234-235.

a proviso be incorporated in the Constitution of India through the office of the Governor as follows: "Provided that nothing in this Constitution shall be construed as empowering any authority to interfere with or undermine the democratic institutions and the traditional customs and usages of the Khasis, nor to diminish their traditional rights and privileges". It requested the Governor to treat the matter as Urgent.

Immediately on 8 November, 1949, as an act of sheer frustration coupled with a sense of being betrayed, as a last effort the Chairman of the KSCMD sent a letter to the Governor pointing out as follows:

with reference to my letter No.14/CMD/49/20 dated 25/10/49 to His Excellency the governor and the Memorandum which was submitted at the Conference held on 15/11/49 at Government House. I am directed by the Negotiating Committee to say that there is a great panic amongst the Khasi people that, unless the proviso submitted by the Negotiating Committee is incorporated in the Constitution there will be no safeguard to our democratic institutions and our rights and privileges over the soil. We apprehend that if the Proviso is not incorporated now, there is very little chance of our rights receiving consideration at a later stage. The Committee also desires that the existing arrangements with regard to collection of revenue and the administration of justice affecting the Khasi(s) and other tribal people within the town of Shillong should continue.

The Chairman ended the letter requesting the Governor to urge the States Ministry to include the above demands which the KSCMD considered imperative. The Proviso referred to above by the Chairman of the KSCMD was contained in a memorandum submitted to the Governor on 5 November, 1949. Having first laid down the historical context and explaining the current set up, the KSCMD asserted that having found none of the

traditional rights, privileges and institutions as specified in the resolution of the Constitution Making Dorbar being incorporated in the Draft Constitution which has been passed in the second reading, the Committee submits

through the Governor for incorporation in the Indian Constitution the following clause 'Provided that nothing in this Constitution shall be construed as empowering any authority to interfere with, or undermine the democratic institutions and the traditional customs and usages of the Khasis, nor to diminish their traditional rights and privileges.

This decision of the KSCMD is understood to have been sent to the Drafting Committee of the Constituent Assembly of India. Shullai (1975) notes:

that it is perhaps because of this that there were changes made to paragraph (19) of the Sixth Schedule. So while the Khasi States Constitution Making Dorbar had just been convened the Indian Constituent Assembly was preparing the final draft of the Constitution. J.J.M.Nichols-Roy who was a member of both the Assembly and the Dorbar urged the latter to accept the broad framework of the Sixth Schedule of the Constitution. The Schedule was the product of the North East Frontier (Assam) Tribal and excluded Areas Sub-Committee headed by Gopinath Bordoloi, the Assam Chief Minister. Its report submitted to the Constituent Assembly on 28th July 1947 had pointed out that the Khasi states had comparatively little revenue authority and seemed to depend for a good deal of support on the Political Officer in their relations with their people. It believed that there was a strong desire among people of the states to "federate" with the people of non-state villages. It was also noted that some of the *Syiem(s)* favoured amalgamation but they faced immense challenges to their movement due to wide spread rumours by certain individuals which were intentionally spread that the Chiefs and the Federation were only seeking greater power for themselves and that their negotiations with the Governor were suspect and possible alienation of their land was likely without the people's knowledge, this mis-information campaign was well planned to confuse people and to sabotage the efforts of the Federation. By then factionalism had raised its head in the Khasi Hills with two political bodies vying with each other to voice the demands of the

people. One was the Federation of Khasi States and the other was Rev Nichols-Roy's Khasi Jaintia Federated State National Conference. By then J.J.M.Nichols-Roy was much disliked by the chiefs for the official stand he was taking.

The twenty five Khasi states were too small even collectively to get representation in the constituent Assembly. G.S.Guha (who was an anthropologist by training) was made the representative of the Khasi States, Tripura and Manipur. Here the Khasi chiefs suffered two disadvantages. Guha did not appear to have said anything on their behalf. Nichols-Roy did all he could to undo the defeat he had suffered in the KSCMD. Thus on 7 September a resolution was adopted at the Constituent Assembly creating the United Khasi-Jaintia Hills District comprising the territories which before the commencement of the Constitution were known as the Khasi states and non-states areas. Yet there was still no mention in this third reading of the draft Constitution whether the district would form part of Assam. Nichols-Roy was particularly happy that the Khasi States had been incorporated in the Sixth Schedule for it would enable the same people (apart from being a personal triumph) to have one administration for the two types of areas. Oddly enough it was Syed Mohammad Saadulla on November 21, 1949 one of Assam's earlier Premiers (known as Chief Minister after 26th January 1950) during 1939-45 who pointed out an anomaly over what had been accepted. "Sir", he addressed the Chairman of the Assembly:

the Khasi Hills have been relegated to the Sixth Schedule, for which Rev. Nichols Roy is very thankful, but there is a Constitutional Anomaly. Although the Constituent Assembly is not to find a remedy for that, yet I may sound a note of warning, that this small district of Khasi Hills embraced 25 native States, most of which had treaty rights with the suzerain power in Delhi. They were asked to join the Indian Dominion in 1947. An Instrument of Accession accompanied by an annexed Agreement was executed by these Chiefs and they were accepted by the Central government". But even though this area has been included in the Sixth Schedule, up till now no agreement or settlement has been arrived at between the Constituent Assembly of the Federation of the Khasi States and The

Assam Government or the Government of India. I do not know what will happen to these areas or people after 26 January, 1950. A deputation headed by the President of the Federation of Khasi States came early this month to Delhi to press their grievances before the States Ministry as well as the Drafting Committee. The Drafting Committee met them and they had two simple requests to make. They are the most democratic of all democratic people. Their native Chiefs are elected by all the people in their territory by adult franchise. The Chiefs could be removed as well by the people. They want that the system should continue. The second thing which is in the heart of all people in that part of the world is that these Chiefs are only territorial chiefs. They have no right over the land. The land belongs to the people. Their ancient sacred rights of ownership of land in the territories of their Chiefs, they want to preserve, but they are afraid that section 3 of the Sixth Schedule gives a loophole for doing away with that right. They want a simple provision that these two rights may not be disturbed by the District Autonomous Councils ...I know that these Khasi people are late in the day and nothing can be done at the third reading but I request those honourable members who will continue to be members of the Constituent Assembly even after the 26 January, 1950 to see that this wrong of the Khasi people is righted in no time, for the contentment and peace of this area will greatly conduce to the safety and preservation of the boundaries of the Indian Dominion.²⁴¹

It was the delegation led by Olim Sing Syiem, President of the FKS who in early November pressed their grievances before the State Ministry and the Drafting Committee as noted by Syed Muhammad Sadulla but to no avail. The Draft Constitution was adopted on 26 November 1949 and the Assembly was adjourned till 26 January 1950. The Sixth Schedule found a place in the Constitution of India and became an important schedule in the ways in which the Indian state subsumed the Khasi people. The Constitution of India which came into force on 26 January 1950 treated the Khasi States as an integrated part of the United Khasi-Jaintia Hills Autonomous

241 From the Constituent Assembly Debates, Vol. 11, p.735.

Council of the then composite State of Assam by virtue of the Sixth Schedule to the Constitution of India. Unlike the other Native States of India which signed the Instrument of Merger, the Khasi States did not do so. They decline to sign the same because they could not agree to cede to the Dominion of India's exclusive jurisdiction and power of governance. The argument given was that complete merger would destroy the roots of the customary democratic practices of the Khasi(s).

Throughout this process the hope and trust of the Khasi States and all its assertion came to nothing, when no mention was made about the Khasi States in the Indian Constitution when all negotiations was finally concluded and instead they were brought under the Sixth Schedule under the State of Assam through *description* and by *an act of promulgation*. Following this, papers, documents and properties of the Federation of Khasi States were seized by the officers of the Government of Assam and transferred to the District Council. The Office of the Federation of Khasi States was locked up on passing of the Constitution of India²⁴².

The immediate repercussion was the enactment of the laws of Assam to the adjoining areas of Shillong. Earlier on June, 1948, the Government of India as per power conferred on it by the Extra Provincial Jurisdiction Act, 1947, framed a Khasi States Federation (Administration of Justice) Order, 1948. It was published as Notification No.237-P dated 16.6.48 of the Ministry of States, Government of India. This was followed by a Khasi States Federation (Administration of Justice) (Supplemental) Order, 1948 published as Notification No.296-P dated 4.10.48 under the same Ministry. Another Notification No.SK/40/48/83 dated 1.6.49 on Khasi States (Application of Laws) Order, 1949 was notified. This notification was observed in letter No.TAD/Rev/142/52 dated 12.12.52²⁴³ during the period when the KSCMD was legally recognised. In the year 1950, the Governor of Assam as per power

242 Lyngdoh (1996).p.233.

243 Letter to be found in p.265 of the "Report of The Land Reform Commission for Khasi Hills" published by the Land Reforms Commission for Khasi Hills (1974). Also cited by Gilbert Shullai (1975) in his book 'Ki Hima Khasi'.pp.4-5.

conferred by the Government of India Notification No.335-I.B dated 3.11.48, published another Order which was called the Khasi States (Administration of Justice) Order, 1950 and was published as Notification No.SK/140/47/8 dated 25.1.50, in Assam Gazette, Extraordinary, January 25, 1950. This order 'cancelled' the earlier two Orders, that is, the Khasi States Federation (Administration of Justice) Order, 1948 and Khasi States Federation (Administration of Justice) (Supplemental) Order Notification SK.59/48 noted:

In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947, as delegated to him by the Government of India in the Ministry of States' Notification No.335-I.B, dated the 3rd November 1948, and of all other powers enabling him in this behalf, the Governor of Assam is pleased to apply to the Shillong Administered Areas the Assam Land (Requisition and Acquisition) Act, 1948(Assam Act XXV of 1948), (as amended by Assam Act XVI of 1949) together with all rules, orders and directions issued there under, as in force for the time being in the Province of Assam and subject to the modifications specified in the Schedule hereto annexed: Provided that any Court or Authority may construe provisions of the said Act and the rules, orders or directions as so applied with such modifications not affecting the substance as may be necessary or proper or adapt them to the matter before that Court or Authority. 1. Sub-Section (3) of section 1 shall be omitted 2. References to the provincial Government shall be read as references to the Governor of Assam.

The Notification No SK.89/48 reads:

In exercise of the powers conferred by section 4 of the Extra-Provincial Jurisdiction Act, 1947, as delegated to him by the Government of India in the Ministry of States' Notification No.335-I.B, dated the 3rd November 1948, and of all other powers enabling him in this behalf, the Governor of Assam is pleased to apply to the Myllem State including the Shillong Administered areas the Assam Urban Rent Control Act, 1949 and all rules, orders or directions issued there under, as in force for the time being in the

Province of Assam and subject to the modifications specified in the Schedule hereto annexed: Provided that any Court or Authority may construe the provisions of the said Act and of the rules, orders and directions, as so applied with such modifications not affecting the substance as may be necessary or proper to adapt them to the matter before that Court or Authority. 1. Sub-section (2) of section I shall be omitted. 2. References to the provincial Government shall be read as references to the Governor of Assam. 3. For clause (v) of section 2 the following clause shall be substituted:- “(v) 'Urban areas' means the areas deemed to be a Municipality, and designated the Shillong (Administered Area) Municipality, and also includes the Nongthymmai and Mawlai Villages of the Myllem State.”²⁴⁴

A synoptic account of historical events related to the FKS during the period is provided below.

Historical Events Shaping the Struggle of the Federation of Khasi States

4 September 1923	Formation day of the Khasi National Dorbar
1933	Formation of the Khasi States Federation. Meeting with the Governor General of India
1946	Formation of the Federation of Khasi States
16 July 1947	Standstill Arrangement for period of two years signed and agreed with Governor of Assam
9 August 1947	Fourteen Himas signed the Instrument of Accession that is related only to Defence, External Affairs and Communications with a condition that there will not be any power assigned in the Constitution of India that permits the Indian Government to make laws over the Khasi States - (1)Khyrim, (2)Maharam, (3)Jirang, (4)Dwara Nontrynem, (5)Mawdon, (6)Mawlong, (7)Sohiong, (8)Nonglwai

244 Shullai (1975).pp.5-6.

- 13 August 1947 (9) Nongstoin (10) Mawaing
- 14 August 1947 (11) Myllem (12) Nongkhlaw (13) Pamsangut (14) Mawphlang
- 15 August 1947 Indian Independence
- 1 September 1947 The Jaintia National Conference decides to join the Federation of Khasi States in its meeting in Jowai. The decision was communicated to the Home Minister of India through a letter dated 2 September 1947
- 15 December 1947 Governor of the Province of Assam; Akbar Hydari, ordered the Chiefs of all twenty five Himas to present themselves in the Governor's house to sign the Instrument of Accession and Annexed Agreement. Nineteen Chiefs presented themselves. The Syiem of Khyrim, Myllem and Sohra asked for more time as they needed to consult their citizens through their Dorbar Hima. Hydari threatened them after an hour long argument, while assuring them at the same time that their demands would be respected and stated that the army would be brought in if they did not consent. Each of them signed:
1. Khyrim State 2. Myllem State 3. Cherra State 4. Nongkhlaw State 5. Bhowal State, 6. Jirang State 7. Maharam State 8. Mawsynram State 9. Langrin State 10. Mawiang State 11. Malai Sohmat State 12. Mawphlang State 13. Sohiong State 14. Lyngiong State 15. Shella Confederacy 16. Nonglwai State 17. Pamsangut State 18. Mawdon State 19. Dwara Nongtyrnem State
- 1 January 1948 Deputy Prime Minister Sardar Patel of the Dominion of India comes to Shillong
- 2 January 1948 Meeting between Federation of Khasi States and Sardar Patel
- 11 January 1948 20. Nobosohphoh State signed the IOA
- 13 January 1948 Dorbar Hima Nongstoin (Parliament) declares

- independence as per *Section 7 of the Indian Independence Act 1947*
- 10 March 1948 21. Mawlong State signs the IOA
- 16 March 1948 Additional District Magistrate accompanied by Assam Rifles troops deployed to force Syiem Sib Sing Syiem to sign the IOA and AA
- 17 March 1948 22. Rambrai State signs the IOA
- 19 March 1948 23. Nongstoin State signs the IOA. Sib Sing Syiem the Chief of Nongstoin on the day of signing of the document shouted and declared before all present that “let it be known that I sign this agreement under duress and not with *my* free will”
- 1948 (date not known) 24. Myriaw State and 25. Nongspung signs the IOA
- 29 April 1949 Governor of Assam- Sri Prakasa inaugurates the first assembly of the newly constituted 'Khasi States Constitution Making Dorbar' which was constituted by all Chiefs and *elected* representatives from various *Hima(s)* chosen as per population of 4000 citizens each. On this day, from pictures of the gathering, we witnessed the official flag of India and the flag of the Federation of Khasi States together. Eight representatives (four males and four females) were appointed/nominated to the 'Khasi States Constitution Making Dorbar' over and above the other representatives.
- 26 November 1949 The Constituent Assembly agrees on a Constitution of India. Neither the IOA nor the AA found its place in the Constitution of India. Instead the *Khasi States [Hima(s)]* were inserted as an appendage within Assam under a United Khasi and Jaintia Hills Autonomous District Council that now subsumes the *Hima(s)*.
- 26 January 1950 The Constitution of India came into force
- 27 June 1952 The United Khasi and Jaintia Hills Autonomous

District Council inaugurated. Eighteen MDCs were elected and six were nominated of which three were non-Khasi(s). On this day there was agitation in Shillong with black flags being waved to protest against the appointment of nominated members into the UKJHADC. Few years later the Assam government decided to make Assamese the official Language of the state and this made many tribal communities to demand for a separate state.

1959 The KHADC enacts the Appointment and Succession of Chiefs and Headmen Act 1959 (till 2014 there are no rules that have been laid down that stems from this Act it was only after a Judicial intervention that led the KHADC to frame the rules after 56 years in which received assent from the Governor in 2015)

Political Intersection with the Indian State

During the period 1946 to 1952, a number of political associations²⁴⁵ and organizations were formed in Khasi-Jaintia Hills. On the eve of British withdrawal from India these organisations did contribute to a rising consciousness among the Khasi(s) which were provided, through different forums, for discussion on the future political status and conditions of the people. The questions discussed and debated throughout the period concerned; what will happen to the Khasi States and the local traditional institutions like Syiem(s), Lyngdoh(s), Sirdar(s), Wahadadar(s), Dolloi(s), Pator(s) after India became an independent country? What kind of status and autonomy will these traditional institutions have in a newly framed Constitution? Would they continue to enjoy the same political status as it was during British rule? If there are changes under the Constitution of India, will these changes affect them drastically? These and other many more pertinent questions were addressed and discussed threadbare by the holders of offices of these organizations.

245 Khasi Jaintia Federated State National Conference, Jaintia National Conference, Highlanders's Union, Khasi State People's Union, Khasi Jaintia Dorbar, The Hills Union, the Eastern India Tribal Union, etc.

From 1949 to 1998

Sati Raja, Syiem of Hima Myllem filed a Case against the Dominion of India in the Federal Court of India, New Delhi. The case, filed on 2 February 1949, was referred to as case No.V.²⁴⁶ The concise statement read:

This suit is for (1) Interpretation of Section 6 or 7 of the Government of India Act read with Section 99 to 107 under Part 5 Chapter I of the said Government of India Act, and a declaration of Plaintiff's rights on the basis of such interpretation. (2) Interpretation of Section 122, 125, and 128 of the Government of India Act in relation to the Plaintiffs State under its Instrument of Accession and a declaration of Plaintiff's rights on the basis of such interpretation. (3) A declaration adjudication and interpretation of the extent of the Legislative and Executive authority vested in the Defendant Dominion of India by virtue of the said Instrument of Accession. (4) A declaration that the Extra Provincial Jurisdiction Act, 1947, is ultra vires, the powers and constitution of the Defendant Dominion of India and in any event in respect of its operation and /or intended operation in respect of and regarding the Plaintiff State as set out in Schedule "C" of the Plaintiff (5) A Declaration that direct Legislation by the Department Province of Assam as set out in Schedule "D" of the Plaintiff is illegal and ultra vires (6) A declaration that the paramountcy of the British Crown along with all Treaties and Agreement existing on the 15th day of August 1947, and all powers, rights authorities and jurisdiction exercisable by the British Crown in regard to the Plaintiff State by such Treaty grant usage sufferance or otherwise have lapsed (7) A declaration that the Plaintiff State has

246 The Federal Court was designated so until August 15, 1947 and as the 'Federal Court of India' thereafter, until replaced by the Supreme Court of India on January 26, 1950. (Refer to article by George H.Gadnois Jr. "The Federal Court of India: 1937-1950" The Indian Law Institute).

recovered and or became entitled to recover the full sovereign rights powers functions authorities and jurisdiction over and in respect of the subjects and Territories of the Plaintiff State as set out in Schedule “G” of the Plaintiff. (8) A declaration that the duties and or taxes or revenues realised and or levied by the Defendant Dominion of India and the Province of Assam as set out in Schedule “E” of the Plaintiff are payable and or assignable to the Plaintiff State. (9) Interpretation of Sections 137 to 143 of the Government of India Act appearing in Part 7 thereof and a declaration of the Plaintiff's rights on the basis of such interpretation.

The hearing of the case was a long drawn affair. During the process of hearing, a number of narratives were on air that captured the sense of anxiety and tension felt among the Khasi(s). By December 1949, Sati Raja succumbed to the pressure and “efforts were made for a compromise and eventually an agreement was arrived between Sri Prakasa, the Governor of Assam and U Sati Raja, the Syiem of Myllem on 31 December, 1949²⁴⁷.” The agreement signed between Sati Raja, Syiem of Hima Myllem and Sri.Prakasa, Governor of Assam on the said date is worth noting. The agreement reads:

Agreement made this thirty-first day of December 1949, between the Governor General of India of the First part and U Sati Raja, Siem of the State of Myllem on behalf of himself and of the Durbar of the State of the Second Part.

WHEREAS in the best interest of the State of Myllem as well as of the Dominion of India it is desirable to provide for the administration of the said State by or under the authority of the Dominion Government:

ARTICLE I: The Siem of Myllem hereby cedes to the Dominion Government all rights jurisdiction and sovereignty over his State.

ARTICLE II: In conformity with the Khasi Laws,

247 Lyngdoh (1996) *Government and Politics in Meghalaya*. New Delhi: Sanchar Publishing House. .pp.230-231.

customary usage so far as they apply to the State of Myllichem and subject to the laws of the Constitution of States at any time:

(i) U Sati Raja, present Siem of Myllichem continue to receive his present monthly allowance of Rs.2, 500/- (rupees two thousand and five hundred) as long as he is recognised as *Siem*.

(ii) He will be afforded all necessary protection and co-operation in the discharge of his duties.

(iii) He will be allowed to fly his flag as long as he continues as such Siem.

(iv) U Baldwin, Adviser to the Siem will receive an allowance of Rs.600/- (rupees six hundred) per month as long as Government are satisfied that his service are in the interest of the people.

ARTICLE III: The Party of the Second Part shall withdraw the Suit instituted by it in the Federal Court of India in its original jurisdiction against the Dominion of India and the Province of Assam, being Case No.V of 1949

ARTICLE IV: No enquiry shall be made except by or under the authority of the Governor of Assam, and no proceedings shall lie in any Court in the Khasi and Jaintia Hills District, against the Siem of Myllichem whether in a personal capacity or otherwise enact of anything done or omitted to be done by him or under his authority during the period on the date of the execution of this agreement.

ARTICLE V: Except with the previous sanction of the Governor of Assam no proceedings, civil or criminal shall be instituted against any person in respect of acts done or purporting to be done in the execution of his duties as a servant of the State before the date of the execution of this agreement.

In confirmation whereof of His Excellency Shri Prakasa, Governor of Assam, has appended his signature on behalf and with the authority of the Governor General of India, and u Sati Raja, Siem of Myllichem, has appended his signature

on behalf of himself and of his Darbar.

Immediately after this agreement, increased discomfort was felt among the *Khasi(s)* in Shillong. An urgent public notice signed by U Join Manick and others²⁴⁸ was released addressing the Khasi inhabitants of Hima Myllem. It read “To the residents of Hima Myllem - Everybody please know and read the note below, that U Sati Raja Syiem of Hima Myllem has sold our land and our rights within Hima Myllem. Now please come and stand united to challenge and confront the doings of Sati Raja, otherwise our lives of ‘*u khun u bajat*’ is over within Hima Myllem.” The notice was dated 7 January 1950.

While the tension generated by the above incident rent the air, on 17 October 1952, Wilson Reade, the then President of the Khasi National Durbar submitted a memorandum on behalf of the KND to Jawaharlal Nehru. It was titled “Memorandum submitted by the Khasi National Durbar to Shri Jawaharlal Nehru at Shillong on the Occasion of his First Visit as Prime Minister on the 19 October 1952.”²⁴⁹ The memorandum noted:

“We, on behalf of the Khasi National Durbar and the Khasi Public as a whole extend to you a most cordial welcome on this great occasion of your first visit as Prime Minister to our beloved land, United Khasi and Jaintia Hills. We take it as an opportunity of presenting before you our aspirations, and our difficulties and problems which we are facing now, and request you to give your kind consideration and take necessary action...We appreciate very much your approach to the tribal problems and your speeches at the Tribal Conference held in Delhi on the 7 June 1952, in which you said that we “were an extremely disciplined people, often much more democratic than most others in India. Without a Constitution and the rest, they functioned democratically.” You also very rightly warned those people living around us

248 U Kiup Singh, U Howi Kharpan, U Shara Lyngdoh Myllem, U Mangi Lyngdoh, U Wolington, U Himan Lyngdoh, U Sain Sohtun, U Lon Singh, U Sedrik, U Drimanik, U Haily Manik.

249 Document available with the office of the FKS Dum Dum, Nongthymmai.

not “to impose yourself; to interfere and come in their way, to try to change their methods of living, and take away their land, to push some of your businessmen there who will exploit them.” Such a spirit is most welcome to us and if acted upon will dispel most of our fears and suspicions...The *Khasi(s)* are entirely different from the plains people as they have distinct traditions, culture and civilization of their own. From time immemorial they had their indigenous democratic rulers called Syiems, Lyngdohs, Wahadadars, and Sordars. These rulers are not territorial sovereigns; they have no right whatsoever to the soil. Land in the Khasi Hills belongs to the children of the soil. The Khasi(s) enjoyed their rights and privileges, and their democratic institutions were not interfered with ... But we find that the Sixth Schedule does not provide adequate safeguards for all those rights, privileges and democratic institutions. The Constitution-Making Durbar of the Khasi States as far back as 1949 had foreseen this and demanded a separate schedule for the whole District of the Khasi Jaintia Hills ... The purpose of the embodiment of the Sixth Schedule in the Constitution, is that the Tribal people should decide for themselves and not to have things decided for them. But the introduction of arbitrary nominations to the District Council is foreign to the democratic traditions of the Khasi(s) and at the same time defeats that very purpose ... As a protest against this innovation which is a challenge to the feelings of the Khasi(s), after unsuccessful attempts to obtain redress from the Government of Assam, a procession headed by students was taken out on the 27 June 1952, the day of inauguration of the District Council. The procession was a peaceful one and free of all intentions of causing breach of public peace. The Government of Assam met the procession by a well-prepared force of armed police who engaged the demonstrators with tear-gas and lathi-charge, a fact which gave rise to a just resentment of the Khasi(s). Forty three of the demonstrators were arrested while public resentment was cooled down by interference of Khasi leaders who love and work for peace. Strangely enough, a few minutes after the above incident the procession was allowed to reform itself and to proceed, this

time with a much larger crowd, through the main roads of Shillong which were previously prohibited areas. Thus the 'right of expression' of the Khasi(s) was cut and their feeling of insecurity aggravated... In addition to the imposition of nomination to the District Council the existence of the following provisions, among others, have served to increase the sense of insecurity and fears of the Khasi(s):- (1) That assent to law passed by the District Council will be given by the Governor not acting in his discretion, (2) The exclusion of Shillong for all practical purposes from the jurisdiction of the District Council, (3) That licences and leases for the purpose of prospecting for, and the extraction of minerals from our District are to be granted by the Assam Government, (4) That large portion of the income derived from the District has to be shared with the State Government... The partition of India has extensively hard hit the Southern portion of Khasi Hills. People in those areas were and used to be prosperous and rich. The partition brought cessation of trade with Sylhet and East Bengal and once valuable and wealth producing commodities became useless and unusable with the consequence that those people were reduced to dire poverty. The attempt to air-lift the produce last year could only transport a microscopic portion of it. The area does not produce life-maintaining commodities and the people are suffering from want and starvation. Driven by hunger a number of our kith and kin (more than 1000) was reported to have separated from us and migrated to Pakistan. This is heart-paining to us as a peoples and likely a danger to the State. The proposed attempt of the Assam Government to supply rice to these people at control rate will be of no value because they have no more purchasing power. Their condition is no better than that of refugees ... We opposed the proposal of making Assamese the State language of Assam. As Hill Tribes we have to learn besides our own vernacular, English and Hindi which is the lingua franca of India; addition of Assamese over and above these will be very heavy to our boys and girls in schools and colleges ... The Hills of Assam are contiguous and the people inhabiting them are more or less of the same stock, having

affinity in culture, ways of life, character and in many other respects. They have common understanding, common fear of encroachment and exploitation by major communities. The unification of these hills under one administration and under the India Union will, it is hoped, meet the aspirations of all the Tribal people.”

The status quo of the solemn bilateral treaty terms laid down in the Annexed Agreement of the Instrument of Accession of 17 August 1948 between the Federation of Khasi States and the Government of India remained non-fulfilled and unaddressed during the second and third reading of the Draft Constitution of India although one of the members of the Drafting committee raised this issue urging the new members in the new house to address the treaty agreement with the twentyfive Khasi States.

There was widespread disbelief as to this betrayal which led to a number of elders and leaders of the Khasi States beginning to understand the resolution of the stand of Wicklife Syiem, Deputy Syiem, of Nongstoin State who had sought agreement of the Federation of Khasi States towards total independence as resolved by the Nongstoin State Parliament on 13 January 1948.

Subjugation of the Khasi Syiemship

One of the key instruments that was seen as fundamental in 'subjugating' and 'enslaving' of the chiefs and traditional institutions was the *The Khasi Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act 1959*. (Henceforth the *1959 Act*) The context for the same as detailed in the earlier chapter goes back to the power struggle between the Federation of Khasi States (FKS) and the groups in favour of the Sixth Schedule spearheaded by Rev J.J.M.Nichols-Roy. After the District Council came into force in 1952, simmering tensions between the two systems erupted in a head-on collision²⁵⁰ between the Chief Executive Member (CEM)

250 Readings in history reveals far more complexities and cannot be simply reduced to historio-political tension between J.J.M.Nichols-Roy and the FKS. Rather, the more important reason was the Hima of Myllem which had within its boundary the Shillong Municipality that

of the ADC - T. Cajee and the Syiem of Hima Myllem - Jormanik Syiem after the General Elections of 1957. This led to the enactment of 1959 Act.

The FKS's main grouse with the 1959 Act is with a number of controversial clauses namely sections 12, 13, 14 and 15 that imposes various restrictions on the Syiem(s). It disallows them to take part or to express views, suggestions, comment on the various policies/manifestoes promoted by the Indian party-based political parties in state and central electoral processes, organising or participating in demonstrations and strikes, connection with press or radio and criticism of the ADC's Executive Committee in the State. The 1959 Act instead of empowering *u Khun u Hajar* (citizens) which is the core foundation of the Khasi Institution totally empowered the Executive Committee of the District Council enabling it to remove and suspend the Syiem, Lyngdoh, Sirdar Wahadadar, and their nominated/elected officials including village heads (chiefs).

Section 12 reads: Taking part in Politics and Elections: (1) No Chief, Deputy Chief and Acting Chief shall be a member of or be otherwise associated with any political party or any organisation which takes part in politics, nor shall he take part in subscribe in aid of or assist in any other manner, any political movement or activity. (2) If any question arises whether any movement or activity falls within the scope of this Act the decision of the Executive Committee shall be final. (3) No Chief, Deputy Chief or Acting Chief shall canvas or otherwise interfere or use his influence in connection with or take part in an Election to any Legislature, Council or Local Provided that (i) a Chief, Deputy Chief or Acting Chief qualified to vote and at such

constituted the Cantonment area and the European ward. The Hima of Myllem became the target of the British after 1864 once the capital was shifted from Sohra to Shillong. There were persistent move to get more land for themselves. As Shillong grew as a capital of the whole Assam Province, a complex political process was observed taking place within the area. With the setting up of the District Council with its head office in Shillong, which itself was located within the boundaries of Hima Myllem, the tension between the Syiem and the Council was inevitable.

election may exercise his right to vote but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted. (ii) a Chief, Deputy Chief or Acting Chief shall not be deemed to have contravene the provisions of this Act by reason only that he assists in the conduct of all election in due performance of a duty imposed on him or under any law for the time being in force; (iii) The display by a Chief, Deputy Chief or Acting Chief on his person or vehicle any election symbol shall amount to using his influence in connection with an election within the meaning of his sub-section.”

“Section 13 reads: Demonstration and Strikes: No Chief, Deputy Chief or Acting Chief shall participate in any demonstration or resort to any form or strike in connection with any matter pertaining to his condition of service.”

“Section 14 reads: Connection with Press or Radio: (1) No Chief, Deputy Chief or Acting Chief shall, except with the previous sanction of the Executive Committee own wholly or in part, or conduct participate in the editing or managing of any newspaper periodical publication. (2) No Chief, Deputy Chief or Acting Chief shall, except in accordance with any general or special orders of the Executive Committee or in the performance in good faith of the duties assigned to him communicate directly or indirectly any official document or information to any other person or to the press to whom he is not authorised to communicate such document or information.”

“Section 15 reads: Criticism of the Executive Committee: No Chief, Deputy Chief or Acting Chief shall in any radio broadcast or in any document published anonymously or in his name or in the name of any public utterance, make any statement (i) which has the effect of an adverse criticism of the Central or State Government of the Executive Committee or (ii) which is capable of embarrassing the relations between the Central Government and the Council or the State Government and the Council or the Central Government and any State Government: Provided that nothing in this section shall apply to any statements made or

views expressed by a Chief, Deputy Chief or Acting Chief in his official capacity or in the due performance of his duties.

In a number of occasions²⁵¹ the representatives of the FKS have expressed publicly their deep resentment to the 1959 Act. This law was enacted primarily to overtake and undermine the role, functions and power of the “Dorbar Hima” and subjugate the Syiem of Myllem. They found in the Sixth Schedule a process to remote control including destabilising the Institution of Himas and hence this Act 1959. It has been applied arbitrarily to a majority of Khasi States especially the Hima Myllem, disallowing the chiefs of all 25 Khasi States to express their views or to actively participate in the ‘party based’ electoral politics of the Indian State.

The roles of the chiefs during the electoral processes was reduced merely to giving a ‘No Objection Certificate’ to political parties seeking to organise meetings within the Hima's jurisdiction, helping the Election Commission with voting centres and providing logistical support for the same. They see this act as a form of subjugation and domination imposed on them. Thus the FKS have been demanding that the Government of India grant them powers through the setting up of a ‘party less’ Assembly/Federal Council of Chiefs (Ka Federation of Khasi States – Ka Dorbar Ki Khlieh Nongsynshar ka Ri Hynniewtrep) that does not affiliate them to any single political party yet recognises their powers within traditional institutions. They believe such powers will augment their roles as co-equal branches of governance/institutions of self-government participants in the development process initiated by the state.

Even though they fundamentally disagree with the ‘party based’ electoral political system of the Indian state, noting “the system of elections in India is problematic, since it is premised on a conception of power that gives rise to money and muscle as key to electoral victories and gains. It is rare that in such a system, principled politics and respectable leadership is possible,” they see a role for themselves in the political process. From their perspective, no matter what the political situation they find themselves in, they

251 Note prepared post the 6 May 2014 meeting with Ms.C.Guenauer, Research Scholar from Johannes Gutenberg-University, Germany in the premises of Balajied Sing Syiem in Smit.

remain steadfast to their historical roles as the community's guardians and protectors of culture, land, forest, river, water and mineral resources.

In a hard hitting press note related to the subject was released on 17 July, 2014, the occasion of the 179th death anniversary of Tirot Sing Syiemlieh (Syiem of Hima Nongkhlaw), the FKS raised some key points ;

(i) that the community as of today is facing great challenges, but there are vested interest within the community that attempts to invisibilise these processes, thereby gaining from the same, (ii) there is a need to defend the 'riti dustur' as Tirot Sing did; he stood and confronted the powers that be, to keep intact the governance system of the people in the form of Dorbar Kur, Seng Kur, Dorbar Shnong, Dorbar Raid and Dorbar Hima whose historical representatives are the institutions of the Syiem, Lyngdoh, Basan, Bangthai, Lyngskor, Myntri, Sirdar, Wahadadar, Sordar, Rangbah Shnong, Dolloi (iii) since the British left, the organic Khasi institutions have been enslaved and the key instrument that has led to this enslavement is the 'The Khasi Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act 1959'. It is this Act, in their point-of-view that stands in direct antagonism to the premise and principles for which Tirot Sing Syiemlieh stood, and it is this act that betrays the spirit of the struggle of this courageous Syiem, (iv) none of the current institutions of the Indian State can defend the rights of the Hynniewtrep peoples. It is only the traditional institutions that can guarantee Khasi people's rights and such an argument and demand stand on an important document; the Instrument of Accession and Annexed Agreement (v) it is important for the people to read their own history carefully. For those who have taken the time to read the same, they will know that it is not the institution of the District Council that can fundamentally protect the rights of the Khasi peoples.

The Demand for a Separate State

The context for the rise of the demand for separate statehood had

deep roots in the period spanning 1947 but became more pronounced in the 1960s. While the FKS was very involved in this process, they were mostly in the background during the whole period. Throughout the period the government of India had proposed a number of compromises in the form of a Scottish Plan articulated by Nehru where the hills were to be given full autonomy of their internal affairs and control over their expenditure plus freedom of usage of their own language and where legislation passed by the State Assembly of Assam would not be enforced in the Hill areas without the consent of the representative of the hill areas. This was followed by the Nehru Plan, the Pataskar Commission, the Gulzarilal Nanada Committee, the Indira Gandhi Model, the Mehta Committee and finally an Autonomous State Plan.

During this period the Assam Legislative Assembly appointed a Commission, known as the Jarman Commission in 1964 to look into the reorganisations of Districts in the United Khasi and Jaintia Hills. This had a tremendous impact on the Federation of Khasi States. That is felt to this very day. Its report was placed in the Assembly. The Commission comprised Mr.M.N.Goswami (Member) Mr.B.L.Sen (Member) and Mr.G.P.Jarman (Chairman). There were arguments before the Commission by Mr.Hoover Hynniewta on the 7 and 8 October 1964 against the bifurcation of the UKJH into a separate Sub Division as recommended by the Commission. On 23 November 1964 the Government of Assam declared the creation of the Jowai Autonomous District with effect from December 1, 1964 as per Notification No TAD/R/50/64 dated 23 November 1964. A case was filed in the Guwahati High Court challenging this decision of the Government.²⁵²

FKS Asserts

An important detour from the hill state movement at this point was an initiative taken by the FKS on 15 June, 1968 when they submitted a memorandum to the President of India through the Governor of Assam, Shillong. The memorandum was signed as “The humble memorial of the khasi tribal chiefs and of the representatives of the khasi people inhabiting in the Khasi Hills on

252 Civil Rule No.280 of 1964 and Civil Rule No.303 of 1964.

the North East of India, at present attached to the State of Assam.” The memorandum contained sixteen points and was signed by one hundred eighty five (185) elders, prominent among them being the syiems of Hima Myllem, Nongspung, Malai Sohmat, Nongkhlaw, Nongstoin, Rambrai, Maharam, Pamsangut, Jirang, Khyrim, the Lyngdohs of Sohiong and Mawphlang, Sirdars, plus a number of lyngdohs and headman of villages within various himas. The memorandum touched upon various issues – history of the Khasi peoples²⁵³, land rights²⁵⁴, poverty²⁵⁵, khasi polity²⁵⁶ and status of traditional institutions.

The memorandum further noted that “the existence of the Khasi Syiemships (the erstwhile Khasi States) continues as before, subject to the provisions of the Sixth Schedule to the Constitution of India. The ownership, possession and enjoyment of the property belonging to the Syiemships, as mentioned in the

-
- 253 About the khasi peoples it noted “The Khasis, who in the words of the late Prime Minister, Pandit Nehru lamented that by 'their stamina, virility and competence still maintain their freedom based on ancient ways and tenets of the race. They are extremely disciplined people, often more democratic than most in India. Without a constitution they function democratically and carried out the decisions made by their Elders and representatives almost without exception.”
- 254 On the rights of khasis it argued “The Khasis have their own system of land tenure which is unique and not obtained in any other part of India. The tenure is regulated by rules observed by the Khasi Community from time immemorial evidenced and founded on pre-existing rules sanctioned by the will of the people and as such should and ought to form the ground of any system of legislation.”
- 255 On the question of poverty it argued that as a community that relied on agriculture with access to minerals such as limestone and coal available in abundance they were prosperous but after partition they have been “reduced to abject poverty.”
- 256 On khasi polity it noted that “The Khasi Tribal Chiefs, who had formed the Federation of Khasi States, by an Instrument of Accession acceded to the Dominion of India individually as Rulers of the Khasi States. The said Instrument of Accession was accepted by the then Governor General of India (C.Rajagopalachari) on the 17 of August, 1948 and the Agreement executed by the aforesaid Rulers, in terms of the said Instrument of Accession, was made part of the same.”

“Exception” aforesaid remained intact and continue to vest in the Syiemships as before.” Since “the said properties were never acquired nor the terms and conditions of the Agreement mentioned above were never modified even after the formation of the District Council of the United Khasi-Jaintia Hills, the administration of the Khasi Syiemships continue as before, subject only to the provisions of the Sixth Schedule to the Constitution of India. The Tribal Chiefs – “The Syiems” - with their respective Dorbars continue to collect Excise revenue, Land revenue, Forest revenue, and tolls and rents from their own markets and hats, etc., and with such revenue collected they run and manage the administration of their respective Syiemships.” Thus, they pointed out that most of the administration cost of the Khasi Syiemships was met from this “Syiemship Funds” that went into salaries of employees, teachers of existing primary schools, village and commune development, improvement of markets and allowances to ‘Durbaries’ as allowed by custom and “No part of this huge expenditure was ever shared or contributed either by the State Government or the District Council after it came into being.”

The memorandum is interesting in the light of the fact that the idea of a separate statehood was in the offing. But as one can observe from the note, the issue being raised by the current leadership of the FKS, remains around the non-fulfilment of the Indian state of the agreed upon terms stated in the IOA. However in connection with the “proposed and impending re-organisation of the State of Assam to give our Hill Areas a separate administration”, they noted that this was:

desirable and welcomed to fulfil the aspirations of the Hill Peoples to enable them to continue to live and grow in their own traditions, customs and usages”... “We the representatives of the Khasi People, as their Chiefs and their Elders earnestly hope, desire and pray that the terms and conditions of the aforesaid Agreement executed by and between the Dominion of India on the one hand and the Khasi Chiefs on the other, which terms and conditions were never modified nor any new arrangement made so far between the two parties thereto, be not lost sight of and should and ought to be respected and give full effect to in the re-organisation of the Administrative Set-up of these

hill areas, and that the rights of all the Khasi Syiemships and of the people living therein as envisaged by the solemn agreement executed, should be fully protected and preserved. The Syiemship functioning in the Khasi Hills have their foundation and basis on the people and the continuation of the aforesaid Institution and Organisations are absolutely essential in order to preserve the Khasi way of life based on their ancient traditions, customs and usages, thereby allowing them “to grow in their own genius and roots as assured by our late lamented Prime Minister – Pandit Nehru.

The position of the FKS at this juncture was interesting for two reasons. One was the strategic repositioning of the FKS in the emerging reality with the likelihood of a new state coming into being and second, their persistence with unfulfilled agreements²⁵⁷ laid out in the IOA.

The Creation of Meghalaya

The Meghalaya Legislative Assembly passed a resolution on 30 September 1970 by unanimous vote to convert the autonomous state into a fully fledged State. The Prime Minister informed the Lok Sabha that her Government was willing to recognise Meghalaya as a fully fledged State. On 22 December 1971, the two

257 The Stand Still arrangement was signed prior to the IOA and the statement in this memorandum quotes is the statement we find in the Stand Still arrangement and not the IOA. From this it can be inferred that till the year 1968, the FKS was still alive to the Standstill arrangements, and kept reading the IOA in the light of the Standstill arrangements, rather than seeing the two as separate treaties signed with the Dominion of India. However the key difference between the “Stand Still” agreement and the IOA concerns paragraph 1, where it is noted that “... members agree that with effect from 15 August 1947 all existing administrative arrangements between the Province of Assam and the Indian Union and the Khasi States shall, with the exception to be noted below, continue in force for a period of two years or until new or modified arrangements have been arrived at between the respective authorities concerned.” In the IOA, this particular line was not there anymore.

houses of Parliament passed the North-Eastern Areas (Reorganisation) Bill. A new State of Meghalaya was officially born on 21 January 1972. As per the above Act, the state of Meghalaya comprised “(a) the territories which immediately before that day were comprised in the autonomous State of Meghalaya and (b) so much of the territories comprised within the cantonment and municipality of Shillong, as did not form part of that autonomous State.” Part II of the table covered the tribal areas of the State of Meghalaya, which was: The United Khasi-Jaintia Hills District, Jowai District and Garo Hills District.

The new State of Meghalaya was inaugurated one day prior to the official date which was on 20 January, 1972. Indira Gandhi, the Prime Minister came down to grace the occasion. Massive crowds thronged the Polo Ground to commemorate this event.

The historical events that led to the creation of a separate state of Meghalaya are noted chronologically below:

The Period 1954 to 1973

- 1954 States Reorganisation Commission (SRC) visited the Khasi Hills in April
Khasi National Dorbar memorandum on “autonomy” to SRC
Garo National Council supported KND demand
CEMs of Autonomous Districts met in Shillong
Assam Hills Tribal Conference (AHTC) met at Tura in October
- 1955 Khasi National Dorbar gave evidence to SRC in favour of Hill State
Khasi National Dorbar in alliance with AHTC
SRC rejected Hill State proposal
- 1956 Khasi National Dorbar channelled efforts through Eastern India Tribal Union (EITU)
SRC laid down criteria for State formation
- 1957 EITU victorious in elections for Legislative Assembly
EITU memorandum to Home Minister of India objected to SRC's

- rejection of Hill State
 Tuensang removed from NEFA and added to Naga Hills
 Naga People's Convention
- 1958 EITU landslide victory in District Council elections
 Naga People's Convention
- 1960 Khasi National Dorbar and students protested the Assamese Language Bill
 EITU merged efforts with the All-Party Hill Leader's Conference (APHLC)
 Assam Government Declared an Assam Official Language Bill in July making knowledge of Assamese compulsory for public employment
 APHLC opposed Language Bill, called for Hill State
 Naga People's Convention
 Announcement by Nehru of the Proposal to form a State of Nagaland despite non-fulfilment of criteria laid down by SRC
- 1961 Prime Minister Nehru offered Scottish Pattern (there was to be a regional Committee consisting of all members of the Legislative assembly from the Autonomous Districts with certain powers, Provision for a Statutory State Council for planning and allocation of funds sanctioned by the Government of India for the development of the hill areas, provision for a committee under the Cabinet Minister in charge of Hills Affairs comprising the members of the Assam Legislative Assembly from the hill areas to scrutinise legislation before its extension into the hill areas, appointment of a representative from the hill areas in the cabinet.
 APHLC rejected Scottish Pattern but Hill Congress accepted it
- 1962 Nehru urged acceptance of Scottish Pattern on visit to Shillong
 China and India war
 APHLC trounced Congress in elections, reiterated demand for hill state
- 1963 China withdrew from India

Nehru outlined Full Autonomy to hill areas

APHLC contested by-elections, sought further talks

Nagaland declared a State

1964 APHLC last meeting with Nehru: The Nehru Plan

Lal bahadur Shastri succeeded Nehru

APHLC considered Nehru Plan

Jarman Commission report tabled in Assam Legislative Assembly on 8th October 1964. (no good grounds to conclude that the people of the then Jowai Subdivision and the Shillong Sadar Subdivision of the UK-JHD belong to two separate communities. On grounds of administrative convenience, the Commission recommended the creation of separate autonomous District)

Jowai Autonomous District Formed (23 November 1964)

1965 Report of Bordoloi Committee

Shastri appointed the Pataskar Commission

India going through severe drought

Ideas emerged around a federation initially consisting two major valleys of Assam and four hill districts of Khasi-Jaintia Hills, Garo Hills, Mizo Hills, North-Cachar and Mikir Hills. All these units were to have equal status; provision was made to enable NEFA, Nagaland, Tripura to join the federation subsequently. It provided for division of subjects between federal and constituent units ensuring autonomy in the form of separate Legislature Assembly and Council of Ministers in order to promote inter-ethnic cooperation and coordinated efforts for planned economic development of the entire region. APHLC and PTCA favoured the idea, Assamese leadership opposed the idea.

1966 Indira Gandhi succeeded Shastri as Prime Minister

APHLC rejected Pataskar Commission report

Regional autonomous system with separation at lower level and integration at a higher level was considered- however not implemented

Indira Gandhi visited Shillong

- 1967 Federal Plan considered envisaging a federal structure of administration in Assam composed of several units having equal status
- Government appointed twelve members Ashok Mehta Committee to review federal plan. Committee rejected federal structure of Assam reorganisation and proposed making a composite unit out of all the hill districts, favoured voluntary amalgamation of two or more hills at a later stage.
- APHLC rejected and boycotted Ashok Mehta Committee recommendations
- APHLC resounding victory in general elections
- Government of India referred the reorganisation issue to national leaders belonging to all political parties
- Plains Tribal Council of Assam (PTCA) formed to demand more autonomy
- Autonomy demand emerged from Cachar, North-Cachar Hills and Karbi Anglong
- 1968 Government announced Autonomous State (Meghalaya) within Assam in September
- APHLC agreed to give the plan a fair trial in October
- 1969 On 10 October a Non-violent Direct Action agitation starts with thousands marching and surrounding the Assam Secretariat in Shillong
- Assam Reorganization Bill (Meghalaya) Act, 1969
- Bill passed in December 24
- NEFA: Kameng, Subansiri, Siang, Lohit, Tirap
- 1970 APHLC accepted Autonomous State Plan
- Parliament enacted the Assam Re-organisation (Meghalaya) Act, 1969 brought into force on 2 April 1970
- APHLC evaluated working of the Autonomous State in Assam and requested the Government for full statehood
- Government accepted APHLC argument and announced full statehood for Meghalaya in October

- 1971 North East (Re-organisation) Act
- 1972 Indira Gandhi inaugurated Meghalaya as a full fledged state on 21 January.
 Also formation of Manipur and Tripura.
 NEFA became Union Territory called Arunachal Pradesh
 Lushai Hills became Union Territory and called Mizoram
- 1973 UKJAD and Jowai Autonomous District changed and known as Khasi Hills Autonomous District and Jaintia Hills Autonomous District (Notification No.DCA 31/72/11 dated 14 June, 1973 published Gazette of Meghalaya, Part VA, June 23, 1973, p.200)

Indira Gandhi meets the Chiefs

On 22 November, 1976, a new Congress Ministry, a first in Meghalaya state, was sworn in by the Governor L.P.Singh with W.A.Sangma as Chief Minister. He led the merger of the APHLC into the Congress on 20 November of the same year. After this, the Prime Minister Indira Gandhi accompanied by Mr.D.K.Barooah visited Shillong on November 23, 1976 where she addressed a huge gathering of people of Hima Khyrim in Smit during the annual Nongkrem Dance. Indira Gandhi gave a short speech where she encouraged 'growth and development of Indian culture'. She also underlined the need to speed up economic development and called upon all to participate in the implementation of the economic programme. Recalling that sometimes she wonders and worry whether India could be held together, she thanked the people of the country for their contributions to collective progress towards economic self-sufficiency.

On behalf of the Syiem, the *Syeim Sad* and the people of the Syiemship, Dr.R.S.Lyngdoh, and speaker of Meghalaya read out a welcome address which introduced the significance of annual Nongkrem Dance festival to the Prime Minister. The address, while regretting the decline of the economy of the people after partition, expressed confidence and hope in the leadership of Indira Gandhi. The Syiem Sad presented a silver crown and traditional dress used by female dancers during the festival to Indira Gandhi. Interestingly while the Syiem of Khyrim organised people all along the way,

erecting arches to welcome Indira Gandhi, the District Council also tried to participate in the welcoming process. Tension between Chiefs and the ADC persist.

In this gathering a memorandum was submitted by three Khasi Chiefs - Olim Sing Syiem (Hima Khyrim), C.Malngiang (Syiem of Mawsynram), and P.C.Chyne (Acting Wahadar Shella Confederacy). In the memorandum they sought special protection for the people of Meghalaya in various domains and ways noting:

Most humbly and respectfully sheweth, we the undersigned, fervently solicit to avail this opportunity to approach your honour on the above matter as follows: (1) That the general public, particularly in the new State of ours hail with great exhilaration and enthusiasm of the determined action on the part of the Government to amend the Constitution with special regard to strengthening the fundamental rights, without at the same time neglecting of taking into account of the bounden duty, of the citizens for the general good (2) That the inner line pass policy if it be introduced at all, will effect checking and restricting movement into and from the State for the outsiders, (3) That the capital of Shillong now falls under the jurisdiction of the Sixth Schedule, except (a) Cantonment Area (b) European ward (c) Police Bazar (d) Jail-Road. This is according to the recent judgment of the Supreme Court in the Shillong Bara Bazar case. Accordingly every locality of Shillong e.g Mawkhar, Jaiaw etc, etc, are legally entitled to have statutory "Village Court" and "Village Durbar" also in the judiciary and administrative respectively. By conferring more powers to them, the same shall be in a position to help Governmental machinery to effect screening of the refugees and the wanton entry of non-tribal people into the City and the State. In the developmental field they will not also lack behind. (4) The Chiefs of Khasi and Jaintia Hills Districts viz., Syiems, Wahadadar, Sirdars, Dollois and of Garo Hills District viz. the Nokmas, to have their permanent rightful constitutional place in the Constitution. It might be worthwhile to note that the Chiefs, particularly in Khasi Hills District, are only the traditional custodians of the racial individuality, the regularised owned land, the prevailing customs and the

practised usages, which were inherent and imbibed in the finest democratic way of life and in the solid administrative set up of their respective jurisdictions. Retrospectively, it might at the same time be reiterated that these Chiefs, individually and severally acceded to the then Indian Union by virtue of the "Instrument of Accession" signed at the time of (late) Sir Akbar Hydari, the Governor of Assam. On the other hand the Chiefs could well be utilised to help implementing Government programme and policies. (5) That the reservation of seats in the State Legislature, of those areas falling under the Sixth Schedule, exclusively for the Tribals, to be maintained, in exception to those areas comprising but the 4 (four) localities of Shillong Capital viz. (a) Cantonment Area, (b) European Ward, (c) Police Bazar (d) Jail-Road. This is inevitably necessary for an object of preservation of the Tribals from the outsiders' majority population onslaught in these days of prospective industrial advancement in particular, in our State. Again the representation to the District Council to be confined and conserved to sub serve the original and native maxim, the Sixth Schedule contemplated specifically for the Tribal communities in the State (6) That for the permanent solution of the Bangla Desh Border problem in particular and for an all-round development of the State, depends mainly upon the lone question of the threadbare road link and one railway communication passing throughout the whole length bordering the Bangla Desh to connect Dhubri in Goalpara District with Badarpur in Silchar District. Proposals to the effect are laid down in the authentic Inauguration Souvenir of the Ri War National Conference of Khasi, Jaintia and West Khasi Hills, Districts. In fine as our new born State is in the infant and most backward stage as it is, taking especially from the economic point of view, to the best of the considered opinion, the above proposals are of immense and manifold benefit to the people and the country. The same calls for all sympathetic parental attention and for adequately effective implementation thereof, on the part of the Government. It may be worthwhile to note herein that the above proposals were firstly discussed with the Minister of State Mr.B.B.Shalam

on 23 September, 1976 which ought to have been conveyed to Swaran Singh Committee in due time. Subsequently on 18 October, 1976 the clear memorandum was submitted through the Home Secretary, Government of Meghalaya addressing the Chairman of the Swaran Singh Committee, New Delhi on the same proposals. Of a truth your honour is holding the highest position in the National party and also enjoying the unquestionable confidence in the Country. Circumstantially we hope that this our humble memorandum will draw your sympathetic consideration and at the same time move your forceful able influence for favourable necessary action as prayed for herein and obliged.

Struggle against Dispossession of Land

An important issue in the historical struggle of the FKS is related to land. Among the Khasis, it is important to note that land does not belong to the Syiem(s) or Chiefs of the Hima(s). It is directly owned, under nearly 36²⁵⁸ categories, by the people either as private, clan, village, raid or community property. Though, throughout the period of British colonization, the Hima(s) were brought within their political jurisdiction, they could not take away all the land from the people even though they attempted to do so. It is interesting to note here, that when the British made Shillong their headquarters in 1864 and later the Capital of undivided Assam, they had to acquire the land on lease from private landowners or in a few instances, made direct purchase from such owners. This resistance to and struggle to preserve land ownership rights within the framework of the Hima(s) has a long history. The Clans who are the custodians of the lands in Shillong City till date contest the rights of ownership and this relates to the Indian Independence Act 1947

On this count, Reade (2004)²⁵⁹ relates an interesting incident that took place around the year 1937-40 pertaining to Hima Myllem and its Syiem-Sati Raja. He notes “Sati Raja was a Syiem who was very

258 Report of the Land Reforms Commission for Khasi Hills, 1974. pp.18-26.

259 Quoted from E.M.Reade Syiem's book “Ka Synjuk Lang Ki Hima Khasi Ka Federation of Khasi States, (2004).

firm in many areas of governance. For keeping the *Iewdub* beautiful he took great care and never allowed anyone to stay the night in the *Iewdub*. There was one incident where one Non-Khasi cloth trader did not obey the Syiem and slept the night. The Syiem sent his people to take all the clothes and kept him in the Hima(s) confines. Another thing he did was to not allow Non-Khasis to procure or buy land in Shillong and areas just outside Shillong. The Deputy Commissioner during this time - Mr.C.S.Humphrey who was more inclined towards the Non-Khasi(s), commanded the Syiem ‘to allow the buying of land to the Non-Khasi(s), especially those who are government employees’, who Sati Raja resisted. Right from these times the tension over Land ownership and land possession began and great enmity prevailed among the Khasi(s) and the Non-Khasi(s) on the question of land ownership.

Among the Khasis, without going into the details on the 36 types of land, in general, there are three types of land (i) *Ri Kynti* lands²⁶⁰ or lands held by founding clan (ii) *Ri Raid* Lands²⁶¹ or those lands set

260 *Ri Kynti* lands are lands set apart from the time of the founding of the elaka for certain clans upon whom were bestowed the proprietary, heritable and transferable rights over such lands. They also include any part of *Ri Raid* lands which at later times were bestowed upon a person or a family or clan for certain yeoman's service rendered to the elaka. The same rights devolve on Khasi(s) to whom such lands are disposed of by the original owners by way of sale, transfer on receipt of full consideration for the same. *Ri Kynti* lands is known by different names: *Ri kur*, *Ri Nongtymmen*, *Ri maw*, *Ri Seng*, *Ri Khain*, *Ri Duwat*, *Ri Khurid*, *Ri Bitor*, *Ri Dakhol*, *Ri Shyieng*, *Ri Phniang*, *Ri Iapduh*, *Ri Lynter*, *Ri Spah*, *Ri Lnogdung*, *Ri Pud*, *Ri Kud* and *Ri Lyngdoh*, *Ri Syiem*, *Ri Khain Raibuh*.” Report of The Land Reforms Commission for Khasi Hills, 1974. p.17.

261 “*Ri Raid* lands are lands set apart for the community over which no persons have proprietary heritable or transferable rights excepting the right of use and occupancy. Such rights revert to the community when a person ceases to occupy or use the land for a period of three years consecutively. Heritable and transferable rights over *Ri Raid* accrue when the occupant has made permanent improvements on the land. But even these rights lapse if he completely abandons the land over such a period as the *Raid Durbar* deems long enough. *Ri Raid* lands comprise *Ri Shnong*, *Ri Shnant*, *Ri Kuna*, *Ri Lyngdoh*, *Ri Bam Syiem*, *Ri*

apart for the use of community as a whole and (iii) *Ri Khurid* lands within Ri Kynti or those which Khasi families held by outright purchase. Ri Kynti lands covered mostly the area of Police Bazar, Laitumkhrah, European ward, Jail Road as well as Cantonment area. This land was taken on lease by the British Government. Ri Raid lands covered the area of Laban, Lumparing, Malki, Mawkhar, Jaiaw, Rilbong and Kench's Trace and Ri Khurid lands covered the whole of Mawprem area. In the early days of settlement the British government auctioned off some plots of lands in European ward and the Cantonment area to Britishers who were mostly retired officials or businessmen. Land in some areas of 'Police Bazar' was settled for a periodic base with business people. The British took possession of the above lands through lease but in the year 1880, the government published a 'comprehensive Rules for Government Lands Shillong', and make it seemed as though the Syiem of Myllem had ceded these lands to them.²⁶²

The Government of Meghalaya notified the Meghalaya Transfer of Land (Regulation) Act 1971, passed in the assembly and receiving the assent of the President on the 29 December 1971. It was published in the Gazette of Meghalaya Extraordinary, No.LL.98/71/86, dated 5 January 1972 known also as the Meghalaya Act I of 1972. This act regulates the transfer of land in Meghalaya for the protection of the interests of the Scheduled Tribes therein.²⁶³ Section 3 (1) notifies that "No land in Meghalaya shall be transferred by a tribal to a non-tribal or by a non-tribal to

Lawkyntang, Ri Law Lyngdoh, Ri Law Niam, Ri Law-a-dong, Ri Law Sang, Ri Law Sumar, Ri Bam Lang, Ri Lynter, Ri Leh Mokutduma, Ri Aiti Mon Sngbha, Riphlang Ri Bamduh, Ridiengsai-diengjin, Ri Samla. Report of the Land Reforms Commission for Khasi Hills, p.17.

262 Report of the Land Reforms Commission for Khasi Hills, 1974. pp.27-28.

263 This Gazette notification was difficult to procure. I got a copy of the same from Agnes Kharshiing, the President of the Civil Society Women's Organisation, a very active women's organisation working on good governance and women's rights from a Tribal perspective on 28th August, 2016. The copy I received was attested by Joint Legal Remembrance and Deputy Secretary to the Government of Meghalaya, Law Department.

another non-tribal except with the previous sanction of the competent authority (2) Any transfer of land made in contravention of the provisions of this section shall be void and shall not be enforceable in any court.”

The individual behind the struggle for enacting the Meghalaya Transfer of Land (Regulation) Act 1971 was Martin Majaw. A very close associate of Martin Majaw who worked with him during the period was Will Anthony. Bah Will Anthony having been a key witness to the moment recollected the events during the period. There has been a search for the two notification of The Meghalaya Transfer of Land (Regulation) Act 1971 and even Agnes Kharshiing (a human rights and land activist) who has been following up on this issue is yet to have a copy. Interestingly Bah Will Anthony kept a copy of the two notifications with him. In the note he wrote on 11 June, 2017, he stated -

Late Martin Majaw, erstwhile minister of Revenue, Government of Meghalaya was instrumental in notifying the areas of Land within the State of Meghalaya which are prohibited for transfer to non-tribals. Two notifications were issued in this regard. These notifications were issued as per provisions provided in the proviso to sec 3 (1) of the Meghalaya Transfer of Land (Regulation) Act 1971. The notification RDS 11/76/187 dated 7th June, 1978 relates to areas within the District of Khasi Hills and Jaintia Hills and the notification RDS11/76/197 dated 2 February 1979 relates to areas within the district of Garo Hills. In the course of conversation it transpired that the Revenue Minister desired that Mauza VI should not be excluded from the purview of the notification dated 2 February 1979 as mentioned above. However Sri S.N.Phukan the then Law secretary stated that the Total Prohibition of Land Transfer to Non-Tribal in the whole state of Meghalaya may invite objections that may involve filing of petitions to the court of Law which is not desirable. As per Gazette of Meghalaya No.RDS.11/76/187, dated 7 June 1978, M.D.Rapthap, the special secretary to the Government of Meghalaya, Revenue, etc., Departments, notified the prohibition of the transfer of land by a tribal to a non-tribal or by a non-tribal to another non-tribal within the areas notified as (1) The areas within

the East Khasi Hills District except the areas to which the Act aforementioned does not apply. (The areas within the Jaintia Hills District and the areas within the West Khasi Hills District.) In another notification No.RDS.11/76/197 dated 2 February 1979, P.J.Bazeley, the Joint Secretary to the Govt. Of Meghalaya, Revenue Department notified the prohibition of transfer of land to (1) The areas within the West Garo Hills District except the areas within Mouza No.VI and (2) The areas within the East Garo Hills District. "While both the notification above could save the wanton alienation of land but unfortunately the Government for the last 30/40 years have not implemented the above notifications to the great disadvantage of the tribals. In fact the state Government liberalise the transfer of Land by inserting another provision to sec 3 (1) of the Land Transfers act which enable industry and educational institutions to thrive in Meghalaya and relegated the Tribals to the background and make them poorer and poorer as the days go by...Bah Majaw opposed the acquisition of Land by ICAR but finally yielded to the pressure from the centre...Bah Majaw opposed the acquisition of Land at Garampani but being an electrical project of Late Indira Gandhi, the opposition have no leg to stand...Bah Majaw wanted to restore the Kyrkit Laban, i.e., the playground at Laban which is held by the military authorities, he entered in correspondence but in vain...Bah Majaw is an embodiment of a tribal but none follow his footsteps.

The Land Reforms Commission for Khasi Hills appointed by the Meghalaya Government under the chairmanship of Late R.Tokin-Rymbai and two²⁶⁴ other members submitted a detailed report on 30 November 1974. This is a 276 page report that went into the details of land tenure system of the Khasi(s).

An important development on the land issue took place around the year 1977-78. This had direct implications on the FKS. The Meghalaya Transfer of Land (Regulation) Act 1971 was amended by the Legislature of Meghalaya. This amendment received the assent of the President on 30 March, 1978. The Revenue Department of

264 The two individuals are Humphrey Nongrum and D.Dethwel Lapang.

the Government of Meghalaya issued a further clarification on the Act on 13 June 1979, noting that the word “transfer” used in the Act mentioned above has been defined to mean the conveyance of land of one person to another and to include gift, sale, exchange, lease, surrender or any other mode of transfer. “The term 'any mode of transfer' will include any transaction by which transfer of land from one living person to another takes place. Relinquishment and in some cases, family settlement or partition may come under this term. Inheritance or succession to property due to the death of the owner implies devolution by operation of law and cannot appropriately be described as a mode of transfer under the Act. Any family partition or settlement, mutation, share or will resulting there from will not, therefore come under the purview of the said, Act.”

Again in the year 1993, Bah Roblin Nongkynrih, CEM KHADC convened an important meeting on 12 November, 1993. The Khasi Chiefs were requested to attend. This meeting was to seek the opinions of the Syiems, Lyngdoh, Sirdar and Myntris about the Meghalaya Land Survey and Records Act 1980 which the Government of Meghalaya has given powers to the KHADC to operationalize. The two Chiefs - Khyrim and Myllem who attended together with others thank the CEM for calling such a meeting which was a rarest of rare case in the light of the tensions that exist between the two institutions. Both the Chiefs however rejected the idea that the KHADC should meddle with Lands of Hima(s) and the idea of a survey was shelved.

In an incident more contemporary directly related to land, traditional heads from Hima Raid Mynsaw of West Khasi Hills district along the inter-state border today on 13 March 2012, demanded that the Meghalaya government direct Assam police personnel to vacate the premises belonging to the *Hima in Langpih*. The demand is ostensibly an offshoot of the tension that has been brewing at Langpih after Assam police personnel allegedly obstructed the ongoing construction of a village *haat* by the Meghalaya government. Prior to this the flashpoint of the boundary conflict between Assam and Meghalaya in Langpih took place on 14 May 2010, when four Khasi villagers were killed after Assam police personnel allegedly resorted to indiscriminate firing.

Traditional heads from Langpih, through a memorandum,

demanded the removal of Assam police personnel from the premises belonging to the Hima Raid Mynsaw so that it can be used by the Hima. The memorandum was signed by H.Samakha, Sordar of Hima Raid Mynsaw, and S. Samakha, Sordar of Langpih, among others and submitted to the then Chief Minister Mukul Sangma. K.P. Pangniang, member of the Khasi Hills Autonomous District Council stated after meeting Mukul Sangma that “the chief minister informed us that he would ask chief secretary W.M.S. Pariat to take up the matter with the Assam government on the issue of evacuating the police personnel housed at the dorbar hall of the hima.” According to Pangniang, who had accompanied the delegation of the representatives of the Hima, the Assam police personnel have been “illegally” occupying the dorbar hall for over two years now. The traditional heads alleged that Assam police personnel had obstructed the ongoing construction of a village *haat* at Langpih by injecting ‘fear psychoses’. Further to this, the *Dorbar Pyllun*, comprising 68 villages falling under the Hima, had on 9 February, and resolved to urge the Meghalaya government to intervene on the matter by asking Assam not to be an obstruction to development issues²⁶⁵.

265 “The conflict over Langpih started in 1974 when Meghalaya police forcefully evicted people of Nepali community from their homes and grazing land. Nepali people, who are mostly engaged in animal husbandry, approached Assam police for justice. Assam police went to the village to investigate the matter and since then the conflict has escalated. Meghalaya again claimed that the State of Assam had encroached the village in 1979. In 1988, the matter reached Parliament. Assam government alleged that Meghalaya wanted to create a new legislative constituency - 44 No. Nongstoin - by taking over areas of Assam, including Langpih. The situation worsened after May 14, 2010, when clashes broke out between Nepali, Khasi and Garo communities. Assam police fired upon the people. Four Khasi people got killed in the firing and at least 18 others were injured. In 2012, 14 people from the Khasi community sat on hunger strike. Administration officials and a huge number of police force were deployed to defuse the situation. But the Khasi people formed a human chain to prevent government officials from Assam from entering the area. At present, the situation is peaceful but the dispute is very much alive. Assam and Meghalaya have twelve (12) land disputes. The Central government has tried to solve the

As these issues pertaining to Hima lands have come into major conflict with the formation of the Indian inter-State boundaries, the FKS sees these processes as rooted in the non-fulfilment of the IOA and AA. For the Fourth Peoples Parliament of the FKS they collectively identified and proposed that the “amendment of the Meghalaya Transfer of Land Regulation Act and Indian Registration Act 1908” will be discussed threadbare in the gathering. On this count the FKS argued that there is

an urgent need for the KHADC authorities to convene a special session to notify Rules for the 53 Hima in Khasi Hills – the absence and anomaly in the Indian Registration Act 1908 – added with the absence of legislation from the District Council has caused serious conflict at the ground level and leaving no option for indigenous people but to flood the courts and approach for relief with land disputes – a daunting task given the time taken in availing justice from the honourable courts.

The FKS demanded from the KHADC authorities to

hold a special meeting between the KHADC, the Deputy Commissioners under Khasi Hills, the Commissioner & Secretary, District Council Affairs, Govt. of Meghalaya, the Commissioner & Secretary Law, Govt of Meghalaya, the Advocate General, Additional Advocate General, Govt of Meghalaya, and Standing Counsel, KHADC, to discuss and propose legislation that would synergise all the registration authorities (Himas, KHADC, and DC-Registrar’s office) and especially to protect and identify the 16 category of Lands in the Khasi and Jaintia Hills.²⁶⁶

Pointing to the recent incidents arising out of the creation of a New Shillong township and surrounding areas including Mawdiangdiang, they state that there is no clarity in the State on

dispute through consultations, but failed.”
<http://www.landconflictwatch.org/node/474>

266 From the note released by the FKS pertaining to demand for a Special Session of the KHADC to notify Land Registration Rules with the 53 Himas of the Khasis.

where, and who are the registration authorities? (Office of Syiem or KHADC or Deputy Commissioner - Registrar) - Who in accordance to customary practices should register traditional land documents? What are the processes?” They opine that ‘the lack of synergy between the various authorities including lack of clarity in the process of registration is causing serious conflict at the ground for the poor people. They are unable to approach the courts due to their economic conditions. The time taken in the judicial system is also deterrence towards quick delivery of justice for the indigenous poor. Till date 80% of the indigenous population register their land documents only in the office of the Dorbar of the Syiem. Of late those who want to avail housing loans and those who want to mortgage their properties are compelled to register at the Registrar Deputy Commissioner’s office.

Interestingly, an analogy to this crisis in the administration of Land often cited by the FKS pertains to the examples of Hima Nongstoin and Hima Maharam. Specifically referring to the ‘The Administration of Nongstoin Syiemship Rules, 2006’ and ‘The Maharam Syiemship (Administration) Rules 2009’. In these rules, the FKS argues that pertaining to Land, it clearly states (as per the Nongstoin Rules) in

Section 11- Rights for Registration (I) The Syiem and his Durbar shall have the right to register land or to issue a Non-encumbrance Certificate /Land holding Certificate or patta to the landowner in accordance with the prevailing customs and usages of the Syiemship. In this regard a Record of Rights will be maintained in the office of the Syiem. (ii) No registration of land or any immovable property shall be granted by any authority without a No Objection or a land Registration from the Syiem and his Durbar. (iii) Evaluation of Registration of land shall be as follows:- (a) for the record of right only, the evaluation shall be done by the landowners himself/herself or as prescribed by the Syiem and his Durbar. (b) The Registration of Land and Record of right meant for some other purposes, the evaluation of land shall be done as per the prescribed rate by the office of the Syiemship.

These same conditions and rules, the FKS asserts apply in the “The Maharam Syiemship (Administration) Rules 2009” The Section 9 pertaining to Land Administration, the registration of Land is similar to the Administration of Nongstoin Syiemship Rules 2006. The Rules of Hima Nongstoin and Hima Maharam are very clear about the process of Registration of Land and Property. It is important to note that these similar customary practices prevail in other places of the Khasi and Jaintia Hills.

Using the two above Himas as exemplary examples of Land Acts and Rules they assert that such Acts and Rules must also be urgently legislated in the Hima Myllem and Hima Khyrim. They note that the number of land disputes have come to light due to lack of clarity by the Deputy Commissioners office, the Government and at times even in the High Courts. Pointing to the KHADC, they argue that ‘It is also ironic to note that even after 61 (1952) years of existence of District Council and after 41(1972) years of Statehood we are today in 2013 still faced with conflicts and doubts over ownership of land in Khasi and Jaintia Hills.’

On the question of Land Ownership and recognition of the right authority for registration, the FKS sent a memorandum dated 20 May 2014, submitted to the then Chief Minister Dr. Mukul Sangma, Meghalaya. To this effect the Chief Minister agreed to look into strengthening the Meghalaya Transfer of Land (Regulation) Act 1971 and Amendment of the Indian Registration Act 1908, so as to recognise the traditional registration documents issued from the office of Syiem, Lyngdoh, Sirdar, Dolloi and Nokma. Further he asked the concerned department to examine the matter further. The Government noted

this matter needs urgent attention from the State Government as it will also facilitate and help in the resolution of the Assam Meghalaya boundary, since earlier Boundary Commissions failed to consider traditional documents in boundary discussion and based their discussions only on Revenue Documents and on the North East Reorganisation Act 1971, and subsequent notifications of the Act.

In 2011, a State Planning Board inspection along the villages *Pilangkata*, *Killing*, etc near the Assam border, found that a number

of people along the Meghalaya Assam border are compelled to register their documents with the respective Deputy Commissioners in Assam. This was to avail their basic needs such as BPL cards, Power, Portable drinking water, as it was difficult to access the developmental needs from the Meghalaya side. Access to these areas through Assam was much easier as lack of proper black topped roads from the hills down towards the border of Meghalaya was sometimes difficult to travel.

Land being a contentious issue, the FKS continuously strategizes to disallow the issue of land registration and land rights to go beyond the traditional institutions of the village, Raid and Himas. In 2017 the legislations that were taken up for threadbare discussion by the FKS were 'The Meghalaya Building Byelaws 2011; The Khasi Hills Autonomous District (Land Development and Building) Regulation 2015; The Administration of Nongstoin Syiemship Rules 2006, and The Administration of Myllem Syiemship Rules 2015,' passed by both the State Government and the Autonomous District Council. Meetings on the subject of Land in the FKS lasted for hours altogether especially when it relates to issues that are complicated and requires consensus and mobilization in decision making among the chiefs.

Coronation of a Chief

The nephew of Paiem Olim Sing Syiem - Balajied Sing Syiem was formally nominated syiem of Khyrim on 24 May, 1978 at the age of 26, after the sudden death of the former chief. At the investiture ceremony at the traditional *Ing Sad* at Smit on 26 August he took ten pledges in front of the citizens of Hima Khyrim. He stated:

I pledge that I will hold this office by upholding the principle of the knowledge of Man and God which is the basic belief of the whole Khasi Race; That I will hold this office by upholding the principles of truth and justice; That as Hima Khyrim is the repository of Khasi customs; I also pledge to retain our customs so that our Hima will always stand as an example for other Khasi Hima(s); That as Hima Khyrim is the home and custodians of Khasi Culture; I pledge that we will retain protect, develop our Khasi culture and to spread it far and wide; I also pledge that I will have no attachment with any political party, because as per

customs and practices in vogue in Hima Khyrim, the Syiem is the head of the Hima; I further pledge that I will pay special attention for the interest of the poor and to take special interest for the development of the less fortunate ones and of the more backward areas within the Hima; I pledge that I will work in complete understanding with the Elders of all administrative units within the Hima and with all the people of the Hima; I pledge to co-operate with all higher authorities, whether local or State Governments; To you my kith and kin, I assure you that I will perform the duties of an elder uncle in the same manner as my predecessors had done; I pledge to co-operate with everyone for the development of our Hima, our Khasi community our State, and for our mother India; I pray to God Almighty to guide and to protect us so that we will be able to walk in the way of truth and that we will be free from sin. Oh! God Almighty, I pray thee that thou will bestow thy blessings upon us.

The event was one that was spoken about by many among the Khasi(s) as being one of its kinds. Some stated that there had never been such an investiture ceremony that was as grand as this. But this also riled up elders who felt that there was something amiss in the manner it was done and in the way the whole ceremony was positioned in the note circulated. About a month after the ceremony had passed, a critique by Kynpham Singh came out. He criticized the investiture ceremony and raised some crucial points such as the singing of “the song “God Save the King” by the people of Sohryngkham” which in his opinion struck a ‘discordant note in the otherwise solemn and well-conducted ceremony’. He asserted that “many, Khasi(s) bowed their heads in shame, and many foreigners spoke in derision at the “slavish mentality” which still exists after 30 years of independence”. From this perspective, point no. 3 in his critique is important to take note of. He states:

The founders of a State- the bakhras, basans, etc., - never accepted the status of syiemship because it was the duty of the syiem, on being directed by the Dorbar, to fine, to imprison, to collect the material wealth of any citizen of the State whose branch has become extinct, to perform the cremation rites of one who died without relatives, to punish

criminals, like thieves, robbers, etc., and to act as executioner – acts which no founding “Kur” - “clan” of a State would undertake lest they sully the name and taint the life of the members of the “Kur”. Syiems were originally chosen from transient residents of a State, or from fugitives from outside the State, or from those who due to circumstances, ceased to be an integral unit of their “Kur” and could no longer take part and be included in the cremation rites of their original “Kur”. The founder clans of a State may go to the extent of bringing in a non Khasi, Hindu or Muslim from outside the Khasi race to become a Syiem.

Rising Ethnic Tension in Meghalaya

In 1987, the Government of Meghalaya renamed seven places within the state. The place once officially called Naya bungalow was renamed as Umsning, Barapani as Umiam, Lalcharai as Mawlein, Lalchanbasti as Nongmynsong, Umtru as Untrew, Barabazar as Lewduh and Baghmara Bazar as Bongbazar.²⁶⁷

It may be noted that as early as May 1987, W.A.Sangma, the then Chief Minister of Meghalaya in response to a question on influx in a press conference had noted “Foreigners problem is a problem in the state and that the issue is not just fiction”. He noted that “the foreigners comprise mainly of the Bangladeshis and the Nepalese. From 1972 up to January 1987, a total of 11958 ‘Bangladeshis’ were detected and 11916 of these were deported. The number of Nepalese who had infiltrated into the state numbered 10537. Of these, 10503 were deported.” Further he argued that there “already exists indications that the population structure of the State has been affected by the influx from outside and that unless restrictions are imposed, a time may come when we may be reduced to a minority in our own State like Sikkim and Tripura where this phenomena has taken place.” He suggested that the Inner Line Regulation for Meghalaya had become a must.²⁶⁸

In the same year on 12 November, the Khasi Authors Society, of

267 *Implanter* Vol-XIX No.13, Shillong 14 February 1987.

268 “Inner Line Regulation for Meghalaya a Must.” *Implanter* Vol XIX No.41, Shillong May 20, 1987.

which many members had direct links with the FKS and were part of its struggle, organised a public lecture in the YMCA hall in Mawkhar on the topic “The Khasi States: From 15-8-1947 to 25-1-1950”. The lecture was delivered by L.Gilbert Shullai who by this time also held the tag of being an “Ex-C.E.M of the Khasi Hills Autonomous District Council”. This was a time when the movement of the Khasi Students Union was picking up against “foreigners” and conflict between ethnic communities was starting to be openly expressed. Shullai’s argument was that the 6th Schedule since the beginning was framed in such a way as to snatch away or disempowered the combined Khasi and Jaintia communities' hold over their realities. To substantiate his argument, he gave the example of the very controversial 1964 Jarman Commission²⁶⁹ report suggesting the creation of the Jowai Autonomous District. Prior to this, in his opinion, what had fuelled the situation as early as 1951 was that two blocks from the Jowai Subdivision were excluded²⁷⁰ and added to the Mikir Hills District.²⁷¹ This was based on a commission report constituted by the Assam government as per Government Notification No.TAD.R/31/50 dated 3 October 1950.

These events following one after the other revealed the slow but insidious process by which power was being snatched away from the Khasi(s) and the Khasi-Jaintia community was being divided. All of these were taking place, as pointed earlier, in the heat of “Assamisation” of the State. This, he opined were because of the way the Sixth Scheduled was positioned allowing it to manipulate the situation to favour the State and thus disempowered the FKS further. The “Khasi States” as an idea came back to the forefront when the issue of influx struck the state. All arrangements till date, noted Shullai (referring to the independent state and the district council) cannot “satisfy the cultural and political aspirations” of the people.

269 This as per Notification No TAD/R/50/64 dated 23 November 1964 and published in the Assam Gazette, Extraordinary, No.61, Monday, November 23, 1964 and the Assam Gazette Extraordinary, No.62, Tuesday, November 24, 1964.

270 Vide Notification No.TAD/R/31/50/148 dated 13 April 1951

271 Vide Notification No.TAD/R/31/50/149 dated 13 April 1951.

The varied movements against influx persisted throughout the 1980s to this very day. While the FKS is not very open about its participation, it is an active stakeholder in the process and has often been forced to state its position on the matter.

Expulsion of a Chief

Whilst Shillong was kept burning by sporadic upheavals throughout the 1980s on the issue of 'influx', the tussle between the KHADC and the chiefs was unrelenting. As have been observed, Hima Myllem remains a thorny issue for any government and the conflicts that persist are often played out in the Courts. On 6 April, 1988 the Syiem of Myllem – Sporso Manik was dismissed and in his place Franciswell Syiem was appointed. The Syiem's Durbar Hall in Mawkhar was locked and sealed by the Deputy Commissioner, East Khasi Hills District without giving any reason for the same. The Supreme Court, where the case was taken after a decision of the High Court gave a stay order to the dismissal of Sporso Manik, noted that none of the two should occupy the premises. Later another appointee – Armstrong Syiem was appointed by the District Council supposedly to clean the mess in Hima Myllem.

Government Position on Traditional Institutions

On 21 January 1989, on the occasion of Meghalaya day function, organised in the Polo Ground, Nehru Stadium, the Chief Minister of Meghalaya made an important announcement. He stated that it was a strong belief of his government to protect, preserve and promote the traditional governance system led by the Syiem, Doloi and Nokma. His government, he asserted, will open and find ways to promote and respect the status of these institutions. The Governor had also noted in the house of the State Legislative Assembly on the 24 February, 1989 that the Government of Meghalaya would appoint a Committee with power (High Powered Committee) to implement the above task. Thus as per Government Notification dated 22 February, 1989, a Committee which included B.B.Lyngdoh as Chairman, O.L.Nongtdu, P.R.Kyndiah, A.Sangma as members and J.M.Phira, IAS as the Member-Secretary, was constituted. The Chairman had earlier (in the year 1985, 1986, and 1987) mobilised the chiefs to dwell on how to preserve, promote and protect such institutions and to bring an understanding and

working relationship between all stakeholders; the government, the District Council, the Shnong, the elaka and the himas.

Chiefs and KHADC under One Platform

During the year 1991, it was observed that there were increased efforts to bring the KHADC and the chiefs into a single platform to share and deliberate on issues of common concern. The gathering in Dinam Hall, Jaiaw on the 8 May, 1991 was stated to be a 'first' such effort initiated by the KHADC to bring the Khasi Chiefs, Members of the Legislative Assembly and the District Council in an open congregation. The gathering generated some political ripples and there were many discussions that followed. The discussions were open and free, and the space to articulate difficulties and concerns was shared openly.

In this meeting some of the points raised by the chiefs which reverberates to this day were (i) meddling in the affairs of the Hima(s) by the KHADC together with M.L.A and M.D.C injecting party politics into the Hima(s) (ii) the persistent problem arising from the suspension of chiefs and the appointment of acting chiefs from those other than the recognised clans in a hima for years on without any initiative to appoint the rightful Chief (iii) financial matters between the Elaka and the KHADC which remains a bone of contention between the KHADC and the Chiefs.

However an interesting debate also ensued regarding the problems that Hima(s) are plagued with, from the perspective of the general public. In a statement made on the subject it was noted -

it is important to point out that many Hima(s) exist only in name and the work assigned is rarely fulfilled, and the general public are starting to feel that there exists no Hima(s) anymore. The Syiem, Myntri, Lyngdoh walk around in complete disregard of tradition, sometimes even found to be drunk openly without any care for the Hima. It is the duty of the District Council to resurrect the Hima(s) and to follow up on such Chiefs because the Chiefs are actually officers of the District Council as per tradition and law and it is the duty of the Chiefs like the Syiem, Lyngdoh, Sirdar, Wahadadar to lead the people by example in their own Hima. The status of the Chief, Lyngdoh has come down

greatly not because of others but in many cases it is their cheap behaviour by the way they live carelessly.²⁷²

Khasi National Celebration Committee

The year 1993 coincided with the International Year of the World's Indigenous Peoples. A number of programs were organised by the Khasi National Celebration Committee (KNCC) in Shillong in which Paiem Laborious Manik Syiem (Syiem of Myllem) was a key initiator. In an event organised to inaugurate the celebration in the premise of Iing Dorbar (State House) of Hima Myllem on 10 November, the Syiem provided a very important insight into Khasi Political system stating:

“the Khasi society lays the fundamental premise of its worldview, knowledge system and social structure on five interconnected processes that begins with Dorbar Iing, Dorbar kur, Dorbar shnong, Dorbar raid, Dorbar hima. As indigenous peoples with historical rights over the land, water, forest, we inhabit and frame our reality around long-iing long-sem, long-kur long-jait, long-shnong long-thaw, and long-raid long hima together with our hok, ka Tiri, ka Deiti, ka hukum blei...the wisdom and intelligence of our forefathers in framing our political and social system begins from our Rympei onwards till the Hima, where each and every Dorbar is intrinsically connected to another Dorbar - (1) Ka Dorbar Iing (2) Ka Dorbar Kur (3) Ka Dorbar Shnong (4) Ka Dorbar Raid (5) Ka Dorbar Hima.” The Syiem of Myllem went on to detail each and every Dorbar and the intricate connections between each, ending with a note of caution that we must progress as a community that is aware of one's reality and structure and protect it well.²⁷³

272 From the Khasi newspaper “*Dongmusa*”, 16 May 1991.

273 Full text of the Speech by Paiem Laborious Manik, Syiem of Hima Myllem available in *Mawphor*, 11 November, Thursday, 1993. This speech is important in many ways because it laid the framework in which the Khasi Political System is understood. This speech is often quoted by other Chiefs and the Spokesperson of the FKS in public meetings and in arguments against those against traditional institutions. The KNCC organised a number of celebrations starting from 10

The next big celebration of the KNCC²⁷⁴ was held in Hima Nongstoin on 19 December, 1993 in which the Syiem of Myllem was the Chief Guest. From this platform the Syiem affirmed the necessity to hold strong culture and traditions plus the need to protect land which in his opinion was “like a mother that feeds us and care for us” and we should never demean her. Further he noted “We are a society that is distinct and self sufficient”. The final celebration was held on 31 December in the *Lum Sohpetbneng*, the revered hill of the Khasis.

Visit of Prime Minister

When the Prime Minister of India, P.V.Narasimha Rao visited Shillong in 1994, the chiefs under the banner of the FKS submitted a memorandum to him on 31 August. Reminding the Prime Minister of the historical agreement between the Indian Government and the Khasi Hima(s), it pointed out that the decision of the Government to fence the international boundary between India and Bangladesh using the lands of the Hima(s) was breaking and disrespecting the historical agreements between India and the Chiefs. They asserted that they disagree with the decision of the Indian State to take away their lands without the consent of the Chiefs and give it to Bangladesh.

Integration by Declaration

Over the years, that is, from 1946 to 1998, political processes in the Khasi inhabited areas were characterised by struggles for keeping the Khasi institutions alive. After the very complex ‘integration’ process in which the Instrument of Accession and Annexed Agreement (IOA and AA) of 17 August 1948 was dishonoured, contradictions in Khasi society began setting in. While the FKS was active in the initial period, after the 1959 Act, they withdrew. It was during this period that fault lines between the FKS and the

November till 30 December of the same year.

- 274 The Chairman- Prof.I.M.Simon, Vice Chairman- Mrendro Roy Allya, General Secretary- D.Khlur Baiaineh Mukhim, Treasurer- G.Myllemngap, Joint Secretary- M.N.Nongrum, conveners Literary Committee- D.L.Kharmawphlang, conveners Cultural Committee- C.Khongwir, conveners Sport Committee- S.Nongkynrih, conveners Souvenir Committee- Dr. (Mrs) Helen Giri.

KHADC became more pronounced.

After the 1959 Act, most of the processes centred on the separate state movement which was realised in 1972 onwards. While the FKS remained vocal throughout this struggle, it was not in the forefront of the movement. The betrayal by the centre on the IOA & AA and the events that followed where the FKS office was locked, its funds seized, followed with the Supreme Court ruling on the 1959 Act based on the imposed Sixth Schedule had a demoralising impact. This led to elders from the KND strategising new paths that provided leadership to the Hill State movement hoping that this would restore the “Hok” of the Khasi. However the struggle on and around indigenous institutions persisted despite structural changes in the state political system. The new State of Meghalaya did bring in some needed change but the subjugation of the chiefs and the Khasi institutions remained.

From 1999 to 2017

Around 15 kms away from the City of Shillong a grassroots public meeting was going on in Mawpyrshong in Hima Khyrim. The Spokesperson of the Federation of Khasi States, narrated to the people the full historical background of the Sixth Schedule, challenging its purpose and objectives, calling out the Sixth Schedule as a lie to the Hynniewtrep peoples. Similar meetings were being conducted by the FKS all over Hima Khyrim. During the discussions that ensued, people were taken aback by the fact that the FKS was against the District Council, noting that they had always believed that it was the Syiems who had asked for such a structure. They were not aware of the many events and the fact that the Syiems/Chiefs had proposed a different constitutional body and structure where the representatives would be drawn based on population from the respective Hima(s) (one elected representative for every 4000 adult voters), where the Syiem/Lyngdoh/Sirdar/Whahadar (Chiefs) would be ex-officio members by virtue of their designation and that there was a provision for nomination of 8(four) members four of whom were women. The FKS campaign turned out to be like an awakening and advocacy program seeing huge turnouts in the gatherings. People came to patiently hear the nearly three and sometimes five hour deliberations. From these meetings it was clear that a large number of elders, village chiefs and clan chiefs had absolutely no idea of the political events prior to 1950 and were all aghast about the 1959 Act and its framework.

Around the same time when these meetings were being held, the KHADC suspended Paiem Laborious Manik Syiem, the Syiem of Hima Myllem on 12 January 1999 and appointed Armstrong Manik Syiem as Acting Syiem in his place. The ground of expulsion was based on the complaint filed by the *Myntri(s)* of the Hima Myllem. This, being applied through the 'United Khasi-Jaintia Appointment and Succession of Chiefs and Headman Act, 1959'. Paiem Laborious M. Syiem took his suspension to the High Court and it led to a prolonged legal battle.

The FKS remained steadfast with its advocacy campaign turning the same into a public mobilisation exercise to create awareness on the importance of the treaty terms with the GoI. It re-energised the general Khasi public about the IoA and AA. In a similar meeting on 26 February, in the village 'Iew Jatah', 21 village heads and inhabitants of surrounding villages attended. Iew Jatah is under Raid Lyngshing of Hima Khyrim.

In another meeting held on 1 March in village 'Iew Mawlyngot', the same was chaired by Sordar Raid of Raid Rngi which was attended by ten headmen of various villages under Raid Rngi of Hima Khyrim. The attack on the 1959 Act became a mainstay in every meeting.

This ruffled the District Council to some extent and they reacted by making a public statement that there were some chiefs who behaved like 'dictators' and were demanding the scrapping of the District Council. The FKS kept the public pressure on through its spokesperson that at this time also sent a memorandum to P.B.Acharya of the Bharatiya Janata Party (BJP), in-charge of North East, requesting him to revisit the IoA and AA as per the promises made in the Policy Statement of the BJP in 1998. This was followed by a meeting with P.B.Acharya in the Railway Circuit House, Shillong in the presence of the Late T.H.Rangad and A.L.Hek, M.L.A who subsequently got elected from the BJP. It is to be noted that the position document of the BJP had stated that "the party will respect all agreement that were signed between the Khasi States Rulers/Chiefs and the Government of India after independence and it will find out ways to strengthen all decisions that are found in the agreement."

This issue was also raised by the Syiem of Hima Khyrim who for the first time asserted the matter in a public seminar. He stated "India fought for its freedom to emancipate itself from the rule of the British, and yes this freedom they did achieve, but once India got its freedom, it made laws that enslaved the freedom of the Khasi(s)." Interestingly, on the 15 February, 1999, he received a letter NO.DCA.26/97/59, from the Government of Meghalaya, District Council Affairs signed by Smti. S. Marbaniang, Under Secretary to the Govt. of Meghalaya. The Subject of the official letter was "The Khasi Hills Autonomous District Council

(Administration and Election of Sirdar of Saw Raid Khyrim Syiemship) Bill 1997” and the reference was “Your Memorandum dt.15.4.97 addressed to His Excellency the Governor of Meghalaya”. The letter noted:

I am directed to say that since the Syiem of Khyrim holds office under appointment of the Executive Committee of the District Councils, it will not be appropriate for the Syiem to question the action of the District Council in session. Also the contentions made by you have not been substantiated. Moreover, it may be mentioned that the Bill under reference has since been unanimously passed by the council in session on the 13 March, 1997.

While the letter conveyed “regret for being unable to consider the case of representation,” the tone in which it was written and the way it was perceived by the Chief, plus the timing of it seemed like a threatening letter to the Syiem of Khyrim, who also happened to be the most respected Chief among the Khasi(s).²⁷⁵ The tension felt was palpable although the links about the events with each other cannot be established.

The High Court revoked the suspension of Paiem Laborious M. Syiem, the Syiem of Myllichem, on 11 June, 1999. Following this, he took over the responsibility of '*U Syiem U Kmie*' of Hima Myllichem in the presence of Myntri(s) who supposedly had stopped work after his suspension. A ceremony was conducted in Khasi religious tradition on this day to mark this occasion.

Robert Kharshiing,²⁷⁶ the Member of Parliament, Rajya Sabha and one of the key individuals to support the mobilization of the FKS as a grassroots democracy initiative, was later in 2003, appointed as the President of the Nationalist Congress Party (NCP) Meghalaya.

275 Hima Khyrim happens to be one of the only Hima in which Religion is integral to State activities. The Syiem conducts a festival call Pom Blang once a year in the month of November. The religious role played by the Syiem defines him as distinct from the other Chiefs. Many of those from the Seng Khasi identify closely with the Syiem of Khyrim.

276 (a former Leader of the KSU, and a former Rangbah Shnong, and Village Chief who was arrested under the MPDA for implementing the decision of the Dorbar Shnong)

The popular Member of Parliament from Garo Hills, Late Purno Sangma, a tall national leader in his own right, broke away from the Congress party and took charge as the National Secretary of the NCP. In the same month a new Chief Minister- E. K.Mawlong took charge in Meghalaya. He was perceived by a Chief as the most sympathetic to the cause of the FKS.

Purno Sangma had requested a meeting with the Khasi Chiefs to discuss matters concerning traditional institutions and to finalise his party's - the Nationalist Congress Party's policy position on the FKS. A meeting with Purno Sangma in New Delhi on 24 May 1999 was arranged. The FKS requested that the following paragraph be included in the policy Statement of the NCP:

The Party (NCP) will call a meeting of Syiem, Nokma, Dolloi and other Chiefs to find ways how to realise all agreements that was agreed upon between the Chiefs and the Government of India after the Indian State achieved independence. The party (NCP) if needed will formulate strategy and find ways to bring an Amendment in the Constitution of India to realise what was agreed upon in the Agreements.

After this note, an initiative to bring all chiefs to the meeting with Purno Sangma was taken, which was held on 28 May. Many chiefs attended but the president of the FKS could not come. In the meeting the chiefs pointed out how the traditional institutions have begun to rapidly deteriorate over the years and it looks like in the near future they will be completely destroyed. The traditional institutions were going through a crisis but even in the light of such a concrete condition, none of the political parties seemed concerned. Dr.Balajied Sing Syiem who was present in the gathering reiterated that "this being a meeting to dialogue, he would request the Syiem of Hima Myllem, who is also the President of the FKS, who was not able to attend the meeting, to organise a full meeting of the FKS with Purno Sangma to discuss threadbare the question pertaining to the IOA and AA."²⁷⁷

277 Other Chiefs who spoke in the meeting were "Paiem R.W.Syiem of Hima Mawiang, the Dolloi of Elaka Raliang- Ma.K.Suchiang, P.Tariang, Myntri of Hima Sohra, Paiem S.M.Syiem, Hima Nongkhlaw,

These activities and initiative by the FKS, in a way galvanised the chiefs, and a meeting of the FKS was convened on 9 August in the *iing dorbar* (state house) Hima Myllem, Mawkhar, Shillong. This meeting was significant for the FKS because it was in this meeting that a new executive body of the FKS was elected. Paiem Laborious Manik Syiem (Hima Myllem) was elected as the President, Syiem R.W.Syiem (Hima Mawiang) as Vice President, Dr.Balajied Sing Syiem (Hima Khyrim) as General Secretary, Bah F.Lyngdoh Mawnai, (Myntri Hima Nongkhlaw) as Assistant Secretary, H.S.Lyngdoh, (Basan Hima Mawiang) as Treasurer. Many others were elected as members including the Lyngdoh of Mawphlang, the Syiem of Jirang, the Syiem of Nobosohphoh, the Syiem of Nongstoin, the Syiem of Maharam, the Sirdar of Mawlong and the Syiem of Langrin.

More public meetings followed, the next being held in the Mawlyngad village on 16 August 1999, to discuss the same issue that had now seemed to pervade public consciousness. The IoA and AA was the mainstay of all discussions. Also a note on the subject of the 1959 Act written by the General Secretary, FKS was read out loud before the gathering. The response these meetings received and the debate that ensued in the Khasi community about the IoA and the AA was widespread. The achievements of these meetings were on three domains. One was the resurrection and discussion of Khasi history which was fading from public memory. Two, was the increased interest in the FKS as an institution, and the third was an articulation in every meeting of the need to ‘scrap’ the idea of the District Council. This brought the FKS in direct confrontation with the KHADC.

In another FKS meeting on 9 of November, 1999, discussions ensued for hours. In the meeting the FKS felt important to

Paiem J.N.Syiem of Hima Bhowal, Bah H.S.Syiem, Sirdar Hima Mawdon, N.K.Lyngdoh, the Lyngdoh of Mawphlang, B.Thabah, the Lyngdoh of Sohiong, G.N.Syiem, Syiem Khyannah of Hima Langrin, Paiem F.N.Syiem, Syiem Khyannah of Hima Khadsawphra, K.Nongbri, Lyndoh of Nongkseh, M.Rapsang and P.Kharlukhi, Myntris of Hima Myllem, Oral Syngkli, Sordar Patharkmah and many others. After the meeting, Purno Sangma asserted after hearing the members of the FKS that the “Instrument of Accession must be Honoured”.

strategise further and to write to every single political party in the State. The parties were the 'Congress, Bharatiya Janata Party, Hill State Peoples Democratic Party, Peoples Democratic Movement, Nationalist Congress Party, United Democratic Party and others' to request them to make the IoA into a law. This advocacy was followed throughout the following months. In response to these activities, the CEM of the District Council, Bah Bindo M. Lanong came out with a public statement in mid-November 1999 asserting 'What Right Do the Syiem have to Demand for the Scrapping of the District Council.'

Prime Minister Atal Behari Vajpayee visits Shillong

In January, 2000, the FKS submitted a memorandum to the Late Prime Minister of India, Atal Behari Vajpayee in Shillong. In many ways this was the first detailed memorandum submitted in the name of the *Ka Dorbar Ki Nongsynshar Ki Hima Khasi* (it was noted in the Memorandum- 'The Federation of Khasi States, established in 1933') and it began by noting 'Submission under Article 143 of the Constitution of India'. Paiem Laborious Manik Syiem, Syiem of Hima Myllem and President FKS and Dr. Balajied Sing Syiem, Syiem of Hima Khyrim, Secretary, FKS had signed the same. Welcoming the Prime Minister to Shillong, they stated:

We the Rulers of the Khasi States, comprising of the Syiems, Lyngdohs, Sirdars and Wahadadars, have been traditionally the Rulers of the Khasi Society since time immemorial. Our Institutions are managed according to democratic traditions of the Khasi Society which have been handed down through generations and are being followed even today... These practices were largely respected even in the time of the colonial Rulers. We would however, like to point out certain problems which need the attention of the Govt. of India for better functioning of these institutions.

As with the earlier memoranda of the FKS, they traced their point of argument to the non-fulfilment of the IoA and AA and the sudden subsumption of the 25 Khasi States under the District Council's jurisdiction. What is important to note in this memorandum is a paragraph that reads:

with the creation of the State of Meghalaya, we feel that the

State of Meghalaya with the participation of the 25 Khasi States, together, will be competent enough to protect the tribal rights and interests of the indigenous people and are adequate to safeguard this section of the population, as contained in the Instrument of Accession and Annexed Agreement.

At this juncture the FKS's only demand from the Indian State was "the observance and implementation of these commitments soundly made on 17 August 1948 be incorporated into the Constitution to enable us to contribute to the development and progress of our own society and to the peace and prosperity of India." This, they argued was a historical treaty agreed by both parties that have been overlooked by the Indian state and still carried on by the Khasi states. This memorandum was presented at a time when Meghalaya was marked by the increased militancy led by the HNLC.

Crisis of Influx

The issue of influx has dogged the state as early as the 1970s resulting in long and protracted agitations by 1979. Massive violence engulfed areas dominated by the Khasi and Jaintia community. These ruptures persist, erupting in violence at regular intervals from 1983 to 2012. From the 1990s till the early 2000s, there was also the rapid rise of militancy in Khasi and Jaintia Hills.

The year 2012 witnessed one of the longest and biggest mass mobilizations by pressure groups representing the indigenous Khasi and Jaintia communities. These mobilizations brought forward the demand for the Inner Line Permit (ILP). The ILP had its origin in the *Bengal Eastern Frontier Regulation Act of 1873*. The Act currently applies to the state of Arunachal Pradesh, Mizoram and Nagaland. There were recurrent agitations through the year 2012 – 2013 resulting at times in violent incidents. The concerned organizations called for lock downs, night road blockade and office picketing throughout the state. Destruction of property and life was reported. Several leaders of the organisations that spearheaded the movement were arrested and a special judicial court was set up to try 28 leaders of 14 organisations 'for allegedly violating the Supreme Court ruling against shutdowns.'

As the demand for Inner Line Permit (ILP) gradually picked up, the Grand Council of Chiefs of Meghalaya (GCCM) went into a huddle to discuss the matter. The spokesperson of the FKS, and Chairman Grand Council of Chiefs made a presentation to the GCCM on various aspects related to ILP. Noting its presence in Mizoram, Nagaland and Arunachal Pradesh and the implications of the same for each of these States, the spokesperson FKS noted that he himself “had to pay a fine in 1997 for landing at the Aizawl Airport without an ILP.” In the discussion, a mention was made of “40 laws that are already in existence plus the three district councils of Khasi, Jaintia and Garos (that) are in place that have the powers to protect the state from the large scale influx. What is needed over and above the formulation of new laws is the power to enforce these laws, without which no law would be of any use.”

A letter was sent by the FKS to the Chief Minister stating:

we consider it necessary to point out these Act, Rules and Regulation that are already existent as the Government prepares a new bill to tackle the issue of influx. However we stress upon the fact that there must be proper coordination between various departments and also that such Acts and Rules does not impinge upon or conflict with various powers such as the State Government, the District Council and the Hima/Elaka.

The FKS/GCCM requested the state government to immediately notify ILP in areas under the autonomous district councils and also asked the government to urgently amend the Meghalaya Land Transfer Act and empower the traditional institutions to check influx.

The confrontation on the issue was mostly subdued. The government appointed a High Powered Committee, chaired by the Deputy Chief Minister – Bah Bindo.M.Lanong to look into the matter. This committee was to study the demands emanating from various quarters for the introduction of the ILP. While the constitution of this committee bought some time for the government, nothing seemed to move ahead and this led to the pronouncement of more agitations by various groups. By 2013 the demand for ILP moved on to the streets.

In November 2013, in the midst of this tussle, the Government, with a view to assuage the feelings of the protesting groups, introduced a draft bill called “The Meghalaya Regulation of Landlord and Verification of Tenant Bills, 2013”. In this bill, an attempt was made to clearly distinguish between influx and illegal immigration. The bill noted that influx referred to “movement of people into the state from within the country”, and illegal immigration to “people coming from others countries into the state for settlement.” The Chief Minister, Dr. Mukul Sangma, pointed out that over and above this bill there was also the “Sixth Schedule, that the state has”, which in his view, “is also part of the system in checking influx” through “the mechanism that is in place in the traditional institution, the local dorbar.” However he also noted that “this mechanism was not in place all over the state.”

The pro-ILP groups rejected the proposed bill of the government in a massive show of strength on 30 November at a public rally held in Madan Student, Jaiaw, a Khasi dominated area of Shillong. Threatening to further intensify their agitations if the Government did not enact the ILP, the leaders of nearly 14²⁷⁸ indigenous organisations, impressed upon the government to enact the law without fail or else face more intense agitation.

The *Synjuk ki Rangbah Shnong* (SRS) of the Shillong City also opposed the bill. Among many of the traditional institutions, the SRS is an extremely powerful organic institution of the Khasis. It is also probably one of the few organisations that is capable of mobilizing thousands of people to attend its programmes, as witnessed in its May 2015 protest meeting held in Polo Grounds²⁷⁹ on the question of the Village Administration Bill. On this count the SRS argued that:

278 Jaintia Youth Federation, Ri Bhoi Youth Federation, Achik Youth Welfare Organisation, Jaintia Students Union, Hynniewtre National Youth Front, Federation of Khasi Jaintia and Garo Peoples, Khasi Students Union, Garo Students Union and others

279 We were part of the meeting in 2015. Massive crowds gathered in the public meeting in Polo Grounds. All vehicular traffic was stranded and thousands of people from every village poured in from all corners, each with their village flag and banner. This is in the midst of a heavy downpour.

- (i) the Tenancy Bill 2013 proposed by the state government has no power to check influx nor ability to tackle the issue of Influx,
- (ii) the Bill undermines the traditional institution which has been there since time memorial and
- (iii) the Bill interferes with the right of people on land in the light of the fact that land in Meghalaya is owned by the people and not the government.

By 7 December 2013, the Political Department, Government of Meghalaya came out with a proposed framework to implement the Inner Line Permit (ILP) in the whole state of Meghalaya. It asked the indigenous organisations to give their final views by 10 December.²⁸⁰

The FKS's position on the issue is important to note. In the midst of the struggle against influx led by the 14 organisations, it came out with its own analysis and position on the issue. It asserted publicly that over and above the ILP which the FKS supported fully, one of the ways to check influx would be to rely on already existing customary and social practices which only needed to be strengthened to protect the indigenous tribal people. This has already been provided by the Sixth Schedule. Nonetheless this would require that the KHADC, JHADC and GHADC to expedite the codification of the Acts and Rules of the 54 Hima /Elaka in Khasi Hills, 18 Elaka Dolloi one Sirdarship in Jaintia Hills and the 1400 plus A'khin administered by the Nokmas in Garo Hills. The laws, rules and regulation passed by the District Councils are to be forwarded to the District Council Affairs Department, Government of Meghalaya, which would then forward the same to the Governor of Meghalaya for assent, as per Para 11 of the Sixth Schedule of the Constitution of India.

A statement brought out by the FKS on the said issue, to firstly impress upon the government and to also insert their perspective into public consciousness, noted,

the KHADC passed "The Administration of Nongstoin

280 As per a departmental notification No-Pol.161/2012/125 dated 6/12/2012.

Syiemship Rules 2006' and extended its application over the entire Nongstoin Syiemship. The above mentioned Administration Rule 2006, was legislated in accordance with Section 13 of the KHAD (Nomination and Election of the Syiem, Deputy Syiem and Electors of Nongstoin Syiemship) Act 2003. As per the above mentioned "The Administration of Nongstoin Syiemship Rules 2006 Section 8 clause (a) and (b), it states the following (a) A Dkhar²⁸¹ shall have no right to settle or cultivate in any part or village within the Syiemship. (b) A Dkhar shall have no right to become the member of the Executive Dorbar or Village Dorbar within any village of the Syiemship. Similarly in accordance with Section 9 of the KHAD (Nomination and Election of the Syiem, Deputy Syiem, and Electors of Hima Maharam) Act 2006, the District Council legislated the "The Maharam Syiemship (Administration) Rules 2009 and Section 10 of this rule states 'Section 10 clause (6) 'Non-Tribals are not allowed to permanently settle within any area under the territorial jurisdiction of Maharam Syiemship without valid document issued by the Syiem and Dorbar.'"... "these District Council Rules which are already in place are very relevant to the current debate and agitation on Influx and hence there is urgent need for synergy between the tribal governing institutions, the three District Councils, and the State Government to effectively implement these laws, and rules already in existence through the Directorate of Infiltration, and Labour Departments so that they can address the contentious issue of Influx. Further extension and notification of these acts, rules in the sensitive and porous areas of the State.

Discussions and agitation for ILP still simmers and organisations like the Khasi Students Union and the newly formed Hynniewtrep Youth Council are still vehement and forthwith with their demands for its implementation.

The FKS on its part, over the years, has kept to its principled position of tackling influx through the strengthening of traditional

281 Generally referring to a Non-Khasi but more specifically referring to a Non-Tribe.

institutions and the checking of influx from village to village within the Himas. While this position does get some appreciation from various quarters, it is not able to dominate public consciousness and discourse.

National Commission of the Review of the Working of the Constitution

The year 2000 saw the setting up of the National Commission of the Review of the working of the Constitution (NCRWC). In relation to Meghalaya and the Khasi peoples, the NCRWC in its final report submitted on 31 March, 2002, suggested the reservation of five seats in each of the three district councils for the representation of the Syiem the Dolloi and the Nokma to be elected from amongst themselves from the respective traditional institutions. This is in order to correct the discrepancy in the constitution as regards the Khasi traditional institutions represented by Syiems, Dollois and Nokmas.

However the FKS, while appreciating the proposal, did not fully agree with the same and instead demanded another political system which they proposed to be called the Federal Council. It would consist of over 90 seats, where each of the Syiems, Lyngdohs, Wahadadar and nominated khasi elders will be members. This argument was grounded on the idea that the traditional institutions were a 'partyless system' and the District Council was based on political party affiliation with first past the post system. During this debate, the CEM of the District Council stated that he had no say whatsoever to such a proposal and that it depended on the Government of India to decide on the same in the light of the Indian Constitution.

The FKS submitted to the NCRWC a full proposal and a copy of the same. It was presented to the Commission's public hearing in Shillong and Delhi by the President of the FKS, Paiem Laborious Manik Syiem. The key suggestions made were for the enactment for a 13th Schedule to be inserted in the Indian Constitution with specific reference to the State of Meghalaya. The argument given was that the sixth schedule of the Indian Constitution as it stands today had become complex and untenable. An amendment specifically made for one autonomous district council (ADC) has repercussions for all other councils, thus a need for ADC specific

schedules rather than one sixth schedule for all ADC. The 13th schedule was positioned to speak specifically to the needs of the three ADCs in Meghalaya.

Part 1(2) of the proposed 13th schedule reads:

There shall be the 'party less' Federal Council of the Khasi Hima(s) to be hereinafter referred to as Federal Council. (A) The 'party less' Federal Council shall be composed of Two Hundred and Sixteen (216) members comprising of :- (i) The ruling customary Rulers/Chiefs and administrative heads of the Fifty Four (54) Khasi Hima(s) variously known as Syiem, Lyngdoh, Wahadadar and Sirdar representing:- (a) 16 Syiem (Khyrim State, Myliem State, Nongkhlaw State, Sohra State, Nongstoin State, Maharam State, Nongspung State, Langrin State, Mawsynram State, Myriaw State, Rambrai State, Mawiang State, Bhowal State, Malaisohmat State, Nobosohphoh State & Jirang State. (b) 3 Lyngdoh (Sohiong State, Mawphlang State & Lyngiong State) (c) 1 Wahadadar (Shella Confederacy) (d) 5 Sirdar State (Mawlong State, Mawdon State, Dwara Nongtyrnem State, Nonglwai State & Pamsangut State) (e) 29 Sirdarships (Wahlong, Jyrngam, Laitlyngkot, Laitkroh, Myrdon, Mawmluh, Mawber-Larkhar, Mawsmal-Nongthymmai, Marbisu, Mynteng, Nongpoh, Mynteng, Nongpoh, Nongkhroh, Nongjri, Nongrait, Nongshluid, Riangsih, Nonglang, Nonglyngkien, Nonglait, Ramdait, Saitsohpen, Synnei, Sinai-Mawshynrut, Sohbar, Tyrna, Tynrong, Tynriang, Umniuh-Tmar, Raid Mynsaw.).

Part number 2 in the schedule read

(ii) One hundred and Sixty Two (162) members to be unanimously nominated elected or/ selected based on *Ka Mon U ba Bun Balang* (the principle of consensus by raising hands). This process shall be repeated till a consensus has been reached, and consensus means that eighty percent of those eligible to elect raised their hands for a particular name of their choice, by the 54 Khasi Dorbar Hima (s) based on population on a non-party basis as the case applies from amongst persons belonging to ki khun ki hajar subject to future administrative arrangement as the party less Federal Council may decide; ..

Part 3 of the Schedule states the powers of the Federal Council that shall

exercise legislative, executive and judicial functions and it shall be the custodial and protective body of the customary usages and practices and the traditional institutions of the Khasi(s) in their several collective and respective khasi hima(s), and of the Traditional rights of the Khasi Hima(s) over land, forest, water and their natural resources and excise.

Part 4 dealt with the process of 'nominating members into the federal council by consensus' till a consensus is reached. Part 5 noted

Notwithstanding anything in this Schedule and Constitution: No Act of Parliament shall apply to the Khasi Hima(s) without the consent of the Federal Council, if such Acts interfere with or bring about changes of the customary usages and practices, and their traditional institutions of the Khasi(s) and the Traditional rights of the Khasi Hima(s) over land, forest, water, their natural resources and excise.

Further the FKS suggested that a bill be introduced in the parliament titled 'The Sixth Schedule to the Constitution (Amendment) Bill, 2001' relating to the enactment of the proposed 13th schedule.²⁸² Prior to this, the Steering Committee, the Dorbar Hima Myllem had submitted a memorandum titled 'Memorandum Seeking Constitutional Recognition and Protection of the Traditional Institutions of the Khasi Race' to the President of India on 3 March, 2001 which was acknowledged vide letter dated 24 March, 2001.

282 The proposal was signed by "Sri S.G.Momin, President and Sri.K.K.Sangma, General Secretary, Drafting Committee, Council of Nokmas, Garo Hills District. The Part III of the proposal was issued by the Office of the Federation of Khadar Doloi(S), Jowai, Jaintia Hills and Part I by the Office of the Dorbar Hima Myllem signed by L.M.S.Syiem, President of the FKS."

First 'Dorbar Ri' in Smit Hima Khyrim (First Peoples Parliament)

The preparations for the First Dorbar Ri (People's Parliament) scheduled for 2004 began early in the year 2003. The felt need among the members of the FKS was the need to organise themselves and assert in the public domain. This was thought prudent especially after open support from Late Purno Sangma²⁸³ and Bah Robert Kharshiing.²⁸⁴ During 2003, the chiefs were mobilised under the banner of the 'Rajya Sabha Grassroots Democracy Advisory Council', a body²⁸⁵ chaired by Robert Kharshiing, Member of Parliament, Rajya Sabha.

The year 2004 saw the first ever gathering of all 25 constituents of the FKS including the other 29 Sirdarships, 19 Elakas from Jaintia Hills and 1400 Nokmas under the banner of the *Grand Council of Chiefs of Meghalaya* (GCCM) and also the *Rajya Sabha Grassroots Democracy Advisory Council* (RSGDAC). The gathering was positioned as 'Ka Dorbar Ri' (the peoples assembly) and was hosted by one of the most respected Syiems among the Khasis – Paiem Dr.Balajied Sing (Syiem of Hima Khyrim and secretary of the Federation of Khasi States).

The Dorbar Ri was held on 14 January in 'Madan Smit' and chaired by Bah Robert Kharshiing. The main speakers' were Laborious Manick Syiem, Niandro Syiem, Balajied Sing Syiem, Ma Comet Rymbai, S.G.Momin, Dr.Milton Sangma and others. While Robert

283 National General Secretary of the Nationalist Congress Party.

284 The State President who was also a Rajya Sabha Member of Parliament

285 Members who formed the body were "S.G.Momin (President, Council of Nokmas), Niandro Syiemiong (Syiem of Hima Maharam), Laborious.M.Syiem (President, Federation of Khasi States) K.Comet Rymbai (Dolloi of Jowai) were Vice-Chairmen of the council. Dr.Balajied S Syiem (Syiem of Hima Khyrim) was treasurer and John.F.Kharshiing (Chairman Assembly of Hynniewtrep Nations, Advisor & Spokesperson Federation of Khasi States) was General Secretary. Dr.Milton Sangma (Advisor, Council of Nokmas) was the Secretary. H.Skhemlon (Sirdar of Hima Mawdon), H.P.Oflyn Dohling (Secretary Steering Committee Hima Myllichem), B.Lyngdoh (Dolloi of Rymbai) and C.Lyngdoh (Dolloi of Raliang) were Joint Secretaries."

Kharshiing spoke at length about funding possibilities for traditional institutions, Paiem Balajied stressed upon the need for recognition of the himas by the Indian constitution as was agreed upon as per the agreement arrived at in the IoA and AA. The acceptance of the IoA and AA by the Indian state was positioned as strengthening both the himas and the state rather than weakening these institutions.

The impact of the First Dorbar Ri was felt across the state. It even became a key talking point of political parties. One such political party, the Khun Hynniewtrep National Awakening Movement (KHNAM) even noted in its election manifesto that it would “seriously consider to resurrect the Instrument of Accession signed between the FKS and the Indian State and to bring all laws such as Article 370, 371 and the Sixth Schedule of the India Constitution in consonance with the IOA and AA of 1947-1948.” This was towards the preparations for the upcoming District Councils elections to the KHADC, JHADC and GHADC scheduled for 12 February.

The KHADC election was won by the Indian National Congress, a party not so accommodative of the idea of traditional institutions. Immediately after the district council election, the Parliamentary election (Lok Sabha) was scheduled on 20 April. In the run up to the same, news began emerging that John F.Kharshiing was planning to contest the Lok Sabha election and he will be supported by the chiefs of himas and elakas. This was something unheard of because while there have been many historical attempts by a number of political leaders from time to time to raise the issue of the IoA and AA in the public domain, it was the first time that an individual political leader aimed to contest the elections with open support by the khasi chiefs. The khasi chiefs are forbidden by the Khasi Hills Autonomous District Appointment and Succession of Chiefs and Headman Act 1959 to participate openly or canvas for any candidate in district, state and national elections.

In retrospect, this step taken by the chiefs to openly support a candidate in the state elections stemmed from the confidence derived from the number of attendees to the First Dorbar Ri. While people talked about 50,000 attendees, internal assessment among the chiefs spoke about nearly ‘one lakh people’ who participated in

the Dorbar Ri. Another important development was that the Khasi Citizens assembled on the First Dorbar Ri from near and far making their own transport and food arrangements. When they reached they entered the ground with their *Hima's* flags. It was unlike a political gathering where all logistics were supported and funded by the respective political parties.

Over and above the issue of Bah John F.Kharshiing contesting the elections, another issue that occupied public consciousness related to 'direct funding' by the central government to traditional institutions (himas, raid and shnong). This idea about direct funding to traditional institutions was discussed threadbare in the people's assembly. The RSGDAG had commissioned the Tata Consultancy Services (TCS) to work out a proposal on behalf of the traditional institutions. In the TCS proposal, an amount of 93.42 crores was projected as required for the benefit of 800 villages in the first phase spread across Meghalaya. This proposal for funding was later submitted to the Development of North Eastern Region (DONER) Government of India. It is this proposal that became a talking point among people.

On another front, another important person who overtly represented the then Steering Committee of Hima Myllem was Bah H.P.Oflin, himself a Village Chief and was also then the Secretary of the Synjuk Ki Rangbah Shnong of Shillong, a very well known public figure among the khasis. He assisted Laborious M Syiem, the then Syiem of Hima Myllem and was also the connecting link and the interface between the *Rangbah Shnong* and the Hima Myllem. Most official press release or letters were written by him on behalf of the Steering Committee of Hima Myllem.

Conflict between the KHADC and the FKS

The year 2004 saw conflict between the FKS and the KHADC. The genesis of it was the attempt by the KHADC to rid the FKS completely. Bah H.S.Shylla, the Executive Member in charge Elaka²⁸⁶ publicly announced that any chief who still maintained any links with the FKS could be immediately suspended by the District Council from his syiemship. The EM i/c Elaka, KHADC also

286 Elakas is the term used by the KHADC to refer to all himas, sirdarships, wahadadar, lyngdohships and sordarships.

threatened to institute proceedings against John F. Kharshiing for his unconstitutional statements which were against the Supreme Court rulings on the Status of the Khasi States. This was followed by a letter issued to all the chiefs by Joint Secretary, In-charge Elaka, KHADC reminding the chiefs that as per law, no chief is allowed to have any dealings with electoral politics or parties. Citing section 12 of the 1959 Act, later affirmed by a Supreme Court ruling, the joint secretary told the chiefs that the FKS constituted since 15 of August, 1947 is considered disbanded and supposedly unconstitutional since 26 January 1950, the moment the Constitution of India came into existence. Post the operationalization of the Indian constitution, the 25 Khasi states has been designated only as 'Administrative Unit within the UKJHADC of the state of Assam then, and now Meghalaya.' Thus, it was pronounced that the attempt to resurrect the Federation of Khasi States was contempt of the Supreme Court ruling.

As the antagonism intensified, the spokesperson FKS released a document detailing the promises made by every political party about the need to protect traditional institutions. He extracted portions of content from the earlier manifestos of the Meghalaya Pradesh Congress, the Bharatiya Janata Party, the Hill State People's Democratic Party, the United Democratic Party, the People's Democratic Movement, the Nationalist Congress Party and the Regional Peoples Alliance on the question of traditional institutions and governance systems, with some directly referring to the IoA and AA. This led to a debate in the khasi community about the sixth schedule. In the debate that ensued there were individuals who stated that the District Council should be done away with as it was an instrument formulated to suppress the FKS and the traditional institutions. Its chief aim, some argued, was to do away insidiously with all *riti dustur* (culture and tradition) and the historical rights of the Khasi people.

Many other organisations took part in this debate. One of those with a more pronounced position on the subject was the Hynniewtrep National Youth Front (HNYF). It went to the extent of demanding the scrapping of the 'Appointment and Succession of Chief and Headman Act, 1959'. It persisted with a campaign and called upon the chiefs to join hands in their movement to safeguard traditional institutions and strengthen the movement to do away

with the 1959 Act.²⁸⁷

During April to July 2004 the issue pertaining to the removal of the Syiem of Hima Myllem, the legality of the FKS and the recognition of its spokesperson occupied public consciousness. While Bah H.S.Shylla announced publicly that he did not recognise the FKS as it was dissolved in 1950, John F.Kharshiing on the other hand called for a public debate on the issue, which Bah H.S.Shylla and many political leaders declined. In this battle between the KHADC and the FKS, Bah H.S.Shylla in a public meeting to commemorate the 170th death anniversary of U Tirot Sing lambasted the institution of syiemship and the individuals holding the position, calling them corrupt and that the institution needed to be reformed.

Contradiction between KHADC and FKS

On 27 July, 2004 the KHADC summoned all the Chiefs and the members of the Executive Dorbar of every Hima to a meeting in the *Assom Kristi Kendra*, Dhankheti, Shillong. The agenda was supposedly the formation of the Federation of Khasi Traditional Institution (FKTI), a new body recognised by the KHADC that will 'forever' replace the now 'illegal' FKS. Nearly all the Chiefs attended. The meeting was presided by Bah Prestone Tynsong, the CEM and Bah H.S.Shylla the MDC and Executive Member in

287 In a public statement issued by its Secretary, Publicity Cell, Sadon K.Blah, it was argued that while all other states had panchayats at the village level, the Khasi(s) were unique for it has its own institutions of the shnong, raid and hima and this being the reason for the exemption from the 73rd amendment. Further, the Khasi Syiems, Lyngdohs and Sordar cannot be conceived as “King” or “Raja” or “Landlord” or “Zamindar” as it is with other societies. Land among the Khasi(s) is owned by 'U Khun U Hajar' and the Syiem is merely a person chosen to carry forth the decisions of the Dorbar. Quoting Soso Tham he stated “U Syiem kam pher la dei u maw, Ka Hima kit u rit u khraw” (It does not matter if the Syiem is a stone; the Hima is carried by people). He asserted that the real reason as to why the “Appointment and Succession of Chiefs and Headman Act, 1959” was framed, was to forcefully remove Jormanik Syiem of Hima Myllem in order to win a Case in the High Court that sided with Jormanik. The case taken to the Supreme Court after the Act was applicable and Jormanik was removed from Syiemship.

charge of Elaka. While the overt stated agenda was the development of the Hima(s) and a closer collaboration between them and the KHADC, from the speech of Bah H.S.Shylla it was clear that they wanted to finally rid the FKS. In his speech he noted that the FKTI will bring forth collaboration between the Chiefs and the KHADC and reworked their task in the domain of development. Further he asserted that any Chief or representative speaking on their behalf, who henceforth used the word 'Khasi State' would stand in contempt of court. On the said day, a few appointees were announced by the KHADC. These were Grosswell Myllemngap (Lyngskhor of Hima Khyrim) as Chairman, Paiem F.Syiem (Syiem of Sohra) as Vice Chairman, Myntri P.Kharlukhi (Hima Myllem) as Secretary, P.S.Nianglang (Adviser of Hima Nonglang) as Joint Secretary and Paiem Niandro Syiemiong as Treasurer. Ironically, 12 years hence, Paiem Niandro Syiemiong took over as President FKS.

On 29 July the FKS²⁸⁸ met the Chief Minister to submit the proposal for “Direct Funding” of 93 crores for the Traditional institutions as noted earlier. Outside the question of ‘direct funding’, a key point of discussion within the FKS in the meeting revolved around an earlier High Powered Committee constituted on 21 January, 1989 by the State government to look into the matter concerning the status of Chiefs and other traditional heads. This particular committee²⁸⁹ was constituted by the then Chief Minister Shri.P.A Sangma and chaired by Late B.B.Lyngdoh, with J.M.Phira (IAS) as Member Secretary. The FKS while referring to this committee asserted that nothing has come out of it and the whole attempt by both state and FKS to resolve the contradictions in their relationship remains in limbo. Subsequently in a meeting with the Chiefs, former Speaker Lok Sabha and the then Chief Minister PA Sangma, stated that he had constituted the Committee

288 The chiefs who were present were Laborious Manik Syiem, President together with its spokesperson, Syiem of Hima Nongkhlaw, Sirdar Hima Mawdon, Sirdar Hima Dwara Nongtyrnem.

289 Over the years the FKS has been constantly harping on this particular historical event, reminding governments about the objectives of this committee and the historical attempt by the State Government to resolve the historical impasse between the State and the Chiefs.

during 1989 to recommend steps to be taken by the State Government to administratively help the various Chiefs and their office with secretarial support to further strengthen their capacity.

Following this meeting, on 21 of August, 2004, a 'Memorandum of the Dorbar of the Rulers of Khasi States'²⁹⁰ was sent to the Prime Minister of India, Dr.Manmohan Singh by the FKS. The Memorandum noted:

we are greatly encouraged by your message to the people and your concern over inequalities in development affecting marginalised sections, which is hurting us and threatening our very existence, in this respect, The 'People's Dorbar' - People's Assembly held on 14th January 2004 of the Khasi Jaintia and Garo Indigenous people of Meghalaya ... met to discuss constitutional support from the central government ... In this People's assembly, Tata Consultancy Services prepared and presented before the People's Assembly an Integrated People's Budget free of cost, copy of which has been personally handed over by the undersigned on 14 July 2004 at a meeting with you in your residence in New Delhi ... This project of Rs.93.42 Crs. will be carried out for a pilot of 6000 villages over a period of 5 years and cover the following sectors; Agriculture and Horticulture Development, National Resource Management and Conservation, Non conventional energy units, Health and education programs, Minor Irrigation and Water Supply, Animal Husbandry and Civil Works ... Department of DONER has communicated to the State Government vide their letter No.D.O.No. 3/14/2004-NEC dated 25 February 2004 (enclosed) seeking State Governments views

290 Beginning with a detailed layout of the history that has brought the Khasi States into the Indian State, the Memorandum noted “it will not be out of place to mention here that the Federation of Khasi States had been submitting memorandums to the Central Government since 1947-48, a similar submission was also sent to the then President of India, through the Governor of Assam, Shillong on 15th June 1968 on the same subject. A delegation of the Federation also submitted a similar memorandum to the former Honourable Prime Minister on January 21st, 2000 during his visit to Shillong.”

on the matter ... we look forward to your kind initiative for approval and sanction to the Integrated people's Model for Socio-Economic Development at the grassroots level in the rural areas of Meghalaya as prepared by Tata Consultancy Services ... we also seek your urgent intervention under Article 143 of the Constitution of India and are confident that under your able guidance the observance and implementation of these commitments soundly made on 17 August 1948, will be recommended and incorporated into the Constitution of India under Article 370A, to enable us to contribute the development and progress of our people and to the peace and prosperity of India.

Interestingly to a request under the Right to Information Act from the Prime Minister's Office about the status of the memorandum submitted in 2009, the section officer, Mr. Amar Das through a response (RTI/1395/2009-PMR dated 11/8/09) noted "Memorandum dated 12.8.2004 from Shri John F. Kharshing is not traceable in Public wing."

The FKS asserted publicly on a very complex issue in the early months of 2005. The issue concerns the boundary between India and Bangladesh. Its spokesperson noted that the FKS and many other Khasi organisations were contemplating going to the United Nations to present their case in the light of the Indian State not taking cognizance of the plight of the Khasi(s) inhabiting the border regions of Meghalaya and Bangladesh. It was noted, that while the FKS was keen to take this issue to its rightful conclusion to the extent of raising the issue to the United Nations, the other Khasi organisations were hesitant, fearing that they be declared unlawful as was the case with the HNLC. The FKS argued that there was a lukewarm response from the Indian State to huge tracts of khasi inhabited lands lost to Bangladesh in both Jaintia Hills and West Khasi Hills because of the absence of clear demarcation of the boundary stones. It noted that 'the stones laid to demarcate the boundary between India and East Pakistan which is now Bangladesh was committed only on principles. The boundary that was drawn from Sylhet District and through the Khasi and Jaintia Hills were without the knowledge or consent of the inhabitants in the area.'

The tension during this period between the KHADC and the FKS was also palpable. This was observed in public meetings, news reports and discussions in the community. Most debates pertained to the KHADC not being the real guardian of Khasi institutions and traditions. The historical fault lines kept deepening and the contradiction kept unravelling with the announcement by the KHADC that they wanted to begin the process of constituting 'town committees' through elections in all Hima(s). The KHADC argued that with a town committee in place, it would be able to sanction funds to each of these committees for development purposes. This created a lot of tension with the FKS that held on to the traditional system of governance and countered by demanding the disbandment of the District Council and reallocation of roles and responsibilities to syiems, lyngdohs, sirdars, dollois, wahadar, sordars, rangbah shnongs.

FKS in the Period of Great Turmoil

In an important note released by the FKS in September 2005, a very interesting discussion ensued in khasi society. The FKS, in an open letter, addressed the Khasi public asking "Why is it that we are still fearful, still hesitant, still threatened of our existence when our own people rule us?" The struggle of the Khasis, it noted, had begun right from the time of the *U Tirot Sing of Nongkhlaw* and *Kiang Nongbah of Jaintia Hills* who confronted the British. Then, when power moved into the hands of India, the struggle against it was led by Syiem Wickliffe that led to the signing of a IoA and AA in 1948. In place of the IoA, which facilitated the constitution of a KSCMD and could have amounted to the creation of a separate state of Hynniewtrep within India, the District Council was brought in place and immediately all the traditional institutions and chiefs became mere spectators and had no role whatsoever to play in the governance of the people or in the political process under the Constitution of India.

The elected members of the District Council, the state legislatures and the parliament, it is argued, came and went every five years for over sixty nine years, but the local dorbars and chiefs remains alive, useful and responsive to the people at large. This letter meant for public debate was issued at a time when there was great turmoil in the state with students protesting on the issue of shifting the head

office of the Meghalaya Board of Secondary Education (MBOSE) from Shillong to Tura. Another issue that fuelled the khasi public at this moment was the uranium mining which the KHADC was spearheading. All these issues together led to a massive protest by students against the state government.

The FKS through its spokesperson in the midst of this turmoil issued another letter demanding the President's Rule to tide over the great difficulties that had arisen because of the situation in the state. Bah H.S.Shylla, the CEM of the KHADC, who was supportive of uranium mining immediately declared that anyone who protested against uranium mining would be declared unlawful. This issue was taken by him to the Guwahati High Court through a PIL seeking a ban on all public curfews and picketing by any of the organisations protesting against the same.

The FKS issued a public statement on the District Council's attempt at declaring public curfews and picketing unlawful. Dated 15 September 2005, it read:

Its 55 years since the District Council came into existence, the work of each of the CEM, (Chief Executive member) Dy CEM, EM (Executive member) and various EC (Executive Councils) was focussed only on how to destroy the 'Riti ka Dustur' through Laws that enslave the Nongsynshar (Chiefs) that in turn enslaved and restricted the development of 'Ki Khun ki Hajar' (General Khasi Public). Now especially, the District Council have become like those football teams in the 3rd Division in the Polo Grounds. This is the place where time is wasted in sitting in the reserve benches for those aiming to get into the State assembly. They have no time nor vision to guard the rights of the Chiefs and the traditional institutions of Dorbar Shnong, Dorbar Raid and Dorbar Hima. Do they even have the courage to provide opportunities for the Chiefs to sit in a Dorbar together in the District Council, do they have the courage to withdraw from the false case against the President of the Federation of Khasi States- Paiem Laborious M Syiem? The District Council is only an institution that is meant to suppress the Chiefs and the Dorbars through Acts that subjugate them with the

intention of destroying the powers of the Federation of Khasi States. So if the current EC or the CEM says that they are ready to protect traditional institutions or to protect the community, the question they should answer is why do they not do away with the "Appointment and Succession of Chief and Headman Act 1959" that is the root cause and law that openly enslaves the Chiefs and the Khasi public, which by all accounts is not in consonance with modern times, where slavery has been abolished. This law also has implications for the boundary issue and its protection. Why is it then that the current CEM does not spend time to remove this Act as he pledges in his PIL (Public Interest Litigation) against the struggle of the community organisations. The news that the MPCC (Meghalaya Pradesh Congress Committee) which met on September 7th 2005 in the house of D.D.Lapang to bring peace among MDCs of the Congress and the new EC where O.L.Nongtdu, the President was present where it was decided to give special recognition by law to the Sirdar, Sordar, Rangbah Shnong, Syiem, Lyngdoh, Dolo, Wahadar, Nokma and others are just mere words that cannot be trusted since they have failed to realise the same from every CM (Chief Minister) and Party President from earlier times. Since 1947 the Hima have been demanding as per the Standstill Agreement and the Instrument of Accession that were signed under duress through military pressure that clearly states that the Hima will have their rights to make laws in the Hills of Hynniewtrep. However they were betrayed by 'Sorkar Bharat India' and also the elderly leaders of Ri Hynniewtrep who instead accepted the District Council, who in turn made a law for the enslavement of the traditional governance systems that is by any measure much better and can ensure all round development of the general public since 1947. Since this time many have come and gone Chief Ministers, Dy Chief Minister, Cabinet Minister, Parliamentary Secretaries, MP, Central Government Ministers, CEM, Dy. CEM, EM together to 'ban iada ia ka Ri bad Jaitbynriew' (protect the community and the nation).

It further reiterated giving an example of the struggle of the FKS

noting:

In the year 1999 during the MP elections, the Chiefs met Mr.P.R.Kyndiah, MP who promised to act on the issue once elected. In the year 2003 immediately as the new Chief Minister of Meghalaya- Mr.D.D.Lapang took pledge, he stated to news persons that one of the commitments of the new government under his leadership was to give powers to the Dorbars. The Federation of Khasi States met the Chief Minister many times but without any concrete result. There are many more unfulfilled promises made by earlier CM. In the month of July 2004, the Dorbar Ri and the Chiefs through the Federation of Khasi States met the Minister in-charge DONER to submit a project that will uplift the poor from Dong, Shnong, Raid till the Hima, however it is nearly one year and one see no sign that such a project will materialise. From our perspective it is clear that the real problem lies with the KHADC because they want to be fully in-charge to channelize the money in order to control the Chiefs and the Dorbar Shnong, Raid and Hima. It is clear how they have galvanised the public of Hima Myllem against their Chief-Paiem Laborious on the pretext of misappropriation of funds just because the Chief dares to stand up against them on principles of truth and justice. See how they create hindrances and trouble in Hima Sohiong, Hima Nongstoin, Hima Nongkhalw, Hima Sohra and many other Hima(s) which have witnessed manipulated engineered instability through the use of the 1959 Act. Immediately after the new EM Elaka took charge how they suspended Sirdar, Rangbah Shnong who did not canvas or support them in their election by using the law that enslaves them historically. After their elections all elected members be it MDC, MLA and MPs they wear the Khasi turban during their victory parades and call for meetings with the Chiefs but nothing has come out of all these meetings since the last 55 years.

FKTI to FKTC

On 6 September 2005, the KHADC convened a meeting of all the 53 himas in the conference hall of the MDC hostel of the KHADC.

News of this meeting came out only on the 25 of the same month. It was announced that the chiefs of the 53 himas had accepted the proposal of the Executive Committee of the KHADC that the earlier designated body of chiefs named FKTI by the KHADC would henceforth be renamed as Federation of Khasi Traditional Chiefs (FKTC). This would be declared publicly in a gathering of all himas on the 7 December, 2005 in the Jawaharlal Nehru Stadium Complex in Polo Grounds, Shillong.

The FKTC²⁹¹ was meant to be the Grand Dorbar (Dorbar Pyllun) of all the chiefs of all Hima(s). Those present in the meeting on 6 September included F.M.Mawphngiang, EM who was the chairperson of the gathering and Bah H.S.Shylla, the CEM of the district council. Both spoke at length of how there was a need to work together between the chiefs and the KHADC to safeguard and protect the Khasi nation. Further there was a meeting of the FKTC planned on 30 September at 10 am in the premise of the District Council Shillong to discuss issues pertaining to rules of the FKTC, its funding, the proposed rally of all Khasi himas, on the issue of boundary dispute and others.

Coordination Committee on International Border (CCIB)

On the border regions of Bangladesh, protest related to the boundary dispute was brewing. Led by the chiefs of the himas in the border areas together with organisations like the Federation of Khasi Jaintia and Garo Peoples (FKJGP) and HNYF, a public meeting was organised to protest against the barbed wire fencing of the borders without proper demarcation of Khasi areas. This was done under an umbrella organisation called the *Committee against*

291 The members chosen to head the FKTC were “Paiem Niandro Syiemiong of Maharam- President, Paiem P.R.Syiemiong of Nongspung as Vice President, the Sirdar of Mawdon- H.Skemlon, the Sirdar of Nongpoh- J.L.Syiem Nongshai, the Syiem of Mawiang- Paiem R.W.Syiem as General Secretary, the Syiem of Jirang- Paiem R.Hamberly Wahlang and Arwanphai Wanshnong- Sirdar Dwara-Nongtrynem and the Sirdar of Nonglait- K.Niangmih as Joint Secretaries, Kingkerious Lyngdoh of Mawphlang as Treasurer and others are executive members who are representatives of Chiefs of all other Himas.”

Border Fencing (CABF). The meeting was called by the Federal Council of War Mihngi and War Jaintia (FCWMWJ) that was later designated as the “Coordination Committee on International Border (CCIB) Khasi Jaintia Hills.” This coordination committee constituted of many other organisations including Chiefs of shnong, raid, elaka and hima in the border regions falling under *Hima Mawsynram, Mawdon, Dwara Nongtyrnnem* and *Bhowal*. The key person who initiated this process was Bah M.F.Ryngksai,²⁹² an ex-police officer with deep knowledge of border realities and Khasi society.

The issue regarding border dispute was still a matter of great concern and was constantly being discussed publicly. The FKS finding itself caught in the middle of this tussle, it issued a letter criticizing the KHADC as an institution that was outright disempowering the Khasi people. Referring to the border conflict, the letter cited examples of the border disputes and the loss of land to Bangladesh. It noted one village Lyngkhat in Raid Lyngkhat, Hima Khyrim where the KHADC had gone to ascertain the land records of each of the inhabitants and in the name of recovering the lost land to Bangladesh as early as 1950-1965. However nothing has come out of it to this day. Also, the KHADC, it was pointed out, was doing nothing to save the lands that are being lost on a daily basis to the state of Assam. Thousands of acres of land under hima Jirang, Nongspung, Nongkhlaw, Nongstoin, Myllem, Khyrim and other himas have been lost. It reminded the people the words

292 He was the one we met for a detailed discussion about the incidents as stated above. In the meeting we had with him, he told us that he had argued against the fencing of the border region in which his own lands and the historical land of his clan would have to be surrendered to the Government of Bangladesh. He narrated to us that the project of fencing was like a fourth partition of the Khasi nation in India. The first being India’s independence from British rule, the second being the drawing of the boundary between India and East Pakistan without consultation or consent from the owners of land, the third partition being the liberation war between India and East Pakistan that led to the creation of Bangladesh and the fourth was the current fencing by the Indian state without giving or paying any attention to the Khasi land owners.

of the Paiem of Jirang who had passed away recently, that is, “the presence of the district council is a major hindrance because it cannot safeguard the boundary of the hima because it is full of politicking. All issues taken up by the District Council such as those related to direct funding to the himas remains in paper and has made no headway in realising the same.”

Uranium Imbroglia

Throughout the year 2006, the uranium issue hogged the public limelight. The KHADC, led by Bah H.S. Shylla, pushed forward the mining of uranium while khasi organisations led by the KSU (Khasi Students Union) persisted in their resistance. The KHADC had permitted the building and improvement of the road towards the mining site and a public hearing was organised for this, in order to get the consent of the local inhabitants. Immediately a protest erupted by organisations against uranium mining. All throughout this period of turmoil the state government took the back seat. The FKS was under tremendous pressure to act. On one end there was pressure exerted by the KHADC and on the other end there were the khasi organisations challenging the mining agenda of the KHADC and UCIL. The HNLC had also already issued warnings to the chiefs to deter from giving any ‘No Objection Certificate’ (NOC) to UCIL for mining.

The first to overtly oppose the mining of uranium by the Central and State Governments was the KSU. Over the years many other organisations like the FKJGP, the Thma U Rangli Juki (TUR) and Hynniewtrep Youth Council (HYC) later joined hands with the KSU to resist uranium mining. Uranium deposits are supposedly found in the Domiasait / Wahkaji areas which falls under Hima Langrin and other adjoining Himas of Nobosohphoh and even Hima Lyngiong.

In this resistance, the Federation of Khasi States under the umbrella of the *Assembly of Hynniewtrep Nations* has tried to make its voice heard. It became more overt with its opposition from the early 2000s; it began confronting the KHADC as it was giving in to the demands of the Uranium Corporation of India (UCIL), the body responsible to carry out the mining activity. The UCIL comes under the Ministry of Mines and the Department of Atomic Energy.

The whole of the Khasi hills has time and again been in the streets protesting against uranium mining. This protest has often turned violent and the state Government has had to often succumb to the pressure groups by suspending its aggressive policies to go ahead with supporting the UCIL in uranium mining. There were three contentious issues related to uranium mining. These were (i) the construction of a road that would connect the mining areas to the main road, (ii) the need for land permission from people and traditional institutions and (iii) the government's holding of the public hearings to get to know the views of the inhabitants of the area.

The FKS on the other hand used more tact and persisted with engaging public opinion through its press release. In one of their releases it cautioned the KHADC and the state government that it "should not act in such haste on this subject and to honour the peoples' voice expressed at the Public Hearing conducted by the Meghalaya State Pollution Control Board (MSPCB) at Nongbah Jynrin on 13 June 2007."

Arguing that it is the KHADC and the state government's mandate to protect the customary rights of the indigenous peoples, the FKS posited that "they should ensure that consensus prevails before taking any haste decision which will impact the Hynniewtrep (indigenous) people for generations to come." It further stated

"No matter what the merits of the case no degree of prosperity could justify mining and accumulation of large amounts of highly toxic substances which nobody knows how to make "safe" and which remain an incalculable danger to the whole of creation for historical or even geological ages. A transgression infinitely more serious than any crime ever perpetrated by man, the idea that a civilization could sustain itself on the basis of such a transgression is an ethical, spiritual, and metaphysical monstrosity. It means conducting the economic affairs of man as if people really did not matter at all. As per the IoA, land, water and revenue derived there from shall vest with the people. Any forceful misrepresentation of the mutually accepted treaty will be construed as a gross violation of the rights of the Indigenous people."

All these while, the CEM of KHADC, Bah H.S.Shylla was becoming increasingly aggressive on the issue of uranium mining going to the extent of demanding the arrest of all those who are against mining. In one occasion the Syiem of Hima Langrin- Bah Goodnight Langrin Syiemlieh publicly refuted giving any permission from his side for mining. This led Bah H.S.Shylla to deliver a show cause notice through the Guwahati High Court on 29 April to the KSU, Hopingstone Lyngdoh, Langrin Youth Welfare Association (LYWA) and John.F.Kharshing as Adviser and Spokesperson, FKS. Bah H.S.Shylla demanded that they must stop forthwith their opposition to uranium mining. Later in December 2006, the CEM of KHADC appointed a committee under J.T.S.Thongni an EM of the EC to investigate the case of the Syiem of Langrin and suspended him on the pretext that he was not from the syiem clan. In his place, an Acting Syiem - Nangtei Syiem was appointed. The reason for immediate suspension given was to facilitate an objective investigation.

Constitution and Administration of Community Development Organisations Bill 2006

Interestingly as a counter to the earlier narratives of the FKS on Grassroots Democracy and direct funding, the KHADC proposed a Khasi Hills Autonomous District (Constitution & Administration of Community Development Organisations) Bill, 2006 that it tabled in the KHADC. The intention to bring this bill, it was stated, was to help get Direct funding (a key demand of the FKS) to each and every village through the Panchayati Raj Ministry. The KHADC argued that the Khasi traditional institutions were not able to access huge amounts of money from the Panchayati Raj Institution because it was not recognised by it and the bill proposed was to create the correct conditions to be recognised by the Panchayati Raj Ministry.

Around the month of May, 2006 there was a meeting convened by the KHADC of all Chiefs of traditional institutions in the State Central Library, Shillong to discuss the issue of Direct Funding from the Centre to the traditional institutions. It was decided in the deliberations that a memorandum be sent to the Governor Mr.M.M.Jacob and the State Government regarding 'Direct Funding'. The KHADC CEM informed that this Bill was passed on

the 28 of February and included a Resources Management Group (RMG) in every village that has sixty households and those less than sixty households will be clubbed with other villages.

In response to the above process the Spokesperson FKS writing from Washington DC participating in an exchange program where he was at this point in time, noted:

Just in order to put things in perspective and remind everyone, the idea of Direct Funding by the KHADC is meant for the District Council and not the Village dorbar, Raid or Hima. They will be like the schemes of the District Council or like MDC schemes or like schemes of the State Government at the Block levels, but all this asked in the name of the Dorbar shnong, raid and hima. This is like asking for schemes by tenants in the name of owners without informing the owners themselves. All this is a farce as we have witnessed over the years.

The FKS Spokesperson also recollected the events concerning Late B.B.Lyngdoh, the earlier Chief Minister, who also promised to do something for the traditional institutions but never materialised. This is the same with Bah D.D.Lapang the present Chief Minister who made similar promises. Now, the spokesperson argued, the District Council has gone all the way as to entice Chiefs of traditional institutions while at the same time threatening anyone who opposes uranium Mining. At the end of his letter it was noted:

We want to keep reminding the Khun Ki Hajar that it is their duty to think seriously about the District Council in the State that is in no way a protection of the Khasi community, instead the presence of the District Council is intended only to weaken the Khasi community's resistance which we have received historically from our earlier generations that then needs to be passed to coming generations.

To this note, Bah H.S.Shylla responded by a scathing attack on the FKS Spokesperson calling him an 'Agent of the CIA'. The very next day the spokesperson responded countering the allegations of H.S.Shylla noting:

we are not shocked at the words of the CEM of KHADC

because they are words without knowledge of the past and are meant only to hoodwink the general public and pave the way for the UCIL to get permission to mine Uranium in the Khasi region even when there is complete resistance to the same by the people.

He urged the people to read the history of the Khasi Himas and the means by which they were subsumed within Assam stating: “we are at the midst of great turmoil because we have leaders of our own but we are still fearful in our own lands through outright domination.”

Identity Cards for the Chiefs

By August of the same year the KHADC did something interesting, when viewed in retrospect. It gave Identity Cards to all the Chiefs which included the Syiem, Sirdar, Lyngdoh, Wahadar and all Myntris of each and every Hima. This was supposedly meant to ease the way work was done and to help identify the Chiefs when they went and met the various Executive Member (EM) of KHADC. The Chiefs were not very enthusiastic about this but relented saying that this might help because there were people who sought work in their name which in turn created problems for them. However, they asserted that it was important that the KHADC reserve a special office room in the KHADC building for the Chiefs.

Reinstatement of a Chief Expelled by the KHADC

The erstwhile Chief of Myllem- Paiem Laborious M Syiem who was suspended and had filed a case in the Guwahati High Court against the myntris of Hima Myllem who had collaborated to expel him, withdrew his case against them on 27 September, 2006. Symbolically he was reinstated by the KHADC as the Syiem of Hima Myllem. But just after fifteen minutes of occupying the chair, he resigned and gave the responsibility to Acting Syiem- Amstrong Syiem in order to permit the KHADC to complete the formalities of organising an election to the post of Syiem of Myllem. Paiem Laborious Manik Syiem underwent tremendous pressure having to symbolically occupy the Chair as a mark of respect and duty to safeguard the status of Syiem within the Khasi community.

KHADC passes a Bill for the Chiefs in 2006

In a prolonged sustained effort the aggressive advocacy and stand by the FKS greatly influenced the political establishment within the KHADC to sit up and notify a committee called the Federation of Khasi Traditional Institutions (FKTI) on 2 August 2004 and subsequently pass the The Khasi Hills Autonomous District (Constitution of the Federation of the Khasi Traditional Chiefs) Bill 2006.

Hima Myllem: Guns, Kidnapping and Syiemship

Around the same time another issue emerged that persisted and have been greatly responsible for tarnishing the image of the FKS. This was the election for the Chief of Hima Myllem. The KHADC after suspending Paiem Laborious Manik Syiem appointed an Acting Syiem- Latho Manik Syiem. On 23 February, the KHADC held the election to the office of syiem. There were five contestants to the post. There are 42 Bakhraws (representative and heads of clans) who can vote for the Syiem of Myllem. Much before, it was noted that there were 49 traditional Bakhraws in Hima Myllem. One clan became extinct and only 48 remained. In the election however, only 42 Bakhraws were allowed to vote as the other six clans are yet to elect/nominate their clan heads. The voting was by a show of hands and not by secret ballot.

This specific election was characterised by kidnapping, use of extreme force and threat to life. Three Bakhraws and one contestant and his friend were kidnapped by people who covered their faces and were carrying arms (guns). Latho Manik Syiem won by 20 votes against Ricky Nelson Syiem who got 18 votes and Ricky Nelson Syiem immediately threatened to go to court. These events sullied the image of the syiemship, and the FKS found itself on the back foot on moral grounds.

State Government responds to KHADC Bill

In reply to ‘The Khasi Hills Autonomous District (Constitution of the Federation of the Khasi Traditional Chiefs) Bill 2006’ the Department of District Council Affairs, Government of Meghalaya replied on 11 October 2007 stating that the KHADC as per the Sixth Schedule did not have the Legislative Competence to pass

such a Bill and hence informed that the Governor has not given consent to the Bill.

Second ‘Dorbar Ri ‘ in the Mawphlang Lyngdohship (Second People's Parliament)

On May 11, 2007 an important meeting took place in Shillong. It was called by the FKS to plan and declare the dates for the second Dorbar Ri (People's Parliament). It was decided that the same be held on 6 October, 2007 in the world famous Mawphlang Sacred Groves. Other decisions taken in this meeting was the need to demand for the recognition of Dorbar Shnong, Raid and Dorbar Hima by the state and central governments of India. Discussion at length about the struggle for Direct Funding that was yet to be realised took place. It was also decided that preparations for the Second Dorbar Ri take place and committees be formed to spread news across villages and mobilise people for the same.

The mobilisation for the Second Dorbar Ri started with a public meeting on 28 July, 2007 in the village- Mawlasnai of Raid Nongtung together with the villages *Umlaper, Sobliya, Madan Umwang, Tyrso, Umpobwin*. The headman of Block II of Ri Bhoi district, that is, within the boundary of Hima Khyrim was also present. In each of these meetings a single narrative was asserted, that is, of the history of the Khasi community in which the IoA and AA was at its core. The recording of the minutes of these meetings reveal the principles and the core issues on which the FKS based its struggle. By raising issues and locating them on the FKS history, these meetings also became a ground for raising the consciousness of the general Khasi-Jaintia public about the Indian constitution and the Sixth Schedule plus the culture and tradition of Khasi-Jaintia society.

For the Second People's Parliament it was also decided to publicly announce the name of the 'Global Award' winner for contributions to society. This award was given to Mr. Al Gore, former Vice President of the United States of America. There were also other people who were named for various other awards.²⁹³ A series of

293 Other people who were named for awards were “Major Alhuwalia who was the Chairman of the Indian Spinal Injury Center, New Delhi, E.Sreedharan, Chairman and Managing Director of the Delhi Metro,

public meetings were held in every Hima and all through this phase of mobilisation a number of articles were published in newspapers on the history of the IoA and AA.

On 6 October, 2007, there was a massive turnout and most dignitaries invited had come. Nearly all the chiefs were present. Speeches were made and discussions took place. At the end, some of the key resolutions taken were (i) to enact a law that would create an Upper House of 80 members comprising of chiefs of Hima(s), women leaders, youth leaders and intellectuals in society, holding office for a period of three years (ii) support the people of Myanmar for ushering a democratic system of governance by its people (iii) reassert the Instrument of Accession and the Annexed agreement of 15 December 1947 through a memorandum to be submitted to the Central Government to honour the treaty within the framework of the Indian constitution (iv) since the Government of India did not operationalise the Pachayati Raj specifically in Meghalaya, the Central Government must forthwith give 'Direct Funding' to the villages as it gives to other villages across the country. The demand for Direct Funding is to facilitate chiefs to actively invest in the development of the Hima(s) (v) as regard the daily wage of 70 rupees, which the government has already decided, the demand was to raise it to 200/rupees per day in all districts of the state.

Political Repercussions of the Second Dorbar Ri

Coincidentally, on 11 October, the chiefs of himas received a letter from the KHADC that they must immediately submit in writing the Riti and Dustur pertaining to governance in the Hima to the office of the Under Secretary of the KHADC. The move was meant to

Kumari Nirmal Deshpande (MP) Bhushan Raina, editor Business Economics and Dinesh Trivedi (MP). From Meghalaya, Professor Helen Giri, (Late) Babu Onderson Mawrie (Posthumously) Dr.Milton Sangma who is advisor of the Garo Nokmas, Syiem Balajied Sing Syiem, S.G.Momin (IPS and Ex President of Nokma Council), (Late) Shrolenson Marbaniang, Miss O.B.Tariang, Reverend Robert Cunville, Father Alfred Marzo, Sister Helen Albisuri, Kambel Chullai, Tony Marak (IFS and Chairman Meghalaya Board of School education) and Lyngdoh Hima Nongspung.”

streamline the rules and regulations of governance. In many ways this was in response to the KHADC's assertions on the Second Dorbar Ri. Later, in the month of December, in a reflective meeting of the FKS pertaining to the fall out of the second Dorbar Ri, deliberations revolved around (i) the strategy to get the IoA and AA recognised by the Government of India (ii) to impress upon the State Government to pay heed to the needs of the shnong, raid and hima as regards development (iii) to deliberate on the minutes of the second Dorbar Ri, especially suggestions given by the Members of Parliament who had attended and the special suggestion made by Dr.Arjun Sengupta, MP and Chairman National Commission on the Unorganised Sector of India. Also there was a discussion pertaining to the content of a telephonic conversation between the Minister of DONER Government of India- Mr.Mani Shankar Aiyar and John F. Kharshiing in the capacity of Chairman of the Assembly of Hynniewtrep Nations (AHN) and the adviser and spokesperson FKS that had taken place on 23 November, 2007 in New Delhi. The matters by the FKS put forth before him pertained to the status of khasi traditional institutions. Immediately after the meeting, a press conference was organised and an announcement was made that the FKS would go and meet Mani Shankar Aiyar in New Delhi to impress upon him the historical demands of the FKS.

In the meantime, whilst continuing the resistance to uranium mining, the FKS spelled out its strategy of struggle on 17 July, 2008 in a public meeting to commemorate the 173 death anniversary of U Tirot Sing. In a public speech delivered to the khasi public, the FKS spokesperson asserted the need for community unity. Arguing that there was a dire need to get leaders who understand the principles and history of Khasi society, he noted “in today’s reality when we declare war we do so by means of law not by weapons of war, but by law.”

As noted above, the FKS met Mani Shankar Aiyer on 12 of January 2008 and impressed upon the minister the problems faced by the Dorbars and the role of honouring the IoA and AA in resolving the crisis. The minister responded positively, noting that more discussions were needed with him and also with the Minister of Home affairs, Government of India, as the demands of the FKS was to bring fundamental alterations in the Constitution of India

itself. He argued that he required the participation and consent from various other quarters. But while he was sincere about taking up the issue, he promised to take the same more seriously once the election to the Meghalaya Legislative Assembly, 2008 was completed.

It was from this discussion with Mani Shankar Aiyer that the FKS took an interesting decision, which was to seek an open collaboration with political parties about their historical demands. The FKS decided to meet each and every political party to explain its demands to them. These, as it noted, was a follow up of the decisions taken in the two Dorbar Ri in Smit in 2004 and in Mawphlang in 2007. Further in this connection it also convened a dorbar of all chiefs from village, raid to hima and various organisations including women, youth and students on 14 February. In this gathering each and every party was given 20 minutes to speak out their agenda on the demands of the FKS. While there was good participation and the discussions were vibrant not much came out of the meeting.

Proposal for a 'Meghalaya Advisory Council of Indigenous Chiefs'

Soon afterwards, the FKS released a note requesting the government to take cognizance of an important suggestion. This was at a time when debates in the community ensued about transparency in public life and planning for the development of the state. It proposed the setting up of a 'Meghalaya Advisory Council of Indigenous Chiefs' that would help the state in planning development and also bring transparency in public life. It suggested that the government (i) set up a politically neutral transparency Commission to replace the vigilance commission that would work together with the Berlin based Transparency International. In order to bring transparency, all departments like the PHE (Public Health Engineering) Health Department, PWD (Public Works Department) Education, Agriculture, Community and Rural Development, Power, Industry and others, be brought under the purview of the said commission. Once the commission is formed, representatives from chiefs like Paiem Dr. Balajied Sing Syiem and Milton Sangma together with other representatives are made members. (ii) to enact a law that empowers chiefs through the

'Meghalaya Advisory Council of Indigenous Chiefs' to be headed by the Chief Minister be part of the State Planning Commission and help out in the planning process.

Ethnic and Land Battles in the Assam-Meghalaya Border

The Union Home Minister of the Government of India came to Meghalaya in 2008 for a day's visit to the border regions of the state adjoining Bangladesh and soon after left. To this, the FKS protested, demanding that the minister stayed at least for a week in order to understand the problems faced by the Khasi and Garo inhabitants in the border region. "How is it", the FKS asked, "that the Minister will even begin to comprehend the difficulties of the people by staying only for a day? What we need is a proper Joint Indo-Bangla Commission to study threadbare the issues and come out with a comprehensive report that satisfies all." The difficulties of nearly forty local markets in the border region are greatly affected by the fencing of the borders. The reason for fencing given, that fencing will deter terrorist from attacking India does not really hold ground and cannot be the reason to abandon trade.

Through the years, the Federation of Khasi states has been racking up issues concerning the international borders which many Khasi states share with Bangladesh. Interventions made are in the area of trade, infrastructure and land ownership. As noted, a lot of hue and cry was witnessed while the closing of the International border which historically served the purpose of trade exchanges and local livelihoods of the people.

Much later on November, 2012 petitions were made to various government authorities on the said issue. Through its spokesperson, the FKS submitted a memorandum to the Chief Minister seeking his intervention for the early re-opening of the 38 border haats in the state. In the memorandum it was argued that

Opening of Border haats along the Indo-bangla border would improve the economy living along the border areas. Opening of the traditional border haats are equally important as opening of custom land station as it has a direct impact on the economic livelihood of the people living along the border. Besides, the Khasi-Jaintia and Garo people inhabiting the entire stretch of 443 km Indo Bangla

border have been victims of partition; not only was the international border closed but they have been denied their traditional market route towards Sylhet and Chittagong. There has been lack of infrastructure along the border areas, and there is an urgent need to initiate construction to strengthen border trades. Of 38 border haats, 17 fall in East Khasi Hills District, 11 in South West Khasi Hills District, 4 in South Garo hills, 3 in West Garo Hills and 3 in Jaintia Hills District.²⁹⁴

However, pertaining to an interstate border issue, in June 2008 the issue concerning the inter-state border between Meghalaya and Assam erupted. This was in the town of Langpih. The FKS members met the Chief Minister who promised to help in resolving the matter. They noted that they will provide all written evidence of documents concerning land ownership so that it would help the state negotiate the same with Assam. The Chief Minister gave word that he will resurrect the Inter-State Boundary Commission plus requests the Central Government to intervene on the same.

Memorandum Submitted to the Prime Minister

In July, 2008 the FKS members met the Principal Secretary to the Prime Minister of India, Mr.T.K.A Nair in the Governor's House in Shillong and submitted to him a memorandum related to the historical rights of the Khasi states and the non fulfilment of treatyship agreement by the Government of India. In the memorandum submitted to T.K.A.Nair, copies of earlier letters sent by the FKS to the President of India, the Prime Minister and many other Ministries concerning the same issue was inserted. This was an attempt by the FKS to remind the Principla Secretary of the numerous attempts made by them to raise their historical right in front of the Indian State. The Principal Secretary while inquiring into the details of the types of governance structure and system among the Khasis, stated that he would send the same to the Home Ministry to study and respond accordingly.²⁹⁵

294 A Copy of the Memorandum submitted to the Chief Minister is available with John F. Kharshiing.

295 Sirdar H.Skhemlon – Sirdar of Mawdon and Paiem P.Syiemiong of Hima Nongspung were present in the meeting.

Institutionalising Clan Names and Mapping Hima Boundaries

The KHADC called for a meeting of the Khasi chiefs on 18 July, 2008 to discuss an issue that was now becoming problematic among the Khasis. It concerns the names of clans in Himas and the misuse of clan names by non-Khasis. In the meeting where most of the chiefs were present, it was noted that a time period of three months be given to all Hima(s) to submit forthwith the names of all the clans residing in each and every hima. The objective was to document the same and find ways to disallow its misuse. There was also discussion pertaining to submission of map of the Hima that identifies their boundaries in order to solve any problem arising out of boundary disputes among Hima(s) themselves.

Restrategizing the FKS Movement

The FKS kept persisting with issues it has been raising with the various stakeholders but not much headway had been made. A meeting of all syiems, lyngdohs, sirdars, dollois, sordars, myntris, rangbah shnongs, women's organisations, youths and other leaders was called on 9 December, 2008 to follow up on the same. These kinds of meetings happened regularly, but it was only once in a while that all leaders of organisations were called to participate. In the well attended meeting, the decisions taken were (i) that the dorbar stands firm on all resolutions taken publicly on 14 January, 2004 in Smit and 6 October in Mawphlang, 2007 (ii) to follow up with the government on direct funding to the himas, raid and shnong (iii) to write to the District Council and the State Government to get clarity on the Right To Information (RTI) because there was no clarity on the same from the District Council or State Government especially when it comes to traditional institutions (iv) to impress upon the District Council to revisit and rework the 'Appointment and Succession of Chief and Headmen Act 1959 (v) on issues concerning the Council of Nokmas of Garo Hills, there was a need to prepare for the Third People's Parliament scheduled in the year 2011 in Garo Hills (vi) to inform all dorbar shnong and dorbar raid to be watchful and firm in relation to the entry of Non-Khasis into their areas (vii) to demand from the state government the process of issuing identity cards in the state as a means to protect the indigenous Khasis from the Non-Khasis and

(viii) that the dorbar will be convened again to follow up closely on all the issues in 2009.

Ministry of DONER Report: The North Eastern Region Vision 2020

The year 2009 saw the Adviser and Spokesperson of the FKS selected by the United Democratic Party to contest the Lok Sabha election. From the side of the chiefs, it was observed that one of the key issues they took up in the initial period of the year was to send a memorandum stating their disagreement with the Ministry of DONER which was proposing the replacement of the traditional dorbars by Panchayati Raj system. This as noted by the chiefs, was written in the document 'North Eastern Region Vision 2020' which was released by DONER on May 2008 in the 56 gathering of the North Eastern Council (NEC) in Agartala. Stating that such a position was arrived at without consultation with the chiefs, the chiefs raised objection to the fact that the recommendation of the same came from an organisation viz. Centre for North East Studies (CNES) with no experience or understanding of traditional institutions of the tribes in Meghalaya. They argued that Government reliance on 'self style experts of NE' from the CNES exposed their lack of knowledge on local indigenous institutions wrongly interpreting customs and traditions without their consent and they demanded that this should be taken off from the document forthwith.

There was a strong view in the FKS that after having put all efforts to present their case before the various existing political establishments for space within the Constitution of India as per the IoA and AA, yet they witnessed the lack of depth and understanding on the part of the political establishment. On this count the FKS resolved to further assert itself by trying to push for contesting candidates with a commitment on the IoA and AA. With this objective, the Chiefs discussed the possibilities of projecting a consensus candidate from the Shillong parliamentary seat to the 2009 Indian Parliamentary General Elections. During this period, due to the numbers in the State Legislature, the government of the day in Meghalaya fell, and a President's Rule was promulgated on 18 March, 2009. There was tremendous heartburn in the state amongst people with affiliations and loyalties to regional

parties and supporters of the Congress (INC). The late Purno Sangma threatened to fast unto death in Delhi if the President's Rule was not withdrawn. In the midst of all this, the Lok Sabha elections had begun picking up and a number of meetings were held across the state.

The parliamentary general elections to the April-May 2009 Lok Sabha in Meghalaya was a setback of sorts for the regional coalition government and for John F. Kharshiing. However, for the first time the agenda of the IoA and AA got highlighted in every public meeting including the manifesto of John F. Kharshiing. Ironically just 40 days prior to the Lok Sabha Elections during the MDC elections during January-February 2009 to both the Khasi and Jaintia Hills Autonomous District Councils, John F. Kharshiing campaigned extensively for the candidates of the regional parties particularly the UDP and the combined regional parties won the MDC elections. However, just 40 days later the political scenario in the State changed dramatically with instability in the Regional Coalition that led to its collapse and dismissal of the Chief Minister and President's Rule being imposed by the Centre.

Hence the challenges that the regional candidate faced during the 2009 Indian Election was monumental primarily i) to the number game in the State Legislature as the Regional Coalition was dismissed less than two months prior to the Lok Sabha Elections ii) for the first time in Meghalaya Indian Parliament Lok Sabha General Election was held under President's Rule iii) for the first time a prominent christian pastor contested the elections iv) and a more bizarre situation which further impacted the campaign objectives of John F. Kharshiing was that a number of prominent regional party MLAs were during the evening busy in discussions with the Congress party for a new political alignment for government formation while during the day John F. Kharshiing was campaigning against the Congress. In the elections John F. Kharshiing lost the elections to Vincent Pala of the Indian National Congress.

'Chiefs' Under the Right to Information Act

In 2010, the "Meghalaya's Chief Information Commissioner (CIC), Bah G.P. Wahlang ruled that the Autonomous District Councils (ADCs) and all traditional chiefs of the state fall under

the purview of the Right to Information (RTI) Act 2005.” This particular ruling was made public after the Federation of Khasi Jaiñtia and Garo People (FKJGP) alleged “non-compliance of the Syiem of Hima Myllem to furnish information on revenue collection of the hima” and filed a petition with the CIC. The CIC while examining the petition observed “that the Syiem was an administrative officer of the Khasi Hills Autonomous District Council (KHADC) as enshrined by Para 2(4) of the Sixth Schedule of the Constitution and as confirmed by the Supreme Court in a case between T.Cajee and Jormanik Syiem.” In compliance to this order the KHADC issued a notification to all the Chiefs to make public announcements within their respective jurisdiction regarding this aspect. The FKS wrote to the KHADC welcoming the application of the RTI Act 2005 and submitted a proposal urging the KHADC to translate the Act into Khasi, conduct periodic seminars and workshops and for a holistic funding of the office of the Chiefs right down to the village level to be able to effectively comply to the provisions of the RTI Act. However till date there has been no reply or action on this subject.

Community Participation Bill and the Demand for a Regional Council

An urgent meeting of the FKS was called by the Adviser and Spokesperson on 2 March, 2010 on an issue that persisted until late 2017. This issue pertained to “a letter seeking advice by the State Government from chiefs on its proposal to bring a law that would create two bodies of governance in villages in Meghalaya.” This proposal much later came to be known as the Village Development Council. The second issue discussed was “the laws²⁹⁶ of the Indian

296 These Laws were “The Land Acquisition Act, 1894, The Indian Forest Act, 1972, The Forest Conservation Act, 1980, The Indian Registration Act 1908, The Mines Act 1952, The Mines and Minerals (Development and Regulation) Act 1957, The Coal Mines (nationalisation) Act 1972, The Coal Mines (Taking Over of Management) Act 1973, The Water (prevention and Control of Pollution) Act 1974, The Meghalaya Water (prevention and Control) Act, 1996, The Meghalaya Air (Prevention and Control of Pollution) Act, Environment (Protection) Act, 1986, Indian electricity Act, 1910, The Public Premises (Eviction of

State and of Meghalaya that came into direct conflict with the FKS and created impediments to the Hynniewtrep nation.

The issue of another institution alongside the traditional Dorbar Shnong at the village level was an extremely difficult proposition to digest for those manning the traditional institutions. In the opinion of the FKS, this would be a death knell for organic Khasi institutions. Organising to resist the same, the FKS mobilised people in a number of public meetings to debate the same. This led Bah Pynshaing N. Syiem, the Chief Executive Member (CEM) of the KHADC to appoint a Special Committee to study and propose a Community Participation Bill. The Adviser and Spokesperson FKS was appointed as a member of this Special Committee of the KHADC. The subject noted in the appointment letter was “Special Committee on the Meghalaya Community Participation Bill 2010 and the Draft Meghalaya Mining Policy 2010.”

Interestingly, much earlier around the year 2000, a controversial issue that sprang up from the Meghalaya Municipal (Amendment) Act 2000, had created the post of a Ward Commissioner from the Shillong proper area to which there was resistance from the Dorbar Shnongs in Shillong City. Street protest had also taken place then and the government, although initially used force to implement the same, could not carry through because of the resistance put up by the Rangbah Shnong of the villages and towns in Shillong. Citing this example the Adviser and Spokesperson, FKS sent a detailed reply to the current CEM KHADC apropos his appointment to the committee pointing out:

till this day the Government of Meghalaya or even the

Unauthorised Occupants) Act, The Arms Act, 1959, The Indian Penal Code Act, 1860, The Assam Rifles Act, 2006, The Border Security Force Act, 1968, The Citizenship Act, 1955, Meghalaya Removal of Timber Regulation Act, Forest (Conservation) Amendment Rules, 2004, Forest Rights Act 2006, The Scheduled Tribes and Other Traditional Forest Dwellers (recognition of Forest Rights) Act 2006, The Constitution (Eighty-Ninth Amendment) Act 2003, The Contempt of Courts Act, 1971 and many others that are not as per the agreements made in the Instrument of Accession and Annexed Agreement- IOA & AA that was signed on 15 Dec 1947.”

KHADC has never organise detailed talks on the implications of the 74 Constitutional Amendment Act that was brought in parliament in which the State of Meghalaya was exempted, which has led to government officers from time to time to begin appropriating and take away all the powers of the traditional dorbars instead of giving and empowering the powers stated in the 74 Amendment to the ADC (Autonomous District Council) and then the ADC to the Shnong, Town Committee or Regional Councils. How then do we safeguard and protect the 'Riti Duster' and to enshrine them as per the needs of the day. The important thing to do for the ADC is to take a decision through a Special Resolution to be then sent to the State Government to demand from the Central Government to immediately operationalise the 74 CAA through the ADC, Regional Council (Hima)/ Dorbar Raid and Dorbar Shnong. Without a strong political will on behalf of the State Government and the ADC to streamline the same, it would be difficult to proceed on the matter...

FKS and the National Commission for Scheduled Tribes

On 20 March, 2010, Shri Maurice Kujur, Vice Chairperson, National Commission for Scheduled Tribes (NCST) accompanied by members of the NCST visited Shillong. He spent time in the 'Sacred Religious Indigenous State House' of Hima Khyrim and met with the Syiem of Khyrim, Paiem Dr. Balajied Sing Syiem. On behalf of the chiefs, a memorandum was submitted by the FKS Adviser and Spokesperson to him pertaining to the 'constitutional anomaly'²⁹⁷ relating to the Khasi States.

By March of the same year, John F. Kharshiing in his capacity as Chairman of the Grand Council of Chiefs of Meghalaya (GCCM) met Dr. Rameshwar Oraon, the Chairman of the National

297 This as noted earlier was a direct reference to the "treaty IOA and AA agreed and signed by Shri.C.Rajagopalachari, Governor General of India, collectively and individually with the Federation of Khasi States on 17 August, 1948 and the Non Fulfilment of the Solemn National Commitments made by the Government of India to the Federation of Khasi States."

Commission for Scheduled Tribes in his official chamber in New Delhi. He enquired from him on the status of the memorandum submitted by the GCCM on March 10, 2010 regarding the rights of the Khasi states. Dr. Oraon was appraised “of the historical treaty that was executed between the Government of India and the Khasi states and as per the treaty the historical rights of the khasi peoples.”²⁹⁸

A year later during 2011 a hearing was conducted by the NCST on the petition submitted by the FKS. During the hearing, the Chairman of the NCST ask the Adviser and Spokesperson FKS to explain showing three examples of how the non fulfilment of the IoA and AA of 1948 is in conflict with the present Constitution of India. Also as on 2011, whether there was any part of the treaty terms which reflected the Constitutional Anomalies in the present Constitution of India.

To this question the FKS spokesperson stated before the NCST that firstly the word Khasi States has been wrongly inserted and

298 The FKS noted that “The Khasi states were to set up a Khasi States Constitution Making Dorbar comprising of more than 100 members during the period 1948-1949. Each of the members was by a Partyless poll. However when the constitution came into effect, the treaty of the Federation of 25 Khasi States did not find a place in the Constitution of India, which is the cause for the present constitutional and legal conflicts that exist in Meghalaya. Ironically, unlike the Instrument of Accession of Kashmir which found place in Article 370, the Federation of Khasi States were denied their treaty rights to have representation in Parliament, Assembly and even in the District council. Numerous memorandums have been submitted reminding the Central Authorities of the unfulfilled National Commitment, to many former Presidents and Prime Ministers. The Traditional heads of Meghalaya had also on several occasions approached a number of former Meghalaya Chief Ministers and members of parliament from the state, who gave many assurances but nothing much was done till date.” The Chairman of the NCST was stated to have said “the unique Khasi political institutions must be preserved. On one hand there is a conditional treaty while on the other nothing has been mentioned in the Constitution of India on the Instrument of Accession and Annexed Agreement of the 25 Khasi States.”

listed “by description” within the state of Assam in the First Schedule of the Constitution of India when the official historical records and public knowledge is that the Khasi Chiefs of the twenty five Khasi States stood their grounds and refused to sign the Instrument of Merger during 1947-48. Secondly, the 73 and 74 Constitutional Amendment was exempted from its application in Meghalaya vide Article 243ZC, and hence no panchayati raj in Meghalaya. Third, it is reflected in para 12 A(b) of the Sixth Schedule to the Constitution that it empowers the President to exempt Central laws and regulations if they are in conflict to the customary laws and conditions in Meghalaya.

On the issues raised by the counsels of the NCST that the Chiefs (Syiem, Lyngdoh, Sirdar, and Wahadar) are mere officers of the KHADC as per the 1959 Act, the FKS spokesperson countered by requesting the Chairman NCST to check the website http://khadc.nic.in/elakas_and_traditional_heads.html which is the official website of the KHADC wherein in the link Elakas and Traditional Heads listing the names of the Chiefs a column Tenure of Office/Date of Expiry displays the Syiem, Lyngdoh Sirdar tenure for Life, those that have expiry dates are “Sirdar” under the erstwhile British India who were also given the opportunity under clause 4 of the Annexed Agreement of the IoA to join the FKS or their earlier State as units. The Spokesperson stated that due to the 1959 Act, the Chiefs have been wrongly defined as officers of the KHADC, as technically nowhere in the government mechanism would an officer’s tenure be for life.

The Chairman NCST found the arguments deserving merit and asserted that he needed further examination. Before concluding he asked the spokesperson if the Chiefs are seeking separation from India or are they seeking implementation of the Agreement. The FKS spokesperson replied that the Chiefs signed the conditional Instrument of Accession and only wanted their Accession terms and Agreements included within the Constitution of India under a special article and implemented as a national solemn commitment. The hearing concluded with the Chairman NCST stating that the National Commission for Schedule Tribes would further examine the matter and make its decision known in due course.

Meghalaya Community Participation Bill 2010

The views of the FKS to the Meghalaya Community Participation Bill 2010 and the Draft Meghalaya Mining Policy of the Government of Meghalaya were sent to the CEM of the KHADC – Bah Pynshngain N Syiem on 21 September 2010. There was increased resistance to those two Bills that dealt with new power structures to be introduced in few identified Dorbar Shnong. The places that came within the purview of this bill was Shillong city, Jowai, Khliehriat, Amlarem, Nongstoin, Mairang, Nongpoh, Sohra, Pynursla and others. They were supposed to work under the umbrella of elected leaders to be called Ward Commissioner. These Ward Commissioners were to look after the development and betterment of the inhabitants in their areas through the power sanctioned by the Municipal Act over all villages within its jurisdiction. All residents with voting rights would participate in the election of these Ward Commissioners who would contest outside of political parties. They would be paid salary as is the practice with MPs, MLAs and MDCs, and were to replace the dorbar shnong and traditional headmen.

Together with the FKS, the KHADC was also out to resist this state government bill which they saw as a means to usurp the rights of the KHADC and to make decisions over its constitutional jurisdiction. It is in the context of this debate that another idea was born from the confines of the KHADC; the Village Administration Bill.

Khasi Hills Autonomous District (Village Administration) Bill, 2011

A copy of the 'Draft Khasi Hills Autonomous District (Village Administration) Bill, 2011 prepared by the KHADC No.DC.XXVII/Genl/87/2011/4, dated 21 September, 2011 was received by the Syiem of Hima Khyrim. It was sent by the Secretary to the Executive Committee, KHADC Shillong. The covering letter noted “in sending this copy of the Bill, I have been asked to request you to send your views and opinions on this Bill to the office on or before the 12 October, 2011 so that we can proceed with the needful.” In the foreword to the Bill, Mr. Lamphrang Blah, the Executive Member i/c Elaka Administration etc, KHADC noted:

... Core aspects of Khasi values systems so eloquently scribed through Ka Tip Briew Ka Tip Blei, Ka Hok Ka Sot, Ka Burom Ka Akor, Ka Kamsi la ka Hok, Ka pdiang ia kaba bha, bret is kaba sniew etc, have been reflected in the draft Bill. The Bill is designed not only to protect Khasi identity; preserve Khasi custom and tradition and protect indigenous systems of management but also to revive in the modern 21st Century Khasi pride in his own traditional value system that has so much to give to a monetized and soulless world of today. Actually the need to provide modern administration and governance with the spirit of community service; selfless sense of purpose and dedicated leadership qualities cannot be underscored. Most of these qualities are found in Traditional local self governance. Why can't the best of the past blend with the excellence of the future? In recognition of the uniqueness of our Traditional Institutions and our system of grassroots democracy and governance, Part IX of the Constitution of India has excluded the State of Meghalaya from its purview. All the more reason why this draft Bill, which reflects the ethos of these Hills is so relevant to the needs of the day... the other issues which this draft Bill has attempted to address at the village or Dorbar Shnong level are as follows:- (1) Protection of the environment and ecology, (2) Protection of drinking water sources, (3) Protection of rivers, streams, rivulets, etc (4) Provide a control mechanism against Influx, (5) Prevent alienation of Tribal Land (6) Regulate Mining and quarrying, (7) Regulate Urban migration, (8) Preservation and promotion of sacred groves, village forest, (9) preservation and promotion of social customs and culture (10) solid Waste Management.

An urgent meeting of the FKS was called on 21 September, 2011 to discuss the same. The key agenda for discussion was to deliberate “(i) the Draft KHADC Village Administration Bill 2011 of fifteen pages and two appendixes. (ii) the Agreement between India and Bangladesh on Border and international Boundary and (iii) the third Dorbar Ri scheduled for November 14, 2011 in Tura, West Garo Hills District, Meghalaya.

The FKS then released a press note on 23 September, 2011 stating its position on each of the above issues. It noted:

...(1) Draft KHADC Village Administration Bill 2011: The Council of Chiefs was informed by the undersigned of the ongoing process by the KHADC in legislating a Draft Hima/Raid/ Village Administration Bill 2011, and called on those Hima(s) who were yet to submit their 'Constitution' to do so at the earliest to the office of the Grand Council of Chiefs, Shillong. The Grand Council of Chiefs were unanimous that the KHADC, should ensure that the historical identity, customarily practices, laws, jurisdiction and boundaries of each individual Hima should be protected and empowered through separate legislation, keeping in mind the various Acts, and Rules already in existence such as the United Khasi Jaintia Hills District (Administration of Justice) Rules 1953 etc... (2) The Meghalaya Town and Country Planning Act 2001 and the Meghalaya Building Bye-Laws 2011: ... The GCCM calls on the State Government to clarify its position on its intentions and support to the autonomous District Council as the different Acts, Legislation and Rules legislated from time to time by the State raise doubts and contradicts its intentions to further empower the ADCs, in Meghalaya. It was pointed out that in addition to numerous state legislation, another such example was The Meghalaya Town and Country Planning Act 2001, which clearly undermines the powers and objectives of the United Khasi & Jaintia Hills District (Establishment of Town Committee) Act, 1960, etc., (3) Mines & Minerals (Development & Regulation Act 1957 & The Mineral Concession Rules 1960 & Land Acquisition Act 1894 & Draft National Land Acquisition and Rehabilitation & Settlement Bill 2011: ... The gathering reminded the Government of India that the factual constitutional position of the Khasi States were similar to Jammu & Kashmir under Article 370; wherein all Acts of Parliament are applicable only after approval by the State Assembly ... In this connection the Grand Council of Chiefs was also briefed on the Draft National Land Acquisition and

Rehabilitation & Settlement Bill 2011, was in complete unanimity with the memorandum submitted by the concerned Khasi elders led by Bah Morning Star Sumer, which has already been forwarded to the Govt of India. The Council reiterated its support to the memorandum and resolved to send a reminder to the Union Minister of Rural development, Govt. Of India on the Constitutional anomaly that exist in view of the special land status and conditional treaties and Customary, social Rights that exist over Land, Forest, Revenues, Minerals, and water Resources.(4) Indo-Bangladesh Agreement 2011: ... expressed serious concern on the agreement as there was lack of clarity and there appeared complete lack of understanding by the Government of India, on the actual boundary demarcation... (5) Resignation of Chairman, Grand Council of Chiefs of Meghalaya: ... the communication from Mr.Robert Kharshiing ... who informed the gathering of his inability due to health reason to continue as the Chairman of the Grand Council of Chiefs of Meghalaya. The gathering while expressing their sincere gratitude to his untiring efforts in uplifting the cause of the Traditional Institutions, unanimously elected Mr.John F Kharshiing as Chairman and Mr.H.Skhemlon, Sirdar Hima Mawdon as the Secretary of the Grand Council of Chiefs of Meghalaya.(6) Third 3rd -People's Parliament (Dorbar Ro ba Lai): ...(GCCM) accepted the proposed date from the Council of Nokmas to convene the third People's Parliament on November 14 (Monday), 2011, at Asananggre place, 12 Kms from Tura, West Garo Hills, the venue where 100 Drums Wangala festival is held every year...(7) First Dorbar Ri Hynniewtrep: The gathering of the Syiems / Lyngdoh / Sirdar / Doloi also resolved to henceforth convene the Dorbar Ri of Ri Hynniewtrep, once in two years of all the 54 Hima(s) in Khasi Hills and 19 Elaka(s) in Jaintia Hills similar to the Council of Nokmas held every year, beginning with the one to be held in November 2012 the date and venue would be decided on a later date.

Third 'Dorbar Ri' in Asananggre (Third People's Parliament)

The Third Dorbar Ri (Peoples Parliament) was scheduled to be held in 2011. This time the place chosen for the gathering was in Asananggre, West Garo Hills District. The date was 14 November and the invitation was sent in the name of the Grand Council of Chiefs of Meghalaya. The key people of the executive committee were John F. Kharshiing as Chairman of the GCCM, Pa Skylance Momin, (Retd. IPS) as Vice-Chairman of GCCM and Mr.H.Skhemlon (Sirdar of Hima Mawdon) as Secretary of GCCM. In this gathering, a number of awards were declared. The People's Parliament Global Award was given to the former president of the Republic of South Africa Mr.Nelson Mandela - "our planet's last living legend, fondly known as Madiba, awarded for his courage, self-sacrifice and contribution towards human rights." Many other awards were also given to individuals²⁹⁹ from across other domains, mostly citizens of India.

The resolutions unanimously passed in the Third Dorbar Ri were:

Democratic Resolutions:(a) To urge the Hon'ble Speaker of Meghalaya to urgently convene a Joint special session of the Members of the Meghalaya Legislative Assembly and the Members of the Grand Council of Chiefs to deliberate

299 Three 'People's Parliament National Awards' was conferred on Mr.Aroon Purie, Editor-in-Chief, Aaj Tak and Headlines Today; Mr.Rajdeep Sardesai, Editor-in-Chief, (CNN) IBN-18 and Mr.Arnab Goswami, Editor-in-Chief, Times Now, supposedly "for raising the benchmark of transparency and ethical news reporting and their commitment to investigative reporting and journalistic service to the community". The State awards was given to Leander K.Marak, Chairman of the 100 Drums Wan-gala Festival, Silbi Passah (promotion of Indigenous Arts and Culture), Sweetimon Rynjah (Khasi Literature), Charles G.Momin, Laborious Manik Syiem, Harlinjai Skhemlon (promotion of Indigenous Institutions) Lyngdoh Snieh, Sister Guadalupe, Savio Ch.Sangma, (Late) Gilbert Shullai, Pastor Larington Kharkongor, K.Comet Rymbai, (preservation of sacred groves) Honsen Lyngdoh, Rishan Rapsang (philanthropy) and to (Posthumously) Kiang Nongbah, Togan N Sangma, Tirot Sing Syiem and Wickliffe Syiem (outstanding courage and self sacrifice).

on the need for a resolution in the Meghalaya State Assembly, to discuss and pass resolutions on: (i) Inclusion of the Instrument of Accession and Annexed Agreement signed by the 25 Khasi States on 15th Dec 1947 and accepted by the Government of India on 17th Aug 1948 in a special Article of the Constitution of India as provided for Jammu & Kashmir in Article 370, (ii) The need for creation of a separate Federal Council for the Khasi, Jaintia and Garo Indigenous Institutions of Meghalaya, especially in view of the recommendations of the National Commission for Review of the working of the Constitution, NCRWC, and the recent Recommendations of the Second Administrative Reforms Commission officially submitted and placed before parliament and the Government of India so as to fulfil the National Commitment solemnly made to the Khasi States and the Indigenous people of Meghalaya on 15th Dec 1947. (b) To urge District Councils, the State and Central Government to ensure that the Draft Land Acquisition and Resettlement and Rehabilitation Bill 2011, be complaint to the unique Land Laws, Rules and Regulations of the Indigenous Khasi, Jaintia and Garo people of Meghalaya. (c) To urge the State and the Central Government of India to urgently initiate positive time bound steps in conflict resolutions. (d) To urge the Central Government of India to urgently take time bound steps in resolving: (i) the sixty (60) years old Indo-Bangla-Meghalaya Boundary dispute and (ii) the thirty nine (39) years of Assam-Meghalaya boundary disputes. **Economic Resolution:** To urge upon the State and the Central Authorities to expedite opening up of more than 40 'border hats' along the Indo-Bangla Border so as to accelerate livelihoods and economic activity. **Environmental Resolution:** To urge the State and Central Government to allocate specific funds annually to support the custodians of the Sacred forest; Clan forest; Private Individual forest, Village forest, Hima forest and Raid (community) forest in Meghalaya.

While the Third Dorbar Ri did get public attention, it was somewhat restricted from generating a larger public debate.

However it did have a positive impact from the perspective of the FKS, having been able to intersect socially, culturally and politically with the Garo community. This way, they were able to spread beyond Khasi dominated areas, making one's presence felt beyond Shillong. A number of messages³⁰⁰ were received and read out in the gathering.

Directives of the NCST to Ministry Tribal Affairs

It was a major breakthrough for the FKS when the The National Commission for Scheduled Tribes, a constitutional body under Article 338 issued a directive on 26 April 2012 to the Ministry of Tribal affairs “to look into the matter and take appropriate steps for incorporation of the agreement into the Constitution of India”. This was later sent to the Union Ministry of Home Affairs by the said Ministry of Tribal Affairs. This communication was followed later, on 6 January, 2013 through a “Demi Official” letter sent to Shri.Sushil Kumar Shinde, Union Home Minister. After the FKS kept following on their demands with the NCST, on August 2014, after the Lok Sabha elections, the commission sent a similar Demi-Official letter to the new Union Minister for Home Affairs, Shri Rajnath Singh.

On 7 June 2012, however, after receiving the copy of the

300 Messages from the “President of India, Chief Minister of Meghalaya, Speaker, Government of Meghalaya, Conrad Sangma, Leader of the Opposition in the Meghalaya Legislative assembly, the CEM of the KHADC and the JHADC, Secretary North Eastern Council- Mr.Shrivastava. The key people who spoke in the gathering were the President FKS-Laborious Manik S.Syiem, Syiem of Hima Khyrim, Syiem of Jirang, Sirdar Mawdon, Syiem of Nongspung, Deputy Syiem of Nongkhlaw, Myntri of Hima Sohra, the Secretary of Ka Dorbar Ki Dolloi, Jaintia and Charles G.Momin, General Secretary, Council of Nokmas and Shri P.A.Sangma who was the local M.L.A of Tura Constituency.”

reference from NCST, a delegation comprising of 20³⁰¹ Khasi, Jaintia and Garo Chiefs went to meet the Minister of Tribal Affairs, Government of India in New Delhi. On seeing the large delegation, the Honourable Union Minister assured that he would personally visit Shillong, Meghalaya and if possible address and meet the thousands of tribal chiefs of Meghalaya.

Most of the discussion with the minister concerned the historical treaties signed, that finds no mention in the Indian Constitution. The minister “was concerned to note that the unique partyless institutions were yet to find a separate space within the constitution of India, given their unique status. He assured the delegation that his ministry would take all steps to address this very important matter.” He assured the delegation that his ministry would go into the matter in detail, after which “he would personally make suitable recommendations for constitutional amendments to the Union Ministry of Home Affairs, Govt of India.” Later the chiefs held a press conference in the Press Club of India. This was a first for the FKS in its sixty six years of historical struggle to hold a Press Conference in New Delhi as a collective.

After this FKS Press Conference in New Delhi, there was an increased felt need to clarify (i) on what premise they are claiming uniqueness for governance and must be treated differently (ii) how their institution are different from Panchayati Raj and (iii) what is the ‘Party Less’ system that they are seeking

301 The delegation comprising of “Dr.Balajied Sing Syiem, *Syiem* of Hima(State) Khyrim, Mr Niandro Syiemiong, *Syiem* of Hima(State) Maharam, Paiem Latho Manik Syiem, *Syiem* of Hima(State) Myllichem, Mr Freeman Syiem, *Syiem* of Hima(State) Sohra, (Late) Mr Kingkerious Lyngdoh, *Lyngdoh* of Hima(State) Mawphlang, Mr Harlinjai Sirdar of Hima (State) Mawdon, Mr Kestonbel Manik Syiermlieh, *Deputy Syiem* of Hima(State) Nongkhlaw, Mr Hamphrey Lyngdoh Ryntathiang, *Lyngdoh* of Hima(State) Lyngiong, Mr Lawrence Basaiawmoit, *Myntri* Hima Nongkhlaw, Mr Kodin Nongrum, *Myntri* Hima Sohra, Mr Kephass Langstieh, *Myntri* Hima Myllichem, Mr Khrawbok Basaiawmoit, *Executive Dorbar Member*, Hima Sohra, Mr.John John F Kharshiing and representatives of the Council of Nokmas together with few Dollois from Jaintia Hills.”

for constitutional recognition from the Indian State. So on 16 July, 2012 a detailed discussion among the chiefs within the FKS brought out a note clarifying the above issues. Presenting the same in the form of a chart, the FKS asserted 21 points minutely detailing the differences between the “Meghalaya (Khasi Jaintia Garo traditional Democracy) Khasi Partyless- Political Institutions” and the “Political Institution & Parties under the framework laid by the Constitution of India”. The note began by asserting “the chart below that explains in brief the difference between the Khasi Partyless-Political Traditional Indigenous Institutions of Self Government and the imperative need thereof to provide space to the Khasi, Jaintia and Garo Partyless Institutions such as the Dorbar Kur, Dorbar Shnong, Dorbar Raid and Dorbar Hima within the Constitution of India”.

Letter from the Ministry of Home Affairs to Chief Secretary

A delegation of the Grand Council of Chiefs of Meghalaya, comprising of the FKS, Council of Dolloi and Council of Nokmas, met Shri.Venkaia Naidu, MP and Chairman Parliamentary Standing Committee Home Affairs, in New Delhi in his residence. They submitted a petition to him for consideration of the Parliamentary Committee. The Chairman was surprised and stated that normally the mandate of the Committee was to consider issues forwarded by Parliament and this is a case where petitioners have approached the Committee directly, to this the FKS informed that their approach was because the IoA and AA required the intervention of Parliament as the Union Ministry of Home Affairs was sitting on a matter inspite of the directive from the National Commission for Schedule Tribes. The Chairman of the Parliamentary Standing Committee, after thorough discussions, agreed to look into the matter and stated that he would first seek a report from the MHA.

Based on this meeting, on 18 July 2012 the Chief Secretary, Government of Meghalaya, Mr.W.M.S.Pariat received a letter D.O. No.9/10/1012-NE-1, from Shri Shambhu Singh, Joint Secretary (NE) Ministry of Home Affairs, Government of India. The letter while attaching a copy “of a memorandum dated 8 June, 2012 from the Grand Council of Chiefs of Meghalaya addressed to the Chairman, DRSC on Home affairs seeking constitutional recognition and protection of the traditional institution of

Meghalaya”, sought the ‘comments of the State Government in this regard ... for onward transmission and consideration of the Chairman of the Committee.’ The letter was then forwarded to the Under Secretary to the Government of Meghalaya, Political Department who on 3 August, 2012 forwarded the same to the District Council Affairs Department seeking their views on the said matter.

This letter was used by the FKS to publicise its struggle. The copy of the letter was distributed to the general Khasi public. On one hand this letter signified the stage of struggle of the FKS to get traditional institutions recognised by the Indian State and on the other hand, it showed the seriousness with which the Indian State was beginning to take cognizance of the demands of the FKS.

Identifying and Laying out Tasks and Challenges

By 2012 December, the FKS had set for itself some key task:

- (i) to impress upon the Indian Government to speed up the negotiation and streamlining of administration as per the agreement signed by the Indian Government and the FKS (IoA and AA)
- (ii) to request the Syiem of Hima Khyrim to call an emergent Dorbar Hima,
- (iii) to permit the Chairman and few of the Chiefs to carry forth a dialogue with the authorities of the KHADC to prepare discussions pertaining to the Government of India initiated amendment of the Sixth schedule
- (iv) to request from the State Government to create a special financial budget for the 54 Hima / Elaka in Khasi Hills, 19 Elaka in Jaintia Hills and the Council of Nokmas in Garo Hills as a means to support and strengthen the work of these traditional institutions,
- (v) to request all political parties in Meghalaya and in India to support the SC/ST Reservation Promotion Bill and
- (vi) support to organisations struggling to demand from the State Government the enactment of the Lokayukta Bill that is clear and strong in order to bring transparency in governance.

A meeting of the chiefs³⁰² was convened on the 8 January, 2013 in

302 The chiefs present were the “Syiem of Hima Khyrim, Hima Maharam

Shillong. Some important decisions were taken which included:

(1) preparations for the Fourth Special Session of Peoples Parliament scheduled for the 13 February 2013 in Madan Tirot Sing, Mission Mairang, (2) to persist with the IOA & AA as resolved in the First, Second and Third People's Parliament,(3) To impress upon the Government of Meghalaya to enforce the Meghalaya Transfer of Land Regulation Act 1971 before operationalizing the Industrial Policy,(4) To request the Government of Meghalaya and the Government of India to make budgetary allocation to the 54 Hima/Elakas in Khasi Hills, 19 elakas in Jaintia Hills and for the Council of Nokmas in Garo Hills,(5) To protest against the application of Central Laws to the State of Meghalaya especially the Khasi States which are in contradiction to the historical rights of the people as per the treaties signed with various Hima, (6) to mobilise the 'U Khun U Hajar' to attend the Fourth Dorbar Ri beginning 10 o'clock in the morning.

Fourth 'Dorbar Ri' in Mairang (Fourth People's Parliament)

On 16 January 2013, a letter was sent to all the chiefs of himas, raid and shnong requesting them for financial help or lending their private vehicles for transporting people to the Fourth Dorbar Ri. In spite of the challenges in organising such a gathering the Chiefs were requested to call on the citizens to attend as the number of participants was important for the FKS. From its point of view, the FKS had no other means to demonstrate and democratically express their views in the Indian Political set up except through the gathering of the Dorbar Hima at the apex level. People's participation demonstrates and strengthens their negotiating capacity with the state in a peaceful manner, democratically demanding the protection of the historical rights of the Khasi peoples within the Indian Constitution. All chiefs were

(President FKS), Hima Nongkhlaw (Vice President FKS), Hima Langrin, Hima Malaisohmat, Sirdar Hima Mawdon (Secretary FKS), Sirdar Hima Nongpoh, Lyngdoh Hima Mawphlang, Myntri Nongrum Hima Sohra, Syiem Khyannah Hima Nongkhlaw, Myntri Lyngdoh Nongbri Hima Nongkhlaw" and others.

instructed to wear the Khasi traditional turban and bring their hima flags to the gathering. They were also told to enter the dorbar grounds accompanied with traditional drums and dance. This, they envisioned will not only send a message to the Government but also to the people at large – that Khasi traditional institutions are alive and thriving.

On 13 February 2013, after months of mobilisation, with FKS members travelling to every nook and corner of the Khasi and Jaintia inhabited areas, the event kicked off at 10.00 am morning in Madan Tirot Sing, Mission Mairang in the Hima of U Tirot Sing himself. The key agenda as framed was to discuss the non-fulfilment and dishonouring of the IoA and AA now in its 64 year (26 January 1950 to 26 January 2013), and the non-inclusion of the same in the constitution of India even after nearly over 100 amendments made to the constitution.

People came in large numbers at their own expense, as no vehicles were provided by the organisers. The dorbar began with a prayer, followed by a one minute silence as a mark of respect to chiefs who had passed away.³⁰³ This was followed by the unfurling of the flag of the Dorbar Ri by Bah Shem Rynjah, General Secretary, Khasi Jaintia Welfare Association.

The welcome address was delivered by Paiem Phrester Manik Syiemlieh (Hima Nongkhlaw) who shared the history of his Hima. Letters from various quarters³⁰⁴ addressed to the people's parliament was read out publicly. A speech by the spokesperson

303 The Chiefs who have died are Paiem (Late) G Malyniang of Mawsynram, Paiem (Late) Helikshon Syiem of Hima Rambrai, Paiem (Late) S Wahlang of Hima Jirang, and U Dolloi Satpator.

304 “President of India; Pranab Mukherjee, V.K.Chandra Deo, Union Minister for Tribal Affairs, Government of India; Preneet Kaur, Union Minister of State External Affairs, Government of India; Dr Mukul Sangma, Chief Minister, Government of Meghalaya; Bah Vincent Pala, Member of Parliament (Lok Sabha); Bah Robert Kharshiing, Member of Parliament (Rajya Sabha).”

FKS was followed sharing with the public the activities³⁰⁵ undertaken. Further in the report presented he noted:

it is after 64 years that the process of getting the IoA inserted into the Indian Constitution has begun moving again after the National Commission for Scheduled Tribes; a constitutionally mandated commission as per article 338, have as on 26 April 2012 gave its verdict on the matter and sent an official letter to the Ministry of Tribal Affairs, Government of India to do the needful and complete the process of recognising and accepting the IoA and AA as per law.

He also stated that after years of demanding from the State Government, an act – 'The Meghalaya State Finance Commission Act 2012' was passed. The objective of the act was the constitution of a State Finance Commission which would be responsible in the distribution and allocation of revenues between the Traditional Institutions (shnong/raid/hima), the District Councils, Municipal Councils and the State.

The resolutions arrived at by raising of hands were (i) to request the Ministry of Tribal Affairs, Government of India to do the needful as intimated by the ruling of the National Commission for Scheduled Tribes on 26 April, 2012 on the matter of IoA and AA (ii) to continue demanding a special thirteen schedule (for a Federal Council-specifically for the Traditional Institutions) as decided in the first, second, third and now the fourth Dorbar Ri as per the framework of the IoA and AA (iii) to request the State Government to immediately enforce the Meghalaya Transfer of

305 To follow up on the issue, the spokesperson noted that the FKS through the GCCM had met V.Kishore Chandra Deo, Minister Tribal Affairs, Government of India on 7 June 2012. He also met M Venkaiah Naidu, Member of Parliament Rajya Sabha, Chairperson, Parliamentary Standing Committee on Home Affairs, on 8th June 2012 and Mrs Sonia Gandhi, Chairperson, National Advisory Council, Government of India on 9th June 2012. He impressed on them to follow up on the issue raised with the Ministry of Tribal Affairs. On this count the FKS received an official letter from Mrs Sonia Gandhi, noting that the issue will be taken up as requested.

Land Regulation Act 1971 before the introduction of the Industrial policy of the state as per the suggestion of the community organisations and land owners (iv) to request the central and state governments to create a separate budget for the 54 himas / elakas in Khasi Hills, 19 elakas in Jaintia Hills and for the Council of Nokmas to finance developmental activities and help in their day to day governance (v) to petition the central and state governments of difficulties faced by the dorbar shnong, raid and hima if amendments are not made to central acts and rules made in the India Parliament such as the Indian Registration Act 1908, the Indian Forest Act 1927, the Forest Conservation Act 1980, the Land Acquisition Act 1894, the Mines Act 1952, the Coal Mines Nationalisation Act 1973 and many others which are in direct negation of the agreement arrived at as per the IoA and AA.

Amendments to the Sixth Schedule

A notification³⁰⁶ was released by the Secretary to the Executive Committee KHADC dated 4 March 2013, stating the constitution of a ‘Sub Committee³⁰⁷ of the proposed Amendment of the Sixth Schedule’. In response to the same, the FKS immediately convened a meeting under the GCCM banner on 3 April 2013 in Lumbasuk, Demthring, Shillong. The stated agenda was “to discuss the letter from the KHADC to chiefs, on the proposed 6th Schedule Amendment Bill 2012 to the Constitution of India and the need for fulfilment of the solemn national commitments agreed in the Instrument of Accession and Annexed Agreement.” After nearly five hours of deliberation among the chiefs, few decisions were made:

- (1) That the proposed Amendment to the Sixth Schedule must incorporate the treaty Instrument of Accession and Annexed Agreement (IoA and AA) signed and accepted by

306 No.DC.II/Genl/8/2013/6

307 The members of this sub committee were “P.N.Syiem (CEM, KHADC), L.Blah (Executive Member i/c Elaka KHADC), A.K.Nongkynrih (Professor North Eastern Hill University), John Kharshiing (FKS), N.Syiemiong (Syiem of Maharam) H.J.Skhemlon (Sirdar Mawdon) and D.G.Syiemiong (Member Secretary) as Joint Secretary.”

the Government of India on 17 August 1947, failing which resolution of the International and Interstate Border dispute will be inconclusive. (2) To urge the State Government/District Councils as requested by the Ministry of Home Affairs, in their recent letter to urgently constitute multiple task force for codification of traditional laws (3) That the indigenous nomenclature viz. Dorbar Kur, Dorbar Shnong, Dorbar Raid, Dorbar Hima, (Syiem, Lyngdoh, Sirdar, Wahadadar, Dolloi and Nokma) instead of the word 'chiefs' must be mentioned in the Sixth Schedule in accordance with the IoA and AA. (4) That a separate party less Council for the Syiem, Lyngdoh, Sirdar, Wahadadar, Dolloi, Nokma and other Clan Elders, Village Chiefs and Village Elders be constituted and provided under the proposed Amendments. (5) That the Khasi, Jaintia and Garo ADCs must seek Govt. of India and Constitutional Interpretation of Section 7, of the Indian Independence Act 1947, the Instrument of Accession and Annexed Agreement (IoA and AA)... vis-a-vis the constitutional validity of Municipalities in Meghalaya (particularly within the Khasi States). (6) To convene a joint meeting during the first week of May with all NGOs on the proposed amendments to the Sixth Schedule. (7) To immediately convene awareness meetings for the benefits of U Khun U Hajar all over Khasi, Jaintia and Garo Hills as to the relevance of the recent treaty documents 'White Paper on Indian States' placed before the Constituent Assembly (Indian Parliament) by Sardar Valabhai Patel, Deputy Prime Minister, i/c Ministry of States now called Ministry of Home Affairs. (8) To meet Dr. Mukul Sangma, Chief Minister, Meghalaya, so as to hand over the resolutions of the Fourth Special Dorbar Ri (People's Parliament) held on 13th Feb 2013, particularly with reference to the urgent need for amendment and enforcement of the Meghalaya Transfer of Land Regulation Act 1971. (9) To seek appointment with the Prime Minister and the Home Minister of India and to seek clarification on the non-fulfilment of the solemn national commitments as mentioned in the treaties specified in the 'White paper on India States'. (10) To send

a delegation to follow up and meet Smt.Ranee Narah, Union Minister of State for Tribal Affairs, Govt. of India, on 8 and 9 April 2013 in New Delhi.

This meeting also asserted that “we acknowledge that finally the Ministry of Home Affairs, has accepted the fact that there exist unique indigenous traditional institutions and that their reference was being highlighted in the proposed amendments.”

Released of Letter from Jawaharlal Nehru to Sardar Vallabhai Patel

On 13 August 2013, on the occasion of the 65th year of the signing of the IoA and AA, the President, Federation of Khasi States, Paiem Niandro Syiemiong (Syiem Hima Maharam), released a copy of the letter written by the Prime Minister of India (Late) Jawaharlal Nehru to (Late) Sardar Vallabhbai Patel, Deputy Prime Minister, In-Charge Ministry of States, of India on 13 October 1947.

The public meeting was held in the famous Khasi National Dorbar Hall, Shillong. The content of the letter showed Nehru addressing Patel about the complexity surrounding the Khasi states. “You will remember my drawing your attention some time ago to the agreement which had been arrived at with the Khasi States of Assam by Akbar Hydari”, Nehru noted. “I do not know what the position is now but I understand that Desai of the States Department wrote to Akbar Hydari turning down that agreement and suggesting a new form of Instrument of Accession, presumably the Accession which most States have signed.” Pointing out that “Akbar Hydari then wrote to you directly on this subject”, he further reiterated “may I point out to you that the Khasi States are hardly States in the normal sense of the word; they are frontier tracts inhabited by tribal people. Their problem thus is a double one of dealing with some States or sub-States and tribal people. It is a very mixed affair and has to be treated separately. Being a frontier area it has also certain special importance for us. I feel that it would be advisable to treat this matter on a separate basis without in any way infringing your general terms of Accession. These tribal people have given us a lot of trouble in the past and we have repeatedly given them assurances. Akbar Hydari acted in line with the various assurances

we have given in the past. If there is a feeling in these areas that we are going back on what we have agreed, there is bound to be difficulty and trouble. I feel that the question is wholly different from any other applicable to States generally because of the tribal position. I hope, therefore, that your Department is giving favourable consideration to the agreement arrived at by Hydari with these Khasi States.”

The spokesperson, FKS collected this letter from a library in Delhi in his own search to find out what transpired between Nehru, Patel and Hydari during the time when negotiations was taking place. He argued “no matter whether the value of the letter is less at this juncture in history, the fact of the matter must be told and the occasion to remember the 65th year of the IoA and AA was an apt occasion to make such documents public.” The gathering was an important moment for the FKS and nearly three hundred community leaders attended. The discussion went on for nearly five hours and made headlines in all the newspapers the next day.

Interestingly, the FKS also released another letter; this time from the Governor A.K.Hydari addressed to Sardar Vallabhai Patel, dated 15 December 1947, Government House Shillong. This is important to note in the light of the political strategies contained in the earlier letter noted above. “My dear Sardarji,” noted Hydari, “I hoped you received my letter of 5 December written on my return from Delhi. It relates to Tripura and Manipur. This relates to the Khasi States.” As in a manner to demonstrate his achievement, he continued:

On 2 December I informed the representatives of the Khasi States Federation that I had brought with me from Delhi the Instrument of Accession which incorporated the agreement reached by them with me in July this year and that they should now sign it. It was accordingly agreed that all the syiems (heads of tribal clan) should assemble here on the 15 and individually sign the instrument. The meeting took place this morning, and I reported to you the result by telegram, as in the copy enclosed, addressed to Cuttack. With 20 out of the 25 heads of Khasi States signing, the back of any dissident movement must be

deemed to have been broken. This is not to say that Nichol-Roy on one side and Abdul Matin Chaudhury on the other (strange bedfellows!) will not try to keep the agitation pot boiling for as long as they can. That various underhand forces had been at work between 2 December and 15 December is shown by the fact that this morning's proceedings at one time seemed likely to break, for three of the principal Syiem, i.ei..those of Myllem of Khyrim and of Cherra (the last mentioned borders on East Pakistan and he holds some land in Sylhet) refused to sign and wanted more time to "consult their people." I made them realise what the consequences of not signing would be, and after nearly an hour's confabulation among themselves they signed. The rest was easy.

Hydari then went on to share his confidential opinion about Abdul Matin Chaudhury stating that he asked the Central Intelligence Officer (S.M.Dutta) to give him a report on his activities as he is staying too long in Shillong. After which he continued,

As regards Nichols-Roy, I recommended that he should be removed from ministership. I know that Bordoloi (Premier) thinks that he will be more dangerous out of office than in office. At one time I subscribed to the view, but now I am of the opinion that the disadvantages of his continuing in the Ministry outweigh the advantages. He is widely disliked and discredited. He is not even a good executive and is an obstacle to our putting some pep into the provincial P.W.D which it sorely needs if we are to keep to our programme of necessary road construction. I realise that the elimination of Nichols-Roy cannot be brought about at once, but I am putting the matter in your mind to enable to you to think over ways and means.

Revisiting the Village Administration Bill

On the issue concerning the introduction of the bill on village administration which began with the KHADC seeking views from each chief, there was a rumour that the bill – KHADC (Village Administration) Bill 2011, will be introduced in the KHADC. While most of the chiefs did send their views and opinions to the KHADC, it was heard that none of the views of the chiefs was

incorporated. It is on this count that the Syiem of Khyrim, Dr. Balajied Sing Syiem sent an urgent letter of protest to the Chairman of the KHADC under the subject “We Do Not Agree to make Law the KHADC (Village Administration) Bill 2011.” He asserted “as per the subject noted above, the Syiem and the Dorbar in the urgent meeting held on 1.11.2013, is of the opinion that we are against the need to make law by force and hurriedly the Bill as pointed above, which is very much against the Riti Dustur of Hima Khyrim individually and the Hima Khasi as a whole.”

Notwithstanding the debates that the Village Administration Bill had generated, the KHADC by public declaration³⁰⁸ passed the bill entitled The Khasi Hills Autonomous District (Village Administration) Bill, 2014 on 1 July, 2014. The bill was then sent to the Governor of Meghalaya for assent but the governor in turn sought opinion from the MHA. A very controversial reply came from the MHA to the Governor stating the views of the Ministry of Law that the “Dorbar Shnong was illegal institutions” and the bill today has been kept in abeyance. This non-responsive attitude of the governor has led to a series of debates, meetings and even protests gatherings that had rarely been witnessed in Shillong for a very long time.

Passing Away of a Dolloi

On 19 November, 2014 just weeks before a special dorbar, the Dolloi of Jowai-Ma Comet Rymbai who was also the Secretary of Ka Dorbar Ki Dolloi, passed away. He was one of the key figures emerging from Jaintia Hills that played a major role in the Assembly of Hynniewtrep Nations’ struggle. He had promised to host the fifth Peoples Parliament in Jowai, Jaintia hills, a place that was yet to host any of the Peoples parliaments. The members of the FKS felt a great sense of loss by the demise of Ma Comet because this broke a vital link between the Dollois of Jaintia Hills and the 25 Khasi Chiefs. The Chief Minister Dr Mukul Sangma also sent a special message of condolence to the bereaved family and especially to the people of Jowai Elaka who had lost their much admired Dolloi.

308 No.DC/L/VII/4/2013-14/16/1375 dated Shillong, the 22 July 2014.

Banning of Coal Mining in Meghalaya and the NGT

In the meantime there was a hue and cry among coal miners and people who depended on coal mining for their livelihoods. On a complaint by the people of Dimasa Hasao³⁰⁹ against the water quality and pollution caused by haphazard mining in the Jaintia Hills to the National Green Tribunal (NGT), the NGT directed that “rat-hole-mining” be banned in Meghalaya. This came as a big jolt to coal miners in the different parts of the state. Majority of the coal miners’ associations in the state immediately expressed their opposition to the order of the NGT passed on 17 April 2014. The NGT directed the State Chief Secretary and Director General of Police (DGP) to ensure that rat-hole mining/ illegal mining is stopped ‘forthwith’ through-out the state of Meghalaya and any illegal transport of coal shall not take place until further orders are passed by the tribunal. The NGT also fixed 19 May 2014 as the next day of hearing.

As soon as this ban was imposed, the spokesperson of the FKS in a note that emerged from his office titled “An Illustrative list of Acts, Rules and Regulations applicable to mining operations,” attributed the prevailing crisis to constitutional discrepancies that remains unresolved because of the “blurred status of the location of the Khasi states within the Indian Constitution.” He listed 39 State Acts that was in contradiction with traditional laws and argued that till such time that the state accepted the treaty agreement enshrined in the IoA and AA, the matter could not be easily resolved.

Special Dorbar of December 2, 2014

On a very cold 2 December 2014, a public gathering of chiefs organised by the FKS in State Central Library Shillong took place. Nearly five hundred participants occupied the seats in a seven hundred plus capacity hall. On the dais were seated mostly the FKS members and other chiefs. The seats in the hall were

309 The All Dimasa Students Union had moved the tribunal on 2 April 2014, blaming the illegal rat-hole mining in Jaintia Hills for the pollution in Kopili River and turning its water acidic.” April 22, 2014 <http://www.meghalayatimes.info/index.php/front-page/24902-coal-miners-across-meghalaya-protest-ngt-order-banning-rat-hole-mining>

occupied by headman, community leaders, academics, representatives of the KSU, FKJGP, and HNYF and many others. This dorbar was aimed at institutionalising a 'Special Dorbar' or 'Dorbar Kyrpang' at least once a year. The intention being that a space is created where chiefs and community members engage with each other on various issues concerning the community. Some key resolutions in this special dorbar by the raising of hands were:

(a) **Democratic Resolutions:** To petition the Chief Minister of Meghalaya to call a special session of the Meghalaya Legislative Assembly together with the Grand Council of Chiefs of Meghalaya (FKS) on the issue of bringing forth a resolution in the Meghalaya State Assembly, so that discussion can take place and decision be made on (i) the need to newly amend, insert and state in the Indian Constitution the Instrument of Accession and Annexed Agreement that was signed by the 25 Khasi States in 15 December 1947 which was accepted by the Government of India on the 17 August 1948 as per a special article in the Constitution of India as is observed in the IOA of Jammu and Kashmir in Article 370. (ii) the need to frame a Federal/Regional Council for the Khasi, Jaintia and Garo Dorbars (Indigenous Tribal Governing Institutions) in the State of Meghalaya as per Article 370 and as is shown stated by the National Commission for Review of the working of the Constitution, NCRWC, 2003, the recommendations of the Second Administrative Reforms Commission that have been presented to Parliament and more so in the light of the agreement reached by the Government of India with the ANVC (Agreed Text Settlement) that was signed between the Government of India, The Government of Meghalaya and the representatives of the Achik National Volunteer Council on the 24 of September, 2014, so as to complete the promise that the Indian Government signed with the Khasi States on 15 December 1947 in Shillong, (iii) To request the Government of Meghalaya and the District Council to state clearly to the Government of India about the IOA and AA (iv) to reject the idea of 'nominated

MDC' members in the District Council because of Party based politics which stands antithetical to the partyless political structure of the traditional institutions (v) to petition the government to find ways and means to call the HNLC (Hynniewtrep National Liberation Council) for direct talks and to state clearly a timeline to complete all agreements, (vi) to request the Government of India to make possible the streamlining of all central Acts, Rules, Regulations, such that laws are in consonance with the Riti Dustur' (customary laws and social practices) in the Khasi, Jaintia and Garo Hills, (vii) to impress upon the Government of India to rectify and decide on the Indo-Bangla-Meghalaya Boundary and the boundary issue with Assam-Meghalaya in the presence of and with information made public to the 'U Khun U Hajar' and 'Ki Nongsynshar Shnong, Raid and Hima', (vii) To maintain and protect the Khasi language as a compulsory language in school and college studies, (viii) to call such Special Dorbars as the one today (Dorbar Kyrpang) once every year, (ix) to once again meet in the 'Dorbar Ri kaba san' (fifth People's Parliament) in the year 2016-2017 in the Jaintia Hills (x) to create a special committee in every Hima/Elaka to strategise how to collect funds for the purpose of the struggle to get the above demands accepted by the Government of India and State Government.

The Economic Resolution (i) to impress upon the Government to speed up the process of opening the 'Border Hat' (Iew Border) in the Indo-Bangla border as one of the ways to raise the economic conditions of 'ki khun ki hajar'.

The Environmental Resolution (i) to request the State and Central government to budget and allocate special funds to the owners or the organisers who look after the Law Kyntang/Scared forest; Law kur/clan forest; Law shimet/ private Individual forest; Law Shnong/Village forest, Law Hima forest and Law Raid/community forest that are many in Meghalaya.

High Court Judgment

On 10 December, 2014 the traditional heads of Khasi institutions went on a huddle following a judgment passed by Justice S.R.Sen in the Meghalaya High Court.³¹⁰ The case pertained to an incident where the petitioners were ostracised by the village and prohibited from visiting their village and family members. Also the village authorities denied the petitioners the residential certificate to access the benefits of the government schemes for BPL families. They were also forbidden from availing rented house and jobs in the absence of residential certificates. The judgment passed by Justice S.R.Sen had direct implications on the village institutions, of which the FKS was indirectly a part.

As soon as this judgment was passed, there was a hue and cry that had been rarely observed within Khasi society. This also disturbed the FKS and it galvanised the KHADC and the Khasi Headmen of various villages into action. An organisation of Village Headman under the name ‘Synjuk Ki Nongsynshar Shnong Sor Bad Khap Sor’ emerged from this process. This organisation was later to lead one of the biggest mobilizations of the Khasis ever witnessed in its history.

Debates Surrounding Amendments to the Sixth Schedule

The FKS sent a letter³¹¹ to the Chief Minister arguing for an “urgent need to discuss in depth the proposed amendments to the sixth schedule vis-a-vis the traditional institutions of Meghalaya.” The proposal for amending the Sixth schedule came about after the Government of India, the Government of Meghalaya and the Achik National Volunteers Council (ANVC) negotiated to accommodate each others’ demands and bring some changes in the said schedule. After detailing the history of the Khasi states under the umbrella of the FKS in the letter, it noted:

310 “Case WP(C) No.363 of 2014 between Shri Archi Siangshai and seven others as petitioners and The State of Meghalaya and six others. This includes Shri.Lucas Shylla – Headman of Village Dorbar Pamrakmai, Shri.Diwanis Siangshai- Secretary of the Village and Shri.U Daikiwbha Rymbai, Secretary of Village Dorbar Pamrakmai as Respondents.”

311 Ref.No.GCCM/CM-FKS/2015/005 dated 6 January, 2015.

we also recall and note from the various political Manifesto of the political parties in the State, that there is already a political consensus as to the need to empower and provide PARTYLESS constitutional space for the traditional institutions ... there is an urgent need for the State Government to consider and discuss in depth the upcoming proposed amendments to the Sixth Schedule in view of the ANVC text settlement agreement, so as to adequately address and introspect the concerns of the traditional institutions of Khasi, Jaintia and Garo people...the time has come to set aside all our differences and to put all our efforts together in bringing about the much needed legislative constitutional changes that are required to retain our unique history and status by recommending necessary Constitutional recommendations for preservation of Customary Laws and practices existing in the Khasi, Jaintia and Garo Hills ... it would be in the fitness of things if the State Government can initiate correction of the constitutional anomaly, to ensure that the State, the ADCs and Traditional Institutions approach this matter in New Delhi with one voice.

In this Memorandum, the President and General Secretary of the Council of Nokmas were also signatories.

Government of Meghalaya's Initiative to find a Solution through the Sixth Schedule

Early 2015, on 20 January, an invite was sent out from the office of the Chief Minister of Meghalaya to various individuals to attend a meeting scheduled for 20 January, 2015 at 2.30pm in the Yojana Bhavan Auditorium, Meghalaya. This meeting as observed from the agenda was to discuss “(i) the proposed increase in seats/constituencies of GHADC/KHADC & JHADC including nominated in the context of the Agreed Text for Settlement signed by the Govt. Of India, State Govt. and ANVC/ANVC(B) and the constitutional amendment to the relevant portion/clause thereof ... (ii) the issue of voting rights or otherwise of the nominated members...” This meeting was important for the FKS as it had direct implications for them as the explanatory note indicated:

...In November, 2013 the Ministry of Home Affairs vide

letter No.9/1/2003 dated 25.11.2013 had informed the State Government of a proposal being considered in the Ministry to increase the number of seats of each of the three existing Councils to 40 comprising of 35 elected Members and 5 Members to be nominated by the Governor and had specifically requested the State Government to convey its concurrence for increasing the number of Council members from 30 to 40 in case of Garo Hills. The matter was informally discussed in the Cabinet meeting held on 08.01.2014. The Cabinet had agreed to 35 elected Members for KHADC and GHADC and 5 nominated members for all the three Autonomous District Councils. Of the 5(five) members to be nominated by the Governor it was decided that 1(one) seat each may be reserved for (a) representation from traditional institutions(b) representation from unrepresented tribal communities and (c) Lady nominated member ...

This proposal sent the FKS into another huddle and a number of meetings were held in the office of its spokesperson in Laitumkhrah. The immediate reaction of the FKS was to resist the same and instead asked for a Regional Council which shall be constituted only by Chiefs, Sordars and Rangbah Shnong. “How can a partyless democratic system like the FKS be put by force into a party based system like the KHADC?” this was where the discussion revolved around. “Why don't the government instead initiate a Regional Council that will comprise of Khasi Chiefs that is partyless and elected by customary law separately”, some of the Chiefs argued.

Following the meeting convened by the Chief Minister on 20 January 2015 a “Committee on Traditional Institutions” was notified by the State Government comprising of the CEMs of the three KHADC an representatives of the stakeholders chaired by Dr DD Lapang, the Chief Adviser to the Government of Meghalaya. A sub-committee was constituted which included John F. Kharshiing and this sub-committee had begun to meet to discuss the solutions.

In the meantime a heated personal political battle of words between Bah P.N. Syiem, MDC and MLA, CEM, KHADC and Dr. Mukul Sangma, Chief Minister, Meghalaya was going on in full public

display in the media. This political animosity between the executive heads of both the state and the District Council belonging to the same political party came to such a head that suddenly the State Government issued an announcement that it had de-notified the Committee on Traditional Institutions. During one of the Committee meetings chaired by the Chairman Dr. D.D. Lapang, Bah P.N. Syiem, who was both MLA and MDC and CEM, KHADC, questioned the motive of constituting such a committee and lambasted the State Government for meddling with Traditional Institutions which is a subject under the District Councils. To this the spokesperson FKS interrupted by reminding the Committee in response to the CEM that it is not correct to blame the State Government for this Committee as the FKS too had written constantly to the State Government to constitute such a committee.

Since 60 years of Independence the Khasi States and the Traditional Institutions have not yet been defined in the constitution and no efforts have been taken especially by the KHADC in response to the letter from the Government of India and the Chief Secretary since 2012 seeking opinion of the KHADC on the Instrument of Accession And Annexed Agreement of 17 August 1948 (IoA & AA) which shows the incapability to respond to such important issues of the Khasi States and hence the need for such a state constituted committee, the FKS mentioned that in any case all issues from the three district councils need to again be cleared consulted and cleared by which ever party which is in the Government and in this case it was the Indian National Congress of which the CEM KHADC himself was one of the senior functionaries. The CEM, KHADC responded by stating that these issue will be addressed in next three months by the KHADC.

It was absolutely evident that the internal power struggles within the ruling congress party which was heading the state government was going to impact the work of the State Government notified Committee on Traditional Institutions. It was subsequently learnt that this overlapping issue of jurisdiction was used to create immense pressure for political stability of the congress which led to the denotification of the D.D Lapang chaired committee on Traditional Institutions. Incidentally D.D Lapang was also then the President of the Meghalaya Pradesh Congress Committee and also the Chief Adviser to the Chief Minister Government of Meghalaya.

If one were to carefully follow the chain of events, one will definitely see that the issue of the village headmen by now high jacked by the KHADC and the internal power struggles within the Meghalaya Congress and the open spat between the then Chief Executive Member, Khasi Hills Autonomous District Council Pynthngainlang Nandah Syiem and the then Chief Minister Dr. Mukul Sangma just a year later led to the formation of a new political party led by P.N Syiem.

First Khasi Inter-Clan Football Tournament

The relevance of the Khasi Clans who are part of the Administration and governance structure within their respective Hima / Elakawas now being questioned at various levels after detailed discussions with the Syiem of Khyrim who agreed to host the Khasi Clan Football, the Adviser and spokesperson FKS under the banner of the Assembly of Hynniewtrep Nations and the Grand Council of Chiefs of Meghalaya – Federation of Khasi States, organised its first clan based football tournament from 27 January 2015 to 27 February, 2015 assisted by the Seng Samla Smit Pyllun. The FKS proposed this novel idea of conducting clan based football tournament as it was one of the most loved game among the Khasis to cross check its relevance and also create consciousness among the youth about unique clan identity, clan relations and kinship consciousness.

There were twenty³¹² clans from Hima Khyrim who participated, one from Hima Nongkhlaw (Syiemlieh), one from Hima Nongstoin (Thongni Myllem Unit), one from Hima Mawphlang (Kharshüing), one from Elaka Rymbai (Swer) and one from Elaka Amwi (Tariang Myllem Unit). The motive of organising the tournament was to use every means to galvanise the clans especially the youths to become aware of their own clans and also other clan since Khasi(s) are a clan based society. It was a major success and one could see the

312 The clans “Mawthoh, Myllemngap, Nengnong, Nongspung, Sohtun, Kharamnuid, Khongwir (Myllem Unit) Buhphang, Warmalai, Mawiong, Kharbuli, Khonglah, Kharbihkhiew, Kharbyngar, Lyngdoh Nongbri, Nongrum, Kharmati, Khongmawloh, Rynjah, and Wankhar. From Hima Myllem there were the clans Kharkongor, Mawrie and Synteng Nongdhar.”

bond of the kinship of the respective Dorbar kur (clans), all teams and players complied to the rules which mandated that each Clan submit a brief history about their respective clans and to also include a letter of commendation by the Clan Elder (Rangbah Kur).

A prominent elder from the important Marbaniang Clan told the spokesperson FKS that they are indebted to the initiative of the FKS because what they could not do, have been done. This clan football tournament, he noted has enabled the clan to reassemble and meet again to discuss not only football but the important role that the clan has especially in Hima Myllem as the Lyngdoh of Raid Myllem is nominated from the Marbaniang Clan. Similarly, a number of elders from different clans who had kinship ties such as the Mawiong clan met at the clan football for the first time with the Mawrie clan and engaged in discussions relating to their being related historically. This tournament by the FKS triggered a similar smaller clan football tournament at Nongthliew, under Hima Sohiong.

FKS Demands Constitutional Recognition

As the struggle for recognition of traditional institutions gained momentum among the Khasis (Institutions of Syiem, Lyngdoh, Sirdar and Wahadar) Jaintias (Institutions of Dolloi and Sirdar) and Garos (Nokma's) Chiefs, at least 300 (syiem, sirdar, lyngdoh, syiem raid, lyngdoh raid, basan, myntri, wahadadar, village chiefs, clan chiefs and elders) marched to the KHADC on 4 February, 2015 seeking "Constitutional Recognition under IoA terms." The leaders of traditional institutions "concerned about the present situation arising out of the High Court order" submitted a memorandum to Bah Adelbert Nongrum, CEM, and other members³¹³ of the KHADC. Although the CEM, KHADC had granted a meeting for a smaller FKS delegation, many other traditional leaders came for the same and the gathering had to be held outdoors, in the compound of the KHADC office. The FKS demanded from the

313 Teinwell Dkhar MDC, Deputy CEM, Latiplang Kharkongor, MDC EM i/c Trade & Enforcement, KP Pangniang, MLA & MDC, EM i/c Elaka, Morningstar Mawsor, MDC, EM i/c Transport, James B Basaiawmoit, MDC, PT Sawkmie, MDC, EM, i/c Fisheries of the KHADC, including Leader of Opposition & former CEM, PN Syiem, MLA & MDC.

CEM to “consider and pave the way for constituting a Regional Council for the Traditional Chiefs.” They further urged the KHADC to:

urgently finalise legislation and codification of traditional Laws in all 54 Hima / Elaka (Hima/ Elaka – wise) in a time bound manner, such that the indigenous nomenclature of the traditional and customary institution of Dorbar Kur, Dorbar Shnong, Dorbar Raid, and Dorbar Hima, (Syiem, Lyngdoh, Sirdar, Wahadadar, Dolloi and Nokma) be inserted and mentioned instead of the word ‘Chiefs’ and ‘Headmen’ in the Sixth Schedule.

In the midst of the discussion, a creative suggestion was made by the chiefs, that the village administration bill, which was currently planned to come into effect across the hima(s) be proposed separately for each hima / elaka (54 hima/elaka in total). The spokesperson of the FKS stated that the customary laws would be completely diluted if one village administration bill was proposed for all the 54 hima /elakas in Khasi Hills. As an example to reveal the distinctiveness that was present within hima(s) and even within the respective Dorbar Shnong(s), he cited the case of the *Laitumkhrab*³¹⁴ *Dorbar Shnong*. In this particular dorbar women not only participated in the proceedings of the dorbar shnong in fact they had two(2) representatives from the women organisation (recognised *seng longkmie* of *Laitumkhrab Dorbar Shnong*) and two (2) representatives from the Seng Samla (recognised youth organisation of *Laitumkhrab Dorbar Shnong*) and two (2) representatives of the recognised Sports Social Cultural Club of the Laitumkhrab Dorbar Shnong were official members of the the Executive Committee of the Dorbar Shnong, while in other dorbar shnong of other hima(s) /elakas only men attended. Further he argued that in the Laitumkhrab Dorbar Shnong Constitution two representatives of the Seng Samla Shnong and Seng Longkmie were members of the Executive Dorbar Shnong, while it in most Village Dorbar Shnong and Dorbar Hima /Elaka it was not the case. Another customary practice in Laitumkhrab was that there are now three rangbah shnong for one village to address the convenience of the public while in other shnongs there was only one village head. He stated

314 Laitumkhrab is the name of a village/town in Shillong.

that instead of imposition from the KHADC on the villages, let the changes come from within, hence the need for separate hima based village administration bill. The chiefs cautioned the KHADC on the proposal to create two institutions within one village as it would lead to certain death of the customary laws and practices. In the gathering two other proposals were made by the FKS:

(i) with regards to the Ministry of Home Affairs, letter dated 27th November 2015, the Chiefs proposed that the KHADC initiate urgent discussions with the State Government to discuss the response of the MHA to the Memorandums from the Federation of Khasi States vis-à-vis the proposed Sixth Scheduled Amendment to correct the Constitutional Anomaly,” and (ii) “the Chiefs called for unity of the people and urged the CEM and the Executive Committee, KHADC, to constitute a KHADC All Party Committee with representatives from the Federation of Khasi States, to be Chaired by the CEM to facilitate discussions and suggestions in common interest between the KHADC and the Federation of Khasi States. The Chiefs urged the Chief Executive Member to convene a joint meeting of all the Members of the District Council with the Federation of Khasi States so as to have clarity and to discuss the very important Constitutional Amendments proposed by the KHADC to the State Government and urge on the Khasi Hills Autonomous District Council and Government of Meghalaya to pass resolutions urging the Government of India to fulfil the solemn national commitments made on the attainment of Indian Independence.

Committee on Institutionalisation of Traditional Institutions

Another meeting was called by the Chief Minister on 4 March, 2015 to “discuss the matter relating to institutionalisation of the traditional bodies and to look at ways of improving the role and functions of these traditional bodies in accordance with the changing times.” The fallout from the High Court judgment on traditional institutions and the headmen in particular was starting to play out in the community and deep tension was felt across the state. The government invited representatives of all political parties,

the CEMs and MDCs of two Autonomous District Councils in Khasi and Jaintia Hills, members of civil society and the representatives of traditional institutions.

The opening remarks in the meeting were made by P.B.O.Warjri, IAS, Chief Secretary, Government of Meghalaya. This was followed by the address of the Chief Minister, Dr.Mukul Sangma who was also chaired the meeting. In his address he noted, “the need to empower the traditional bodies/institutions so that they are able to play a more proactive and effective role in governance.” He emphasised that the objective of the government was to build a partnership with the traditional bodies for more effective governance and more efficient delivery of services to the common man. Because of this, there was an urgent need to institutionalise the role and function of these time-tested bodies in order to avoid any confusion and also to fill the vacuum caused by recent judicial interventions.³¹⁵ From the side of the FKS, who attended the gathering ‘with full force’, Paiem P.M.Syiem, (Syiem of Hima Nongkhlaw), Paiem Dr. Balajied Sing Syiem (Hima Khyrim) and John F. Kharshiing spoke.

From this meeting it was decided to constitute a committee under the chairmanship of Dr.D.D.Lapang, MLA and also Chief Adviser to the Government. Two nominees each from the traditional institutions of Syiem of Khasi Hills and Ri-Bhoi district and from the Dollois of Jaintia Hills were also appointed to the committee. Another decision point made asserted that all

efforts will be made to reconcile the anomalies in the Khasi Hills Autonomous District (Village Administration) Bill, 2014 expeditiously. The District Council Affairs Department will convey specific instances where the provisions of the bill are found to be in conflict with the legislation enacted by the State Legislature or the Parliament. The KHADC will take steps to reconcile the contradictions and then submit the Bill to the Government for its consideration.

At the end of the meeting, the Chief Minister pointed out that “this initiative of the government was taken in a given context and

315 Referring to the High Court Judgment as noted above.

should not be construed as an attempt on its part to dilute the role and relevance of traditional bodies in any manner whatsoever. If anything, this was meant to impart clarity to the role and functions of the traditional bodies in the newly emerging scenario.”³¹⁶

Immediately after the constitution of the above “Committee on Institutionalisation of Traditional Institutions”, the FKS sent a letter to the Chairman on 6 April, 2015 requesting “for working papers/ notes / presentation if any from the District Council Affairs, Law, Political, C&RD Urban Affairs, Municipality, Departments, etc.,” One of the strategies employed by the FKS in its historical struggle is to always position itself one step ahead of others in the domain of information collection, legal clarity and sophisticated arguments. In the same letter, its spokesperson advised the committee that before the committee proceeds with its assigned activities “a written view from our constitutional experts will help the members frame their views on the subject matter as the issues are connected with constitutional amendments.”

The Committee met on 20 May, 2015 at 2.30pm in the Conference Room of the Main Secretariat Building, Shillong. The Chief Minister, Dr.Mukul Sangma was present and addressed the members by appealing to all participants to contribute valuable suggestions in accordance with the terms of reference of the said committee so that the same can be appropriately incorporated in the final report. He also mentioned about a sudden felt need for the promulgation of a government 'ordinance' related to roles and powers of traditional institutions noting “in order to fill up the vacuum which has been created by the order of the Honourable High Court³¹⁷ the government after consultation with various legal experts has come up with an ordinance.” However he clarified that promulgation of ordinance does not mean that the government is trying to encroach into the jurisdiction of the Autonomous District Councils. The ordinance was done only with the intention of providing a 'stop gap arrangement' pending legislation of appropriate laws by the concerned Autonomous District Councils.

316 The minutes of the meeting was released on the 8 April, 2015.

317 The judgment passed by Justice S.R.Sen of the Meghalaya High Court, Shillong.

The Terms of Reference for this Committee was re-stated by the Dr.D.D.Lapang as follows:

- (i) To examine the role of traditional bodies in civic matters and implementation of government programmes and policies
- (ii) to suggest measures on how to institutionalised the role and functions of traditional bodies in governance and delivery of government programmes and services at the grassroots level with greater transparency, accountability and inclusiveness
- (iii) to examine if any legislative measures would be required for this purpose and if so, to attempt a model Bill
- (iv) The Committees may elicit suggestions from respective stakeholders in documented for specific to the above and compile a report within three months.

Two members of the FKS were represented in this Committee; Paiem P.Syiemlich (Hima Nongkhlaw) and John F. Kharshiing (Adviser and Spokesperson FKS) who was designated as Chairman, Grand Council of Chiefs of Meghalaya rather than as spokesperson FKS. A number of members spoke in the meeting, which included the Bah P.N.Syiem (CEM KHADC), Dr.W.Kharshiing (President Synjuk ki Rangbah Shnong), Bah Moonlight Pariat (MDC, JHADC), Bah P.Tynsong (Minister i/c C&RD), Bah Toki Blah, Bah Erwin K.Syiem Sutnga, and others. On behalf of the FKS, John F. Kharshiing made an intervention in the discussions, stating:

to background notes which indicated that there are generally two types of traditional institutions in the Khasi-Jaintia region of Meghalaya namely, at the village level and above the village i.e., the Syiemship, Dolloiship, Sirdarship, etc. According to him, there are three tier/levels viz, at the village level, at the Raid level and the Syiemship, Dolloiship, Sirdarship, etc. He also made a reference to the signing of the historic agreement on 17th August, 1948 between the Dominion of India and the province of assam on the one hand and the Khasi states on the other hand. He observed that till date no efforts have been made by the Government of India to arrive at new or modified arrangements with the Federation of Khasi States, relating to the Constitution of India with regards to the Sixth and Seven Schedule. He cited examples of the Constitutional conflicts with the customary

laws such as the Registration of Births and Deaths Act, 1969, the Indian Registration Act, the Meghalaya Town and Country Planning Act 1973. He therefore, suggested that the Sub-Committee to be constituted needs to have a representative from the Ministry of Home Affairs, Government of India.

The discussion in many occasions veered towards the topic of the village administration bill (VAB) of the KHADC, being the issue that has brought about the constitution of the Committee in the first place. In the meeting some recommendations were made by the committee that were addressed to the government advising that:

- (i) the State Government shall immediately examine the Village Administration Bill passed by the KHADC and the JHADC in consultation with legal experts and arrange for recommending it to the Governor for his assent (ii) The next meeting of the committee shall be held in the middle of June, 2015 after all the new additional members are notified by the Government.

Repercussions of the High Court Judgment

As we had stated earlier, debates and struggles for constitutional recognition to traditional institutions at the village levels began to erupt immediately after the High Court Judgement of Justice S.R.Sen. While there were many attempts made by the KHADC itself to challenge the decision within the purview of law, a massive mobilization was spearheaded by the Joint Action Committee of ‘Synjuk Ki Rangbah Shnong (Sor & Khap Sor) Shillong’ (Federation of Headmen- Urban and Semi Urban, Shillong). This was a conglomeration of headmen of Khasi villages in Shillong and surrounding areas. A massive dorbar was called in the Polo Grounds on 30 May, 2015. The political slogan of the dorbar was *Kumba Hyndai, Kumta Lawei Namar Ka Ri Ngin Long Kawei* (As it was in the old, thus for the future of the nation we will be one).

For five to six days, khasi songs articulating the slogan played from loud speakers rang across Shillong city and its adjoining areas. On the day of the dorbar, heavy rains poured in the early morning hours of the day. Notwithstanding the rains, people marched to the grounds emerging from every nook and corner of Shillong. Some

were seen walking all the way from their village with banners and drums, others coming by vehicles. Massive crowds thronged the place. People noted that the crowds were so massive that it could only be compared to the mass gathering of 1972 when a separate State of Meghalaya was crafted out of Assam. The dorbar was chaired by the Dr.W.Kharshiing, the organisation's chairman. There were a number of speakers, mostly headman of various villages. The mood was ecstatic. The single key demand pronounced from this platform was the immediate enactment of the Village Administration Bills, (VAB) 2015.

From this conglomeration of village heads initially styled as the Synjuk Ki Rangbah Shnong (Sor & Khap Sor) Shillong' (SKRSSKSS), the name of the platform was altered into "Ka Synjuk Ki Nongsynshar Shnong Ka Bri U Hynniewtrep (SKNSKBH) (Federation of Traditional Village Leaders of Khasi and Jaintia Hills, Meghalaya). The SKNSKBH, since the massive gathering in polo grounds have kept the pressure on the government and the governor for giving assent to the VAB, 2015. The protest continues.

FKS Position on IoA and AA in 2015

On 9 June 2015 the FKS released a press statement titled "We Need to Clarify Our Accession- Agreement Terms with Dominion of India". This was in the light of a raging debate that engulfed the Khasi community about the VAB 2015 passed in the KHADC. This note was intended to clarify the position of the FKS on the matter. It read:

In view of the numerous queries from the Rangbah Shnong, Sordar Shnong, Syiem Raid, Lyngdoh Raid, Bongthai Raid, Lyngdoh, Myntri, Lyngskor, Basan, Syiem, Sirdar, Dolloi, Wahadar, Sangot, Pator, Myntri Shnong, seeking clarification on the KHADC Village Administration Bill 2014 and amendments 2015, and moreover in view of the newspaper reports on the conflicting stand for and against the VAB 2014-2015, taken by the political leaders and political parties, The Grand Council of Chiefs of Meghalaya (comprising of Assembly of Hynniewtrep Nations, Federation of Khasi States, Council of Dolloi, Sirdarship, and Council of Nokma) would like to state that this matter of codification by framing Acts and Rules has not been a

new one it has been going on since 1933, 1947, 1948, 1949, onwards, and in the past two decades as recent as December 12, 2000, the proposal by the Federation of Khasi States for constitution of the Thirteenth Scheduled, was sent to the Government of India through the 'Vajpayee' Constituted National Commission for Review of the Working of the Constitution (NCRWC), during the earlier NDA rule which did not see the light of day. The NCRWC not understanding the depth of the pending issues of the Khasi States instead in its final recommendation proposed five(5) Syiem, five(5) Dolloi and five(5) Nokmas to be nominated from amongst themselves as MDCs in the District Councils. The Grand Council of Chiefs of Meghalaya is till date pursuing its demands with the Government of Meghalaya and the Government of India for incorporation of the Instrument of Accession and Annexed Agreement 17 August 1948, into the Constitution of India.

The position of the FKS to be detached from the District Councils and the Sixth Schedule resulting in the then political establishment of the KHADC in constituting two committees on 27 July 2004 and on 3 November 2015 (Federation of Khasi Traditional Institutions), Constituted on 27 July 2004 and Federation of Traditional Dorbar, 2015 Constituted vide KHADC Notification No.DC II/GENL/20/21/2015/30 dated 3 November 2015 – Shri. PN Syiem, CEM, Chairman)

And as the people on the ground started awakening and asking the relevant questions raised by the FKSs since 1999 and the success of the four People's Parliament led the KHADC to address the issues of the FKS by passing three Bills i) The Khasi Hills Autinonomous District (Constitution of The Federation Of The Khasi Traditional Chiefs) Bill, 2006 passed by the Khasi Hills Autonomous District Council on the 26 October 2006. Shri. M Pyrbot, Chairman, KHADC. ii) The Khasi Hills Autonomous District (Constitution of Council of Traditional Dorbar) Bill, 2016, passed by the Khasi Hills Autonomous District Council on the 3 March 2016 – Shri. Manstudy Nongrem, Chairman, KHADC and iii) The Khasi Hills Autinonomous

District (Constitution Of Subordinate Council of Traditional Chiefs And Headmen) Rules, 2018, Notification No. DC.XXVII/GENL/97/2018/4 under Rule 73(2) of the AD Rules 1951 issued on 23 October 2018 by the Khasi Hills Autonomous District Council – Shri. HS Shylla, CEM.

In reply to the The Khasi Hills Autinomous District (Constitution of The Federation of The Khasi Traditional Chiefs) Bill, 2006, the DCA Department – returned back the Bill vide letter No.DCA.54/2006/22 dated 11 October 2007, stating “it is found that the Khasi Hills Autonomous District Council does not have the legislative competence under the provisions of the Sixth Schedule to the Constitution to enact such a Bill and to convey that the Governor has rejected the Bill ”.

It is learnt that reply was given to the other two bills passed by the KHADC which was meant to provide space to the FKS within the Constitution of India, what was strange was that the KHADC did not pursue the Bills and the DCA did not inform which authority within the Constitution had the power to create constitutional space for the Khasi institutions as per the IoA & AA.

Subsequently a number of draft Bills were floated some of which were The Meghalaya Constitution and Administration of Village and Area Development Council Act 2009 – 2010, The Community Participation Bill 2010, which went to the Assembly and a Select Committee, and this too faced a dead end as the Federation of Khasi States and the KHADC were opposed to such bills...Since the various attempts reached nowhere, based on the demands from the Federation of Khasi States, the KHADC constituted a number of Committee's to look into the matter of codification of different Hima/ Elaka and this culminated into the framing of the draft bill KHADC Village Administration Bill 2011 which went into a series of debates and discussions. The Federation of Khasi States are of the view that the Acts and Rules of the respective Dorbar Shnong, Dorbar KUR, Dorbar Raid and Dorbar Hima respectively had to be prepared by the KHADC for the 54

Hima/Elaka in Khasi Hills and 19 Elaka in Jaintia Hills and for the 1400 Akhin Nokma in Garo Hills...In relation to the present debate and views from political platforms on the powers of the Sixth Scheduled to the Constitution of India, vis-a-vis sub section (viii) and (xvi) of Section 5, of the KHADC Village Administration Bill 2014, we sincerely urge all to thoroughly discuss in-depth as these sections are very much relevant and important aspects of the customary usage and practice within the Khasi States especially in accordance with the Instrument of Accession and Annexed Agreement, accepted by the Government of India on 17 August 1948, for which the Dorbar Ki Khlieh Nongsynshar ka Ri Hynniewtrep (Assembly of Hynniewtrep Nations), and Federation of Khasi States, are of the firm view that the Government of India must incorporate the Federation of Khasi States within a new Thirteenth Scheduled or through a Special Article under the Constitution of India.

Trouble in the Border

In the midst of the VAB debate that engulfed Shillong, we went to the border regions to attend a gathering organised by the chiefs of the himas adjoining Bangladesh. The meeting held on 13 June 2015 at Dawki was chaired by Mitford Rynghsai. Supposedly the FKS spokesperson was invited to listen to the problems arising out of the boundary dispute and to present his views to the gathering.³¹⁸ The key agenda of the meeting was to find ways to contest the new International boundary being drawn between India and Bangladesh that had led to acres of land lost to Bangladesh. The decision to this effect was supposedly taken by the Government of India and even notified as per the Constitution (One Hundred and Nineteenth Amendment) Bill 2013 passed by Parliament of India on 6 May 2015, ratifying letters of 16 May, 26 December, 30 December 1974, 7 October 1982, 26 March 1992, and the Protocol agreed on 6

318 The people who attended the meeting were Land Owners, Rangbah Shnong, Secretary Elaka, CCIB (Coordination Committee on International Border) elders and leaders Bah MF Rynghsai, Rangbah Shnong, Dawki, Chairman CCIB; Bah Kmen Myrchiang, Secretary, CCIB, Dawki; Bah John Buam, Secretary Elaka Satpator, Bah Klop Pohtam, Rangbah Shnong, Muktapur.

September 2011, on the boundary between India and Bangladesh.

In the gathering, maps of the area owned by the Khasi(s) within India and across the border were displayed and threadbare discussion took place. Participants expressed deep anguish with the above protocol and the agreements between the two national governments. They pinpointed specific pillars; from IB Pillar 1251 (Nongjri) up to IB Pillar 1299 (Hawai Sangkhat-Jaliakhola), including IB Pillar 1315 up to 1318 at Nunchera. These were pillars erected to identify borders. The members stated that the above international agreements between Indian and Bangladesh were arrived at in the absence of land owners, ignoring their claims even though they had raised concerns through their respective rangbah shnong, dolloi, sordar raid, and syiem. In their opinion, this was a violation of indigenous human rights. In the agreements between the two countries, the Khasi(s) lost 278 acres of lands spread across the Khasi and Jaintia hills. Some of the participants in the meeting argued that this was all due to the faulty 'Radcliff Line of June-July 1947' which was drawn in two months on a table at New Delhi arising out of the urgency to divide India and Pakistan.

The meeting resolved to petition the concerned state and central authorities, on the rights of the Khasi and Jaintia people and requested the FKs through John F. Kharshiing to take up the matter with the central authorities. There were also heated arguments about the way the khasi people have been treated by the state and it was suggested that the chiefs should consider representing the issue to the United Nations Organisation to intervene for fresh boundary survey under UN Mandate. In the meeting, it was agreed with the others and it was affirmed that "as per our customs, usages and practices, we have a different land holding system in Khasi, Jaintia and Garo Hills of Meghalaya, and if the District Council, the Government of Meghalaya, and Government of India, and Government of Bangladesh fail to recognize these customary land laws then it will be considered a total violation of human rights of the small Indigenous people in this part of Asia."

On a petition sent by the FKS/GCCM to the Prime Minister's office on the boundary dispute, they received a response from the PMO office dated 5 August 2015 in the form of a correspondence

that was addressed to Secretary, Ministry of Home Affairs, New Delhi. It was noted that the letter from the FKS was forwarded to the said home ministry on 10 July 2015 relating to clarification of the faulty Radcliffe Line³¹⁹ of July 1947 and objections to the recent Indo-Bangla Boundary settlement and directing the Ministry of Home Affairs to take action as appropriate.

In response to the struggle around the border issue, a similar directive was issued by the same ministry on 2 September 2015, to the Joint Secretary (NE), North Block, New Delhi to take appropriate action. Directives of this kind keep coming, but it is rare that the same is taken up at levels where decisions are made especially at the Prime Minister's level. Nonetheless, awaiting an amicable solution to the problems faced by Khasi himas in the border region with Bangladesh, the land owners, the village chiefs, and clan elders persist with their struggles.

Tussle over the Village Administration Bill

On the question of VAB which was passed by the KHADC on 30 May, 2015 and then caught in the midst of power play between the State Government and the Governor, the KHADC under Bah Pynshngain Syiem (CEM) called for a “Dorbar Bah U Hynniewtrep” (The Big Assembly of Hynniewtrep Peoples) on 5 September, 2015 in the polo grounds. The key agenda of the gathering were (i) to strengthen the law that would empower legally the dorbar shnong (ii) to protest against the ordinance (iii) to protest against the drawing of the boundary by MUDA (iv) to strengthen the building law of the council. The key slogan of this dorbar was “Riti Dustur U Mynbarim, Kamram Jong Ngi Dei Ban Pynim” (Tradition and Culture of our Ancestors, Our Duty is to Keep Them Alive). In this gathering most of the Khasi chiefs were also invited and requested to occupy the dais erected for the dorbar. From among the chiefs, John F.Kharshüing was called to address the gathering.

The key decisions announced publicly by the CEM KHADC with implications for the FKS, was the formation of the Federation of

319 The Radcliffe Line was the line drawn by Radcliffe Brown of the Boundary Commission set up by the British India to demarcate land between the Dominion of India and Pakistan.

Traditional Dorbar (FOTD). This FOTD was to comprise elected members of the KHADC, some selected representatives of the Khasi chiefs and some representatives of the rangbah shnong. Overall there were six resolutions taken (1) urgent need to ensure preservation, protection the interest of traditional institutions and to bring them together under one umbrella thus the formation of the “Federation of Traditional Dorbar (FOTD)”, (2) opposition to the Meghalaya Local Administration (Empowerment of Traditional Institutions, Traditional Bodies and Headmen in Governance and Public Delivery System) Ordinance, 2015, (3) oppose the encroachment of MUDA into scheduled areas, (4) amendment of the Sixth Schedule to the Constitution of India and the need to bring any discussion on the same to the FOTD, (5) opposition to any decision taken by the Political Department of the Government of Meghalaya seeking the names of all Rangbah Shnong in Government Service³²⁰ and (6) that “any issue(s) that would emerge conflicting, that Traditional Dorbar will be taken up with the FOTD for deliberation and appropriate action.”³²¹

Tensions within the FKS

On 10 September, 2015, led by Paiem Labrious Manik Syiem, the representatives of himas, lyngdohships, wahadadarship, sirdarship, raid and their dorbar shnong with their inhabitants submitted a memorandum to D.D. Lapang, the Chairperson of the Committee for Institutionalisation of Traditional Bodies, Government of Meghalaya. The key signatory to the document was Paiem Laborious Manik Syiem in the capacity of Advisor, Federation of Khasi State, (Erst) and a few others.³²²

320 The Political Department of the Government had recently brought out a directive issued to all departments of the government seeking to know who were holding government position and were Rangbah shnongs at the same time. This letter had a threatening tone and was resisted by many organisations.

321 This decision was in some way to counter the State Government by the KHADC and disallow the state to meddle with domains within the legal jurisdiction of the KHADC.

322 Other signatories were Dr.B.S.Syiem of Hima Khyrim, Syiem of Hima Nongkhlaw, the Lyngdoh of Mawphlang, Syiem of Myriaw, H.Skhemlon Sordar Hima Mawdon, Syiem of Raid Marngar, Syiem

A copy of this memorandum was also sent to the CEM KHADC on the same day. The memorandum was titled “Memorandum for Institutionalisation, Empowerment and Protection of Traditional Institutions submitted on 10 September 2015 to the Committee for Institutionalization of Traditional Bodies, Government of Meghalaya by the representatives of the himas, lyngdohships, wahadadarship, sirdarship, raids and the dorbar shnong with their inhabitants.” This memorandum articulates the Khasi condition succinctly, beginning with a historical perspective, the post independence scenario, the present situation and at the end argued for a decision by the government to give legislative sanction, sanctity and stature to the Khasi traditional institutions.” The memorandum in short indirectly stated its intent that the state should consider the take over of the traditional institutions from the KHADC.

This submission of the memorandum by the chiefs however caused consternation among those in the KHADC. This was much more for its CEM who at this point was struggling to get the reworked Village Administration Bill (2014) passed by the Governor. He read the submission of the FKS memorandum to the Committee for Institutionalization of Traditional Bodies (CITB), Govt. Of Meghalaya opening a front to subvert his attempt to get the VAB passed. There are historical tensions between the Government of Meghalaya and the KHADC.

The CEM immediately convened a meeting of chiefs on 16 September, 2015 in the conference hall, KHADC to “clarify some misunderstanding that have come, about the memorandum (of the Chiefs) submitted to the CITB.” Notice for the meeting was sent to every chief, to Paiem Laborious Manik Syiem and also the spokesperson FKS on the 14 September, 2015. In the meeting the CEM KHADC had demanded that the memorandum of the chiefs be withdrawn forthwith. The chiefs relented and agreed to do so. The CEM argued that nothing at this particular point should come in the way of realising the VAB. He felt that the VAB was on the doorstep of becoming law and that it was the first time that the

Hima Mawsynram, Myntri Hima Sohra, Myntri Elaka Nongpoh, Sirdar of Sohbar, Laitlyngkot, Rangbah shnong Sohrarim and another fifty representatives from various Himas.

state government, under tremendous public pressure, was forced to seriously consider accepting the same.

Village Heads Send a Memorandum to the Ministry of Home Affairs

Later, in the month of December, 2015, the ‘Synjuk ki Nongsynshar Shnong Ka Bri U Hynniewtrep’ or ‘Federation of the Traditional Village Leaders of Khasi & Jaintia Hills’ keeping up their struggle to get the Village Administration Bill, 2015 passed by the State Government wrote and sent a memorandum to the Union Home Minister of India on 3 December. They demanded that an “early assent to the Village Administration Bills, 2015 Passed by the Autonomous District Councils of Khasi and Jaintia Hills” from the governor. While asserting the demand for early assent as noted above, the memorandum attempted to clarify and define the power and status of the village dorbar, the sixth schedule and the role of governor in the matter concerning traditional institutions. Many of the arguments put forth in the memorandum seemed like a direct contradiction against the FKS. For instance, the FKS has been demanding the scrapping of the draconian ‘United Khasi-Jaintia Autonomous Districts (Appointment and Succession of Chiefs and Headmen) Act, 1959 while for the SNSBH, it noted in the memorandum point No.3.2, “The United Khasi-Jaintia Autonomous Districts (Appointment and Succession of Chiefs and Headmen) Act, 1959 passed by the ADCs was the only law in force in respect of powers, functions etc., of village chiefs and headmen.” Other key arguments related to the VAB articulated in point 3.3 and 5 respectively noted:

In pursuance of this objective and in exercise of the powers conferred upon the Khasi and Jaintia Autonomous District Councils by paragraph 3(1)(e), (f), (g) and (j) of the Sixth Schedule, the said two ADCs passed the following two Bills for inter alia clearly defining and demarcating the powers of the traditional institutions like the Rangbah Shnongs (Village Headmen) and the Dorbar Shnongs (Traditional Institutions) (1) The Khasi Hills Autonomous District (Village Administration) Bill 2015 passed by the Khasi Hills Autonomous District Council on 30 May, 2015 (2) The Jaintia Hills Autonomous District

(Establishment of Elaka and Village and Election, Appointment, Powers, Functions and Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Bill, 2015 passed by the Jaintia Hills Autonomous District Council during March, 2015.

Further, stating that both these bills passed by the ADCs have been sent to the governor for assent as required under paragraph 3(3) of the Sixth Schedule, it pointed out:

(5) While the Village Administration Bill passed by the Khasi Hills ADC has been forwarded by the Governor to the Union Home Ministry, the Governor has retained the Village Administration Bill passed by the Jaintia Hills ADC to himself. Both the Bills passed by the ADCs in the larger public interests of the tribals of the Khasi and Jaintia Hills are now languishing in limbo for want of assent of the Governor to take effect and one Bill is with the Union Home Ministry without being acted upon with expediency. Indeed, there is no provision in paragraph 3(3) of the Sixth Schedule for the Governor to forward any Bill passed by any ADC to the Union Government. The action of the Governor to forward any Bill passed by the ADC to the union Government may thus be construed as quite contrary to the very legislative scheme enshrined in paragraph 3 of the Sixth schedule. The purpose of paragraph 3(3) vesting assenting power with the Governor is to actively aid the legislative capacity of the ADCs for better governance of the District and not to stymie them from functioning by delay and dilly-dallying.

Final Judgment of the High Court: Implications for FKS

The earlier Judgment passed by Justice S.R.Sen on village administration began to have direct implications on the Dorbar Shnongs and the role of headmen. Many headmen were unsure of their powers and some even declined to give any written recommendation to any inhabitant of their village, not sure of repercussions. In the midst of this turbulent phase, the KHADC filed a writ Appeal in the High Court of Meghalaya on the judgment passed. This was taken up by a two bench court consisting of Justice Uma Nath Singh (Chief Justice) and Justice

TNK Singh. A Judgment was passed by the two member bench on 13 January, 2016. Dealing with matter in great detail, both with the judgment of Justice S.R.Sen and the writ by the KHADC, the final portion of the judgment, relevant from the perspective of the FKS, reads:

21. Thus, in view of the aforesaid discussion, we dispose of the appeal while holding that the traditional institution of Headman being an important tool of governance at the grass root level in the tribal system of democracy has existed since long. But since it appears that there is no uniformity in respect of customary laws, practices and usages as well as the provisions of law enacted by Autonomous District Councils, apart from local legislation made by the concerned Autonomous District Council, which may cover customary laws, practices and usages prevailing in the Elaka or villages, there should be some common qualifications and eligibility criteria for contesting election to the office of Headman, and also regarding the term of office, the remuneration to be paid for performing the duties, and the nature of duties connected with the office etc. Thus, we recommend to the State to bring a suitable and comprehensive legislation to settle the controversies connected with this office once and for all. The very fact that this institution acts as a tool of governance at the grass root level and is also being assigned an important role in implementing various programmes and schemes of the Central Government as well as the State, the office of the Headman also needs to be brought within the purview of the provisions of the Right to Information Act and thus we direct the authorities to frame necessary Rules in this regard for furnishing required information connected with the activities of the Headman and his office and also about the Schemes, he is assigned to implement, besides other duties which the headmen are obligated to perform under the customary laws, practices and usages prevalent in their area as well as under various provisions of the Central and State enacted Statutes. The State should also include the Headman in the definition of, Public Servant for the purpose of

prosecution under the provisions of Criminal Law, particularly, the Prevention of Corruption Act in the case of allegations of committing any financial irregularity or any other economic offences. It may also not be out of context, particularly looking at the amount of responsibilities, a Headman is said to be discharging under the Customary Laws as well as various Statutory provisions (in the absence of any other elected body at the grass root level), apart from being assigned with the additional responsibility of implementing various Social and Government Schemes and programmes, to impress upon the State, in the public interest, to make some Statutory provision for fixing a remuneration commensurate with the responsibilities being discharged by the person holding that office so that he is able to perform his functions and duties honestly and with full dedication and devotion. Moreover, the State Government should also ensure that no person with anti-national and criminal background is allowed to contest the election, and as far as possible, the qualifications and eligibility criteria as provided under the Representation of Peoples Act 1951 and other Statutes for a candidate to contest the election to the State Assembly should also be made applicable to the case of candidates contesting the election for the post of Headman. Besides, we also provide that till the suitable legislation or an ordinance during the pendency of the Bill is brought by the State Government, the directions passed in the impugned judgment which we affirm with modifications as the aforesaid shall remain in force.³²³

As this political tussle raged on, the CEM, KHADC introduced a bill in the council- “Khasi Hills Autonomous District (Constitution of the Federation of Traditional Dorbar) Bill, 2016”. This bill was related to the KHADC's decision in the dorbar in polo grounds to constitute a body that constituted the KHADC, chiefs and headmen. During the course of the debate pertaining to the same,

323 The High Court of Meghalaya Shillong, WA No.2 of 2015, before Hon'ble Mr. Justice Uma Nath Singh, Chief Justice, The Hon'ble Mr. Justice T.N.K. Singh. Date of Judgment: 13.01.2016.

the bill was renamed as the “Khasi Hills Autonomous District (Constitution of Council of Traditional Dorbar) Bill, 2016” and changes were inserted in the bill to bring it in consonance with the provisions of the sixth schedule. The Bill was passed in the budget session held in February-March, 2016.

Struggles and Memorandums

Over the years since 2012 a number of memoranda have been submitted to various Central Government Ministers and other dignitaries totalling sixteen.³²⁴

In the memorandum submitted to Shri Rameshwar Oraon in 2015³²⁵ the FKS reminded the Chairperson NCST of the

324 The Memorandums submitted were to “(1)Shri Maurice Kujur, Vice Chairperson, NCST (2) Justice Shri K.G.Balakrishnan, Chairperson NHRC on 20th March, 2012, (3) V.Kishore Chandra Deo, Union Minister of Tribal affairs on 7th June, 2012 (4) Mrs.Sonia Gandhi, Chairperson UPA on 8th June 2012 and 19 May, 2011 (5) Partibha Devsingh Patil, President of India (6) National Human Rights Commission on 20 March, 2012 (7) Shri Venkaiah Naidu, Chairman, Parliamentary Standing Committee on Home Affairs on 8th June, 2012 (8) Shri Ashwani Kumar, Union Minister of Law and Justice on 8th April, 2013, (9) Shri Pranab Mukherjee, President on 21st October 2013, (10) Shri Rahul Gandhi, Vice President, AICCon 18th November 2013 (11) Dr.Rameshwar Oraon, Chairman, NCST on 6th January, 2014 (12) Shri V.Narasamy, Union Minister of State on 9th February, 2014.(13) Kiren Rijju- Union Minister of State for Home Affairs on 26th August 2014, (14) Shri Rameshwar Oraon, Chairperson NCST on 8th May, 2015 (15) Dr.EM Sudarsana Natchiappan, Chairman, Parliamentary Standing Committee, Personnel, Public Grievances, Law & Justice, Rajya Sabha Secretariat on June 30th, 2015 (16) Shri Narendra Modi, Prime Minister on 27th May 2016.”

325 Later on 10 August 2016, persisting with the earlier communications to the National Commission for Scheduled Tribes, the FKS through Dr.Rameshwar Oraon, Chairperson, communicated to the President of India. The demands of the FKS were especially related to Treaty Rights. After a number of exchanges of discussions between FKS Spokesperson and Dr.Rameshwar Oraon, a written representation was prepared titled “Constitutional Anomaly Relating to The Khasi States Presently Under Meghalaya State, Report as Mandated Under Article 338A Sec 5, on the

numerous memoranda sent to his office and the initiatives taken to date. An important statement at the end was made; “we (FKS) however feel that this matter (IoA & AA) must be initiated directly by the Government of India being one of the principal signatories to the treaty terms.”

The FKS struggle is very complex and has invisible repercussions. As of today for every central law that contradicts with customary rights there is only one option available for recourse, that is to appeal / pass resolutions through para 12 A (b)³²⁶ of the sixth schedule. Even 12A(b) does not clearly specify whether it is mandatory for the government when there is a contradiction of central, state, district council and customary law which means that a proposal to protect customary rights may not be accepted by the majority ruling party if there is any difference of opinion among political parties within a structure of governance or in the two houses of government- KHADC and the State Government.

Another memorandum was submitted to Dr.E.M.Sudarsana Natchiappan, Chairman of the Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice. As Chairman of the said Committee he had invited John F. Kharshiing in the capacity of co-chairman of the Meghalaya State Planning Board to make a presentation about on the subject 'Synergy between Tribal Justice System and Regular Justice System in the Country'. The memorandum by the FKS was sent to E.M.Sudarsana Natchiappan noting:

Non Fulfilment of Solemn National Commitment to the Federation of Khasi States.”

- 326 “[12A(b)] of the sixth schedule states: (12A) Application of Acts of Parliament and of the Legislature of the State of Meghalaya to autonomous districts and autonomous regions in the State of Meghalaya – notwithstanding anything in this Constitution,- [12A(b)] the President may, with respect to any Act of Parliament, by notification, direct that it shall not apply to an autonomous district or any autonomous region in the State of Meghalaya, or shall apply to such districts or region or any part thereof subject to such exceptions or modifications as he may specify in this notification and any such direction may be given so as to have retrospective effect.]”

National Solemn Commitments entered into between the Government of India and Khasi States, Chiefs which are mentioned in the White Paper On Indian States 1950 (Enclosed) and are yet to be fulfilled and honoured. In this context we would like submit that besides Executive, Legislative, Judicial and Religious institutions of the Federation of Khasi States and Council of Nokmas, a mechanism to 'synergise tribal justice system and regular Justice system in the Country', can be formalized as they are already existing on the ground and have been complimenting the judicial process for decades without proper infrastructure or support. On the other hand, to address only one part of the four pillars of indigenous tribal system of administration will be misleading as the 'Khasi, Pnar and Garo -Institutions of Self Government' have to be considered in totality and hence reiterating the need to address and fulfil solemn national commitments agreed by the Government of India wherein the 'Court of the Federation of Khasi States' could be effectively capacitated to synergize it with the regular judicial justice system of the Country as laid out in the Instrument of Accession and Annexed Agreements.

Response from the Ministry of Home Affairs

An important letter came to the notice of the FKS early 2016. The letter³²⁷ was issued by Ajay Kanoujia, Director (NE-II) to Shri M.S.Rao, Principal Secretary to the Governor of the State of the Meghalaya, Shillong. The Subject of the letter was "Legal and Constitutional validity of the Khasi Hills Autonomous District (Village Administration Bill), 2014.

None of the members of the FKS knew about this letter till mid 2016. The contents of this letter were noted as 'explosive' by one of the chiefs. This letter became the next biggest challenge for the FKS. One of the Chiefs pointed out "we will lose all our historical rights if we persist with the VAB, not because the VAB is not important, but because the Indian State will begin to assert itself

327 No.11012/144/2015 NE.IV, Government of India, Ministry of Home Affairs (North East Division) undated January, 2016.

in areas where traditional rights persist by bringing such changes in consonance with the Indian constitution, a place where we have no real historical location other than those enshrined in the Sixth Schedule.”

In the letter, having noted a prior discussion with the Ministry of Law and Justice, asserted that some key issues need to be addressed by the state government in the first instance. The key points in letter with direct implications on the FKS read:

(i) As per paragraph 2 of the Sixth Schedule, Autonomous District Councils (ADCs) shall be elected on the basis of adult suffrage. As per paragraph 3 (e) of the Schedule Village Council and Town Committees *can be established by the councils based on adult suffrage*. In so far as district councils in Meghalaya have not setup mandatory elected village councils. It is pertinent to mention that tripartite *MoU signed among the Central Government, Government of Meghalaya and ANVC* provides for setting up of mandatory elected village councils. On the same lines elected village councils need to be setup in the Khasi Hills Autonomous councils and Jaintia Autonomous Councils. Autonomous District Councils *under the Sixth Schedule are expected to set up mandatory elected village councils and town committees based on adult franchise* which is not included in the proposed bill. (ii) Paragraph 3(g) of the Sixth Schedule also empowers the district council for appointment or succession of Chiefs or Headmen in the traditional institutions. Hence, paragraph 3(e) and 3(g) cannot be mixed up as mentioned in the proposed bill of Khasi Hills Autonomous District Council. This needs to be examined and appropriately segregated. *Traditional institutions and modern elected democratic institutions* may not be mixed as it would be contrary to the *provisions of the Constitution of India*.(iii) *The proposed bill inter-alia provides that only Khasi inhabitants shall be elected to the Darbar Shnong and only Khasi inhabitants will cast the vote in this regard*. What will be the status of other tribes and original inhabitants and also women and their representation in the proposed institutions? *Darbar Shnong and other proposed institutions should be elected on the basis of adult suffrage*. Non representation of other tribes and original inhabitants will be undemocratic

and unconstitutional ...^(x) *A PIL No.4/2015* has been filed in the Meghalaya High Court stating that when Meghalaya had achieved Statehood, *the autonomous district council should have been dissolved* on the grounds that the whole of the State of Meghalaya is tribal dominated and the Sixth Schedule had relevance when it was part of the State of Assam to maintain their socio-cultural identity. Since, *the State of Meghalaya has already achieved statehood and tribal dominated there is no scope* for exploitation of the tribals by the non-tribals.

The sentences italicised above are the lines drawn by the FKS on the letter to highlight the implications and repercussions that the whole institution of the Dorbar Hima, Dorbar Raid and Dorbar Shnong will experience if the route of a VAB is taken rather than the struggle of getting the Indian State to insert into the Indian Constitution the IoA and AA as agreed upon by the FKS and the Indian State. The argument that the FKS was making at this point was that there was no way out for the Khasis to protect their historical rights other than the legal recognition of the IoA and AA by the Indian State. Any other means through the District Council will pave the way for the destruction of traditional institutions and hence the dilution of people's rights currently upheld by the mere presence of the institution of syiem, lyngdoh, sirdar and wahadadar.

Second Inter Clan Football Tournament

Another round of people's mobilization through the game of football was initiated. Beginning 3 October, 2016 till 3 December, 2016, the second Inter Hima/Elaka Seng Samla Kur knock-out Football Tournament 2016 was organised again in Smit, Hima Khyrim by the FKS. The participating clans³²⁸ totalled 29; seven

328 They included following clans: Kharkongor, Mawrie, Nongdhar, Marbaniang, Myllichemlong, Nongkhlaw and Nongbri. There was one clan from Elaka Amwi – Buam (Raid Buam), the clan Thongni from Hima Nongstoin and Hima Maharam, the clan Sohtun from Hima Khyrim and Hima Myllichem. From other himas there was Songthiang, Kshiar, Kharbuli, Nengnong, Kharbyngar, Kharsahnoh, Kurkalang, Khongsngi, Mawiong, Khonglah, Khongwet, Mukhim, Nongrum, Lyngdoh Mawlieh, Kharumnuid, Mawthoh, Marboh, Thangkiew,

from Hima Myllem and 22 from various other Hima(s). Generating some degree of interest among the Khasi public and indirectly galvanizing the clans, the spokesperson FKS noted “you can see from the interest that this clan based football tournament has generated. I wonder how people among us, especially few elites say that our clan based system is no more and remains just a hollow shell.” He was referring to a critique by some of the members of the Khasi community against the clan based system.

Struggle for Language Rights, Recognition and Preservation

On 5 May, 2017 a gathering was organised by the Khasi Authors Society (KAS) to celebrate and demand for 8th Schedule status for the Khasi language in Madan Student, Jaiaw. The guest for the occasion was the Syiem of Hima Nongstoin, Phylla Sing Syiem. The FKS made a public request through various news outlets for people to participate actively in the public gathering, pointing out the importance of safeguarding Khasi Language. “We are being recognised as one of the languages in the world that will most likely become extinct in the coming few years. There is an immediate need to resurrect the struggle to safeguard our language,” noted one of the chiefs in a conversation with me. This viewpoint is shared by many of the chiefs.

The question of language has also occupied the time and energy of the FKS. The Khasi language in its current alphabets is 175 years old as on 2017. The FKS has been active in the movement to preserve the Khasi Language and have been extremely supportive to the struggle led by the KAS to get the language recognised and inserted in the 8th Schedule of the Constitution of India. Language has been an extremely thorny and complex issue in the whole of region that spans the North East of India.

Even the state of Meghalaya was a product of the struggle over language that engulfed the region in the 1960s, when the State Government decided to enforce the Assamese language as the first language in the State of Assam. Confrontation, especially

Rynjah, Nongspung, Myllemngap, Suting. This time there were also clans from Elaka Nartiang – Dkhar Saw Kpoh, Hima Nongkhlaw – Lyngdoh Mawnai and Syiemlieh, Hima Marbisu – Sun and Kurbah, Hima Mawphlang – Kharshiing and Hima Sohiong – Malngiang.

from other ethnic groups erupted and a demand for separate state began from this point. After attaining a separate state in 1972, the language question quietened down in the new State of Meghalaya. Other than its institutionalisation as a full department in the North Eastern Hill University, Shillong, there was not too much discussions and movement spearheaded around to recognise the khasi language as a state language.³²⁹

The North Eastern Hill University started full Masters, M.Phil and Ph.D programmes under a newly established Department of Khasi which is in operation till today. However, led by the Khasi Authors Society, there erupted a demand that the Khasi language be recognised and inserted in the 8th Schedule of the Indian Constitution. Towards this end the Khasi language was accepted by the State Government and recognized as the Associate Official Languages of the State of Meghalaya under the Meghalaya State Language Act, 2005 which received the Governor's assent on May 1, 2005.

Important to note though that since the said year nothing much has proceeded in the institutionalisation of khasi as an official language although a number of organisations including the FKS, have persisted with the demand for the Khasi language's inclusion in the Eight Schedule of the Indian Constitution. As late as November 2014, the discussion on the issue persisted and no clear decision taken. The issue was even raised in the Meghalaya Legislative Assembly for discussion. Demands were made from various quarters for getting Khasi included in the Eight Schedule. Intervening on the same the Chief Minister assured that "I would like to propose, constituting a committee, which involves members of the Opposition, from the KAS, Sahitya Akademi and any other academicians as may be required, to follow it up to expeditiously and complete the whole process." A committee under the then Deputy Chief Minister, R.C.Laloo was constituted to look into the matter. The FKS has been one of the more moderate supporters of these processes and has lent its voice to the movement in every occasion. However, this struggle has at

329 As a matter of fact, the Khasi language had also been recognised by the Guwahati University as early as 1948 followed by Dibrugarh University.

times been aggressive especially when other supporters like the students' groups and youth organisations have pitched in.

Sixty Ninth Year of Signing the IOA and AA: Celebration?

On 17 August 2017, a number of traditional heads of the Khasi(s) assembled in the Youth Hostel Shillong under the banner of the FKS to mark the 69 year of the signing of the IoA and AA between them and the Government of India. The discussion went on for four hours over issues such as the rights of Khasi(s) over land and mineral resources, State boundary issues, rights over forest and water and the need for future struggles to realise the same. The meeting began with a reminder by the Spokesperson of the FKS of the event in which 25 Khasi States signed the Instrument and Shri.Rajagopalachari accepted the document in the capacity of Governor General and later President of India but that was not fulfilled and this has given rise to many discrepancies in law.

In the brief press conference after the meeting, the spokesperson of the FKS shared the resolutions of the above meeting with the press. In the discussions that pursued he argued:

this is an international treaty with the Government of India signed by the Chiefs in 1947 and it is important that this is made clear with the current government both at state and central levels. Today we had discussed how this instrument is not recognised and not inserted in the Indian constitution, which has created tremendous road blocks in many areas that concerns the rights of the Khasis. We see that as regards the Coal Mine Nationalisation Act, the State Government has passed a resolution under para 12a (b) of the Sixth Schedule, yet till today the Indian Government does not seem to accept such a decision and we must note that such discrepancies only goes to reflect the need to recognise the IoA. This is because in IoA it is made abundantly clear that the Indian State does not have rights over our mineral resources, over our land and water resources. We see that our State boundary cannot be drawn; this is also because the IoA is not accepted. The issue pertaining to the Headmans of villages and the non-recognition of their authority is also directly related to the

IoA. Each of many such legal and constitutional discrepancies that have arisen are spread over three domains, ka Synshar ka Khadar (Executive power), ka Thawain (legislative power) and ka bishar (judicial power). The non clarity in these three constitutional domains allows for persistent difficulties to erupt from time to time which brings the general Khasi public to have to continuously protest. The unnecessary issue arising with the MUDA (Meghalaya Urban Development Authority) currently is because the roles, responsibilities and power of the village heads are not clear, while agreeing that professionals such as architects and town planners are essential and mandatory in city /village planning however the Dorbar plays an important role if an when there are disputes relating to boundaries and ownership of land documents issued from the office of the Syiem(s). In this connection the Indian Registration Act 1908 has no provision for recognising and registering the record of ownership of the custodians of over 12 to 14 categories of Land in the Khasi Hills. This non clarity arises because our rights are not mentioned in the Constitution of India. The question now is, when the power including definitions of the panchayats and municipalities are clearly mentioned in the constitution through the 73rd and 74th amendments, in Part-IX Article 243 of the Constitution of India why is it that our traditional institutions is not finding mention in the Indian Constitution.

The discussion concluded by reiterating the democratic demands and the peaceful manner in which the Khasi Chiefs have been making since 1947 seeking a response from the Government of India to the same.

The Period 1999 to 2017

13 February 1999 IoA & AA awareness meeting at Mawryngkneng village convened by the Lyngdoh Raid and addressed by Dr Balajied S Syiem, Syiem Khyrim and John F Kharshiing, Spokesperson, FKS on the need for u khun u hajar (citizens) to address and demand from the Government of

India for redressal of the IoA & AA.

- 1 March 1999 IoA & AA awareness meeting at Mawpyrshong, Smit, Nongkrem, Jatah, Pynursla Mawlyngot, village centers under Hima Khyrim State convened by the respective Dorbar Raid elders and village chiefs and addressed by Dr Balajied S Syiem, Syiem Khyrim and John F Kharshiing, Spokesperson, FKS on the need for u khun u hajar (citizens) of Hima Khyrim to address and demand from the Government of India for redressal of the IoA & AA
- 9 March 1999 FKS meets Shri. BP Archarya, BJP in-charge NE along with TH Rangad, MLA (BJP), and A L Hek, MLA (BJP) to discuss and draw the attention of the BJP Policy Statement 1998 for Meghalaya chapter IV Political Policies and Programmes, clause no. 24 assuring redressal of the IoA the BJP leader assured the FKS Spokesperson, that they will address the issues of the IoA & AA.
- May 1999 FKS Spokespersons first meeting with Shri. GK Pillai, IAS, Joint Secretary (NE) MHA in New Delhi seeking fulfillment of treaty terms under IoA & AA wherein the Joint Secretary (NE) admitted he was being informed and learning about Syiem, Lyngdoh, Sirdar the Khasi States signatories and the IoA & AA for the first time.
- 23 July 1999 The CEMs of the three ADCs (KHADC, JHADC and GHADC), jointly sign a background note on the Sixth Schedule to the Constitution of India and the Proposed Amendments (1999) and submits the same to the Government of India appealing for a stay to the proposed sixth schedule amendments quoting and justifying at length the Instrument of Accession and Annexed Agreement 17 August 1948, and opposing panchayati raj like amendments and reuest constitution of a Committee and task force under the Chairmanship of an MP from Autonomous Districts to study and suggest appropriate and suitable proposals consistent with the hopes and aspirations

of the indigenous tribes.

- 28 July 1999 FKS delegation meets with Shri. PA Sangma, MP former Lok Sabha Speaker, and Shri Rober Kharshiing, President, NCP, Meghalaya in Shillong Club. Former Lok Sabha Speaker announces that IoA & AA must be implemented and that his party NCP would make special mention in the Manifesto for the same.
- 28 August 1999 Syiem Khyrim convenes Dorbar Hima (Parliament) of Khyrim at Smit and places before the assembled u khun u hajar the IoA & AA for indepth discussions.
- 19 September 1999 FKS meets with Lok Sabha Candidates Shri. PR Kyndiah INC who subsequently became a Union Minister at 9am and 11am with Shri. TH Rangad, MLA from the BJP
- 9 October 1999 FKS second meeting with GK Pillai, IAS, Joint Secretary (NE) MHA in New Delhi seeking fulfillment of treaty terms under IoA & AA wherein the Joint Secretary admitting that there was definitely a constitutional anomaly with the Syiem, Lyngdoh, Sirdar signatories of the IoA & AA not finding place in the Constitution of India
- 18 January 2000 KHADC convenes a joint meeting with the 25 Rulers of the 25 Khasi States and 29 Sirdarships and circulates a controversial resolution forcing the Rulers/Chiefs to agree to the resolution stating that the meeting recognizes the need to strengthen Sixth Schedule and agreeing to amendment of the 1959 Act inaccordance with the times.
- 21 January 2000 FKS meets and submits memorandum on the non fulfillment of the IoA & AA to the Prime Minister Shri. AB Vajpayee during his visit to Shillong at the Raj Bhavan, Shillong, Meghalaya
- 19 February 2000 A public rally was organized by the Meghalaya Land and Forest Owners Association (MLFOA) at Madan Iewrynghep attended by thousands opposing the Forest

Conservation Act 1980 wherein the FKS informed that this conflict was due to the non fulfillment of the national solemn commitments as enshrined in the IoA & AA.

- 4 April 2000 Meghalaya Government amends Meghalaya Municipal Act 2000 barring political parties from setting up candidates in the Municipal Elections, in an attempt to call on the thirty two (32) Rangbah Shnong of the City to participate in the Municipal Elections. The Elections could not be held till date due to the strong opposition from the Dorbar Shnong.
- 6 May 2000 FKS Spokesperson attends General Conference of the Council of Nokmas in Tura, where new office bearers are elected. The General Conference being held after a gap of many years.
- 16 October 2000 The Synjuk ki Rangbah Shnong (SRS) Shillong meets Smt. Roshan Warjri, Meghalaya Urban Affairs Minister, and informed her of their decision not to participate in the ensuing Shillong Municipal Board (SMB) elections if two-thirds of the seats are reserved for the indigenous people.
- 17 January 2001 FKS third meeting with. GK Pillai, IAS, Joint Secretary (NE) MHA in Shillong seeking fulfillment of treaty terms under IoA & AA.
- 21 February 2001 A delegation from the FKS met M.M Jacob, Governor Meghalaya relating to the financial mismanagement wherein and amount of Rs40 lakhs has vanished from the Accounts of the Hima Myllem and when the majority of Myntris enquired from the KHADC as to the financial mismanagement by the Acting Syiem the KHADC replied that it is not responsible for the acts of the Acting Syiem, prominent among the delegation were Myntri P Kharlukhi, N Wahlang, Secretary, Office of Hima Myllem, John F Kharshiing, Spokesperson, FKS, B Khonglah, Rangbah Shnong and Member, Steering Committee Hima Myllem including others.

- 22 March 2001 KHADC vide order No.DC.XXVII/Genl/88/97-2001 Dated 22 March 2001 announces the decision of the Executive Committee, Khasi Hills District Council to suspend Laborius Manik Syiem, Syiem of Myllem & President, FKS as per provision of Section of 11 of the United Khasi Jaintia Hills Autonomous Distict (Appointment & Succession of Chiefs and Headmen) Act, 1959 and appoints Latho Manik Syiem as the Acting Syiem Hima Myllem until further orders. (The issue proceeds to court and interim stay is obtained by Laborious Manik Syiem the next day).
- 20 March 2001 A delegation of over two hundred Rulers/Chiefs from the Federation of Riwar Mihngi Local Dorbar(under Syiem Khyrim), The Federation of Five Border Khasi States all bordering Bangladesh met and submitted a memorandum signed by over two hundred chiefs to the President of India through the Governor of Meghalaya Shri. MM Jacob, in Raj Bhavan, Shillong, for constitutional recognition of the IoA & AA, to conduct a fresh joint survey between India and Bangladesh, and for constitutional recognition of the Border Hats (traditional border markets) existing since time immemorial.
- 23 March 2001 The emergent meeting of the Dorbar ki Bakhraw ka Hima Myllem convenes and resolves to bar any unauthorized person including the Acting Syiem from entering the office of the Syiem Myllem at Mawkhar, Shillong. The press release is signed by three Myntris namely K Kharrubon, P.Pathaw Lariew, and P Kharlukhi.
- 18 May 2001 Nongstoin Parliament (Dorbar Pyllun of Hima Nongstoin) held in the office of Syiem of Hima Nongstoin in presence of the village Chiefs and elders of the entire Hima and resolved to unitedly and whole heartedly support the efforts of the FKS with the Government of India for addressing the IoA & AA. On this historic Dorbar Hima

the Queen Mother (Syiem Seng) also gave a speech and unfurled the official flag of the Hima Nongstoin State while Paiem Laborius M Syiem, Syiem Myllem & President, FKS unfurled the official flag of the FKS followed with his speech. Also present was Mr Mising Khardewsaw, who was a living witness and one of the signatories of the Nongstoin Parliament resolution declaring Nongstoin as an Independent Country on January 13, 1948 who recalled the events of the threat and intimidation forceful occupation by Indian Armed forces against the Syiem Hima Nongstoin to force him to sign the IoA & AA. This occupation led to Wicfliffe Syiem, Deputy Syiem to appeal to the UNO establishing the Nongstoin Government base in neighbouring country erstwhile East Pakistan now Bangladesh.

- 21 May 2001 FKS President, Paiem Laborius Manik Syiem addressed a press conference in the office of the Syiem Hima Myllem and release the memorandum submitted to the Central Authorities on the proposed structure of governance for the Khasi States as a step towards a new beginning in correcting the Constitutional Anomaly.
- 6 April 2001 FKS receives a message dated 24 March 2001 from the office of the President of India Shri. KR Narayanan, stating that memorandum on the non-fulfilment of the IoA & AA has been forwarded to the Prime Minister for “appropriate action”
- 22 April 2001, FKS holds public meeting with all chiefs elders at Umsyiem, Raid Mukertila, Khyrim State to protest and demand from the State Government and the Government of India to restore Pyrdivah village which was overrun and occupied by Bangladesh Rifles on April 15, 2001. The gathering resolved to approach the UN if India failed to protect the rightful boundary of Khyrim State.
- 31 March National Commission for Review of the Working of the

- 2002 Constitution (NCRWC) places its recommendations before Parliament of India recommending five Syiem, Dolloi, Nokma to be elected amongst themselves to be nominated as MDCs in their respective District Councils.
- 31 October 2003 The Khasi Hills Autonomous District (Nomination and Election of the Syiem, Deputy Syiem and Electors of Nongstoin Syiemship) Act, 2003 is notified and published in the official Meghalaya Gazette.
- 14 January 2004 First Dorbar Ri (Peoples Parliament) in Smit, Hima Khyrim, East Khasi Hills,
- 27 July 2004 KHADC notifies and constitutes a committee Federation of Khasi Traditional Institutions (FKTI)
- 12 August 2004 FKS submits memorandum to Dr Manmohan Singh, Prime Minister of India, New Delh, from THE DORBAR OF THE RULERS OF KHASI STATES ON AUGUST 12, 2004, reminding the Government of India of the pending unfulfilled solemn National Commitments made through the treaty Instrument of Accession and Annexed Agreement of 17 August 1948
- 23 February 2005 The Khasi Autonomous District (Khasi Social custom of Lineage) Act 1997 receives assent of the Governor Meghalaya and is published in the Gazette of Meghalaya on February 25, 2005.
- 12 September 2005 Notification No.DC.III/LAW/14/2005/11 Dated 12 September 2005 was issued by KR Shanpru, Secretary, Executive Committee, Khasi Hills Autonomous District Council, Shillong notifying that the Executive Committee, KHADC confers recognition to the Seng Khasi (Seng Kmie) to act as a body for the interpretation and codification of the Khasi Customary Laws, Preservation, and Publication of folklore and other forms of Khasi Literature as well as for the promotion and preservation of indigenous cultural heritage and any other related matters

that may be entrusted upon it.

- 24 October 2005 The Khasi Hills Autonomous District (Appointment) and Succession of the Sirdar and Headmen of Jyrngam Sirdarship) Act, 2005.
- 10 August 2006 The Khasi Hills Autonomous District (Appointment and Succession of the Sirdar and Headmen of Pamsanngut Sirdarship) Act, 2006
- 27 February 2007 The Administration of Nongstoin Syiemship Rules 2006
- The KHAD (Nomination and Election of the Syiem, Deputy Syiem and Headmen of Langrin Syiemship) Act, 2007
- 2 June 2007 FKS issues statement opposing uranium mining and the attempts to forcefully conduct and manipulate the public hearing for Uranium Mining in Hima Langrin.
- 22 July 2007 FKS condemns the harassment of Khasi-Pnar indigenous tribes residing in *Badsabitilla (Rejab basti), Dosdawa, Soidawa, Torjacherra, Churaibari, Patiala, Choidawa Dosdawa and Sagholmoba, Khakra range areas under Karimganj District, Assam* and urges Government of Meghalaya and Government of India to ensure that such harassment is immediately stopped by Forest and Police officials of the Government of Assam.
- 28 July 2007 FKS meeting to discuss Meghalaya- Assam Boundary dispute (Block-II) with Lyngdoh, Basan, Syiem and elders of Raid Nongtung under Hima Khyrim held at Mawlasnai.
- 22 September 2007 FKS conduct awareness meetings for the Second Peoples Parliament starting with a meeting in the office Iing Dorbar of Hima Jirang at New Jirang, Ri-Bhoi District, wherein. The Dorbar was chaired by Paiem H Wahlang, Syiem Hima Jirang in presence of the Bakhraw / Myntri,

Sordar, Rangbah Shnong and elders of the villages under Hima Jirang a series of awareness meetings of the respective Dorbar were held

25
September
2007

Dorbar Hima was held in Nongspung, Hima Nongspung,. The Dorbar (Assembly) was chaired by Paiem Peter Syiemiong, Syiem Hima Nongspung in presence of the Bakhraw / Myntri, Sordar, Rangbah Shnong and all the Sordar, the Secretary Shnong, from all villages under Hima Nongspung. The meeting was also addressed by Shri.

Bah Robert Kharshiing, MP Rajya Sabha, Chairman, Grassroots Democracy Advisory Council, and Mr John F Kharshiing, Chairman, Ka Dorbar Ki Nongsynshar Ka Ri Hynniewtrep, Spokesperson, Federation of Khasi States,

26
September
2007

GDAC/FKS addresses a meeting of the Dorbar in Nongstoin, Hima Nongstoin. The Dorbar (Parliament) was chaired by Acting Syiem Phylla Syiem, Syiem Hima Nongstoin in presence of the Bakhraw, Lyngdoh Sordar, Rangbah, Secretary Shnong, from all the villages under Hima Nongstoin. The Dorbar was addressed by John F Kharshiing, General Secretary, Grassroots Democracy Advisory Council, and Chairman, Ka Dorbar Ki Nongsynshar Ka Ri Hynniewtrep & Spokesperson, Federation of Khasi States, who called on all u khun u hajar (citizens) to attend the Second Peoples Parliament on 6th October 2007 to be held in Hima Mawphlang.

27
September
2007

Dorbar Hima Maharam
Dorbar ki Nongsynshar at Dawki

28
September
2007

FKS attends Dorbar ki Nongsynshar at Umdihar, Ri Bhoi District
FKS attends Dorbar ki Nongsynshar at Elaka Laitkroh Sirdarship

- 29 September 2007 FKS attends Dorbar Hima Myriaw at Markasa/Nongkasen
- 6 October 2007 Thousands attend the Second Dorbar Ri (Peoples Parliament) in Mawphlang Sacred Forest, Hima Mawphlang
- 11 October 2007 Communication sent by CD Kynjing, IAS, Commissioner & Secretary to the Government of Meghalaya, District Council Affairs Department, writes to the Secretary, Khasi Hills Autonomous District Council vide letter No. DCA.54/2006/22 dated October 11 2007 replying to Memo No.DC/I/VII/8/2006/1920-21 Dated 8-1-2006 stating that the KHADC did not have the legislative competency under the provisions of the Sixth Schedule to the Constitution to enact such a Bill (*The Khasi Hills Autinomous District (Constitution of The Federation Of The Khasi Traditional Chiefs) Bill, 2006* passed by the Khasi Hills Autonomous District Council on the 26 October 2006) and conveyed that the Governor has rejected the Bill.
- 31 October 2007 Spokesperson, FKS attends Dorbar (Assembly) on Oct 31, 2007 in the Office of Iing Dorbar Hima Mariaw, and chaired Acting Chief Bah M Thabah, Hima Mariaw at Nongkasen, in presence of the Bakhraw, Lyngdoh, Sordar, Rangbah Shnong of the Hima Mariaw, West Khasi Hills District.
- 8 December 2007 General Conference of the Council of Nokmas it was a gathering of over 2500 people along with the 1416 Nokmas, Village Chiefs, Women, in Chibinang, Attended by Mr Beckstar Sangma, MLA, Garo NGOs, on December 8, 2007. The Conference was chaired by Pa. Skylance Momin, President, Council ki Nokmas, and addressed by Dr Milton Sangma, Adviser Council ki Nokmas, Mr Wilson Momin. The FKS urged for a united approach to ensure the constitutional recognition of the Indigenous

Tribal Institutions of Self Government of Meghalaya.

- 18 December 2007 FKS attends and addresses meeting of Ka Dorbar Ki Doloi (Council of Dolloi) in Jaintia Hills, The Chief Guest Bah John F Kharshiing, Chairman Ka Dorbar Ki Nongsynshar Ka Ri Hynniewtrep, and spoke at the meeting convened by “Ka Dorbar Ki Dolloi” at Raliang, Jaintia Hills District on 18 tarik Dec 2007. Those present were Bah H Skhemlon, Sirdar/ Ruler of Hima Mawdon, Doloi/ Ruler of Sutnga, Myntri’s, Rambah Shnong, Secretary Shnong, women and youths of Raliang and Jaintia Hills. The meeting was chaired by Ma Chawas Lyngdoh, Doloi of Hima/Elaka Raliang, who welcomed all who had gathered to deliberate on the resolutions of the first and second people’s parliament.
- 5 November 2007 FKS Spokesperson, invited to attend the International Conference on Federalism in New Delhi. Discussions on Central Acts and unilateral policies and decision’s made by Central Authorities, were debated and Spokesperson, FKS participating in the session the Ka Dorbar ki Nongsynshar ka Ri Hynniewtrep, the Federation of 25 Khasi States opposed the way Central Acts are implemented and forced upon minorities violating all norms of human rights and posed a question at the gathering of both Indian and Foreign Officials from many countries as to the reason why mining of uranium was found to be exploited only in areas where minorities lived such as was found in the USA, Canada, Australis, New Zealand, South Africa, Andhra Pradesh-Bihar-Jarkhand in India, and now attempting in the remote areas of Meghalaya.
- 11 January 2008 A 17 member delegation of Indigenous Tribal Chiefs (Syiem, Dolloi, Nokma, Sirdar, Lyngdoh) representing the Khasi Garo & Jaintia Indigenous Tribes of Meghalaya, met Shri. Mani Shankar Aiyar, Union Minister, DONER, Panchayati Raj & Sports, Government of India, to discuss the issues raised by the Chiefs in their Memorandum

submitted on 19 November 2007. The meeting took place at his residence for one hour in the morning starting from 10.30AM. The delegation expressed their appreciation to the Union Minister for being the first Union Minister to have invited the Indigenous Chiefs since last 60 years. Mr John F Kharshiing, Adviser & Spokesperson of the Chiefs placed before the Union Minister the critical issues faced by the unique indigenous tribal Institutions people of Meghalaya who have been demanding Constitutional Recognition in accordance to the Instrument of Accession and the Annexed Agreement of 15 Dec 1947- & 17 Aug 1948.

4-7 April 2008 FKS spokesperson invited to address and participate in the General Assembly of the Indigenous Tribes and People at TISS, Mumbai from the 4th to the 7th of April 2008. The Tata Institute of Social Sciences, (TISS), Mumbai one of the premier Management Institute's of India in collaboration with the Indian Confederation of Indigenous and Tribal Peoples, Delhi organised the General Assembly of the Indigenous Tribes and People at TISS, Mumbai from the 4th to the 7th of April 2008. FKS Spokesperson spoke and circulated copies of the Instrument of Accession and Annexed Agreement (IoA & AA) to all participants who were surprised to know of such an agreement of GoI with the Rulers of the Khasi States. The General Assembly was inaugurated by Smti. Urmila Singh, Chairperson, National Commission for Schedule Tribes, in presence of Chairman, National Commission for Women, Dr BD Sharma, former Commissioner SC/ST Commission, GOI, Director, Tata Institute of Social Sciences, Dr R Munda, Former Vice Chancellor Ranchi University, Mr Jebra Ram Muchahary, Chief President ICITP & Head Bodoland CH, a number of Vice- Chancellor's, Professor's including many other representatives from various Indigenous organisations from all over India.

6 March The KHAD (Appointment and Succession of Syiem,

- 2008 Deputy Syiem and Electors of Myriaw Syiemship) Act, 2007 is notified in the official Meghalaya Gazette.
- 10 May 2008 FKS officially enters party (In accordance with tradition and as per provisions of the 1959 Act none of the main Rulers/Chiefs participated in the subsequent Indian party based political approach by the FKS Spokesperson, however the second and third tier chiefs fully participated and attend all meetings)
- 3 June 2008 FKS delegation meets C.B Syiem, Chief Executive Member (CEM) Khasi Hills Autonomous District Council (KHADC) submits a memorandum to urge amendment of the Act 1959 the FKS also enclosed the 1999 Memorandum of KHADC which opposed extension of the Panchayati Raj and amendment of the Sixth Schedule. The delegation also met M.Nongrem, EM i/c Elaka KHADC, Latiplang Kharkongor, JTS Thongni, Ms Irin Lyngdoh, Boldness Lyngdoh, and all the other EM of the Council in presence of Prestone Tyngsong, MLA & MDC and discussed thread bare the memorandum including the recent conflict between Khasi States in West Khasi Hills and the District Administration, West Khasi Hills. The CEM thanked and appreciated the FKS for sharing important material.
- 23 - 24 June 2008 FKS attends meetings at Umdohlun and Rangblang chaired by Paiem Kawangbor Syiemiong, Ruler/Chief (Syiem) Nobosohphoh, Hima Nobosohphoh, West Khasi Hills, meeting was attend by the Sordar Shnong, Rangbah Shnong, and Elders of the villages under Hima Nobosohphoh. The meeting deliberated on the various initiatives of the FKS in pursuit of Constitutional Recognition.
- 30 June 2008 The FKS, the BSF officials and Federation of Ri-War Mihngi Local Dorbar (FORMLD), meet with traditional chiefs on 30 June 2008 at Usai Hall, Pynursla which was a

attended by John F Kharshiing, u Chairman, Ka Dorbar Nongsynshar & Spokesperson Federation of 25 Khasi States, PK Mishra, IPS, IG, BSF, Hq Shillong, PK Pukayastha, DIG, BSF, and AP Singh, Commandant BSF, 121 Battl. Peter D Rynjah, Gen Secy FORMLD, submitted a memorandum to the top officials of the BSF calling for close understanding and working arrangement along the Meghalaya India-Bangla border. Others who attended and spoke were Kindro Pyngrope, Sordar Raij, Nongkhlieng, Jewel Shabong, Sirdar Elaka Umniuh Tmar, Jlain Subon, Sirdar Elaka Tynriang, Phelin Rynjah, Sirdar Elaka Nongjri Phrenly Khongwang, Sordar Raij, Mukertilla Hima Khyrim, all thanked the FKS/FORMLD for this interaction with the BSF.

- 9 September 2008 Peter Eisenhauer, First Secretary, Cultural Affairs, US Embassy, New Delhi visits the Mawphlang Sacred Forest, 18 kms from Shillong on 9th September 2008 and was accompanied by N K Lyngdoh, the Lyngdoh (Ruler/Chief) of Hima Mawphlang State, and John F Kharshiing, Spokesperson, Federation of 25 Khasi States, & Chairman, Dorbar Nongsynshar including other Myntries of the Hima.
- 3 November 2008 A conglomeration of over 15 prominent organisations under the forum of the Social Organisations of Khasi Jaintia and Garo Hills convened by W Anthony, Convenor, MIPF, submits a memorandum to Dr Mukul Sangma Chief Minister Meghalaya of amendment of Section 2e and section 4(1)e and 4(1)f of the Meghalaya Land Transfer of Land Regulation Act 1971.
- 16 July 2009 The KHAD (Appointment and Succession of Syiem, Deputy Syiem, Electors and Rangbah Shnong of Myllichem Syiemship) Act, 2007 notified in the official Meghalaya Gazette.
- 9 August FKS addresses the celebration of the International Day of

2009 the World's Indigenous People, in Shillong organised by Young Horizon North East India, and highlights the challenges faced by the Indigenous people of the North East as their rights are not recognized and addressed adequately by the UNO, the gathering recalled the failed attempts of Wickcliffe Syiem, Secretary, Nongstoin Country in drawing the attention of the UNO as to the aggression and occupation of Nongstoin Country during March 1948 after the Nongstoin Parliament had announced its Independence on 13 January 1948. (The United Nations General Assembly, in 1994, proclaimed 9 August as the International Day of the World's Indigenous People) and called on unity of all indigenous People of the North East.

2
September
2009 Ms. Beth A. Payne, US Consul General, Consulate General of the United States of America, Kolkata, visited and met and interacted with the Syiem, Lyngdoh and Dolloi (Indigenous Chiefs) of Khasi and Jaintia Hills in Shillong on September 2, 2009. The US Diplomat also visited the Iing Sad (State House), Hima Khyrim, at Smit, and had a meeting with Dr Balajied S Syiem, the Syiem of Hima Khyrim, in the presence of John F Kharshüing, Chairman ka Dorbar Ki Khlieh Nongsynshar ka Ri Hynniewtrep, Adviser & Spokesperson Federation of 25 Khasi States. The US Consul General also visited the Sacred Forest Law Kyntang, at Hima Mawphlang, and hoped that more efforts were put in to inform the world that Meghalaya has Sacred Forest. The Lyngdoh (Ruler) and elders of Dorbar Hima Mawphlang welcomed the US Consul General by presenting to her a picture of the Law Kyntang, Hima Mawphlang. Ms Beth A Payne, US Consul General, also witnessed a Khasi indigenous dance arranged by the Seng Kynthei Mawphlang and the dancers from the Seng Khasi, Mawphlang.

16-17
September FKS/AHN issues statement urging the Central and State Authorities to conduct immediate inquiry into intrusion by

- 2009 large number of illegal Bangladeshi persons accompanied by the BGB (Border Guard of Bangladesh) along Wah Umngot, River, Dawki, this was reported to the office of the Dorbar by Mr Mitford Rynksai, President, War Jaintia People's Development Council. The people of the area expressed their fear on the incident and wondered why the BSF did not fire after repeated warnings failed to stop this illegal intrusion as done in Jammu and Kashmir. The Assembly of Hynniewtrep Nations (AHN)/FKS urge the Central Authorities to ensure that such incident does not occur again and to restore the confidence of the people living along the indo-bangla border areas.
- 25 September 2009 AHN petitions Chief Minister Meghalaya DD Lapang against the Cabinet decision on Pre-Developmental Project Activities for Uranium Mining, in 422 Ha at Wahkaji area of West Khasi Hills District, Meghalaya and urges urgent in-depth independent Health and Environmental Impact Assessment prior to approval for Pre-Developmental Project Activities. The FKS Spokesperson, reminded the State Government that in 1972 President Richard Nixon, signed a secret Executive Order, declaring the 4 State region of the mid-west inhabited by the First Nations as a "National Sacrifice Area" for mining and production of uranium and nuclear energy and called on the state Government of Meghalaya to ensure that the people of the State are not allowed to be sacrificed in the name of nuclear empowerment.
- 2 November 2009 The KHAD (Nomination and Election of the Syiem, Deputy Syiem, Myntri, Basan and Rangbah Shnong of Bhowal Syiemship) Act, 2008 is notified in the official Meghalaya Gazette.
- 6 January 2010 FKS writes to Dr. Mukul Sangma, Chief Minister on the unfortunate flare up of ethnic conflict among indigenous tribes in Garo Hills along the Assam Meghalaya Border and urging State Government to take all steps to stop the ethnic

violence between the two communities so as to instill a sense of security and peace in the area. FKS spoke to HDR Lyngdoh, Home Minister, Meghalaya, who informed that he is rushing to Garo Hills in the early hours (6th January 2010) and assured that the State Government is doing its best to bring back normalcy to the area. Given the scale of the conflict, and the sentiments on both communities who reside on both sides of the border, the FKS suggested that a High Level Assam Meghalaya Grievances Committee comprising of Chief Ministers and Home Ministers of both States be set up specifically to meet on a monthly basis to monitor and look into the genuine grievances and problems of the people living in the border areas. Setting up such of such a time bound grievance mechanism will greatly help in reducing the tension prevailing in the affected border areas of both States.

- 13 January 2010 Secretary to the Government of Meghalaya Community & Rural Development Department, Shillong issues letter No. CDD.222/2009/3 dated January 13, 2010 to all Deputy Commissioners in Meghalaya enclosing the draft Village Development Council and seeking views and comments.
- 4 February 2010 Project Director, District Rural Development Agency, West Khasi Hills issues letter No.NDD.11/2010/2 Dated February 4, 2010 enclosing the draft Village Development Bill to the Syiem(s) of Nongstoin/Myriaw/Rambrai/Nongkhlaw/Nobosohphoh/Mawiang / Langrin Syiemship seeking views and comments on the draft Bill at the earliest.
- 2 March 2010 FKS Chiefs from Dorbar ki Khlieh Nongsynshar Ka Ri Hynniewtrep held a meeting on March 2, 2010, at 11.00 AM at Lumjingsuk, Demthring, and Shillong and deliberated on the letter: No. NDD.11/2010/2 date 4th Feb 2010, from Community & Rural Development, Government of Meghalaya, seeking views and opinion from the Rulers of Khasi States draft Bill The Meghalaya

Constitution and Administration of Village and Area Development Council Act 2009, which proposed to constitute Village Development Council, Block Development Committee and District Planning Committee. The meeting after indept discussions resolved to meet the Chief Minister, Chief Executive Member to request that this draft be stayed until proper deliberations at the Chiefs level.

8 March
2010

Chiefs from Ka Dorbar Ki Khlieh Nongsynhar ka Ri Hynniewtrep/FKS leaders met Mansturdy Nongrem, MDC, Chief Executive Member, Lamphrang Blah, Executive Member i/c Elaka, KHADC in presence of the officers of the Khasi Hills Autonomous District Council, Shillong (Meghalaya), on March 8, 2010, submitted a memorandum against the draft bill “The Meghalaya Constitution and Administration of Village Development Councils Act 2009”.

10 March
2010

FKS/The Federation of Riwar Mihngi Local Dorbars, & Federal Council of War Mihngi and War Jaintia write to The Honorable Shri. P Chidambaram, Union Home Minister, Government of India, New Delhi on *April 10, 2010* 1. Early Settlement of our Boundary with Bangladesh by conducting (i) A Fresh Joint Survey from IB Pillar 1251 to IB Pillar 1299 along India and Bangladesh to enable us to exercise our rights over our Ancestral Cultivable Lands. (ii) Constitutional Recognition to our Border Hats (Traditional Border Markets) for our open barter trade of our Perishable items with Bangladesh which has been existing since time immemorial. (iii) Illegal extraction of stones and boulders from the border along the Khasi-Jaintia & Garo –Meghalaya - Bangladesh border.

18 March
2010

FKS writes to Kawang S. Phanbuh, President, Meghalaya Land & Forest Owners Association (MLFOA) Mawlai Jingkieng, Shillong updating the MLFOA relating to the shocking RTI reply received from

the Deputy Secretary, Forest & Environment, Government of Meghalaya informing the undersigned vide their letter NO.FOR.62/2005/Pt-111/115 of date 17th September 2009 on the status of the unanimous Official Government Resolution on Forest passed by the Meghalaya Legislative Assembly on 13th April 2000 for exemption of the State of Meghalaya from the purview of the Forest (Conservation) Act, 1980, stating that the unanimous Official Government Resolution on Forest passed by the Meghalaya Legislative Assembly on 13 April 2000 was not sent to any Central Ministry. The initial RTI was submitted to the Principal Chief Conservator of Forest, Meghalaya on the resolution passed by the Meghalaya Assembly on 13th April 2000, strangely the PCCF, had no information as to the status of the matter and advised the undersigned vide letter No.MFG.33/373/733/vol.111/10,550 to seek the same information from the Secretariat level.

- 20 March 2010 FKS submits a memorandum relating to the Constitutional Anomaly during a meeting with Shri. Maurice Kujur, Vice-Chairman, National Commission for the Scheduled Tribes (NCST), Mr Oris Syiem, Mr. Tsering Samphel, both members of the NCST, at Smit, Hima Khyrim, East Khasi Hills District, during their visit to the Sacred State House (iing sad) at Smit.
- 18 May 2010 An all party delegation led by Dr Mukul Sangma, Chief Minister, Meghalaya left Shillong 18th May 2010 by chopper and landed at Langpih, Raid Nongmynsaw West Khasi Hills District. Mr Rowel Lyngdoh, Deputy Chief Minister, i/c Health etc., while thanking the CM for his prompt initiatives called on the people to maintain communal harmony as the dispute was about boundary with Assam and hence urged the people for restrain so as to live peacefully with other communities.
- 31 May Mr Moulik D Berkana, Deputy Director, The American

- 2010 Center, from the US Consulate General, Kolkata, visited Mawphlang Sacred Forest on 31st May 2010. The Deputy Director, of the American Center was accompanied by NK Lyngdoh, Lyngdoh (Ruler/Chief) of Mawphlang Lyngdohship John F Kharshiing, Chairman, Ka Dorbar Khlieh Nongsynshar Ka Ri Hynniewtrep, who apprised him of the unique indigenous traditional indigenous institutions that exist in the State of Meghalaya. Mr Moulik D Berkana, Deputy Director, The American Center, expressed his appreciation to the traditional institutions which have continued the preservation of the scenic Sacred Forest at Mawphlang Village, 24 Kms from Shillong, covering an area of about 76.8 hec.aged more than 500 years old standing aloft through the test of time and protected by social fencing of the local community. He also stated that this model of bio-diversity should be encouraged in other places also.
- 10 June 2010 The Maharam Syiemship (Administration) Rules 2009 is notified and published in the official Gazette of Meghalaya.
- 15 June 2010 The FKS and Ka Dorbar Ki Khlieh Nongsynshar ka Ri Hynniewtrep issued a press release stating that its territory is under dispute and strongly urged the Government of India to seek deployment of UN peacekeeping forces to man the Indo-Bangla (Meghalaya) border in view of the constant unprovoked firing by Border Guards Bangladesh (BGB) on the Khasi land owners who are being denied to cultivate in their agricultural lands. The lack of sincerity by the Central Government in resolving the Indo-Bangla boundary for the last 63 years is testimony of the lakadisaal attitude of the Central Authorities, the cosmetic visits only to NE State capitals and not to the border conflict areas by past and present Union Home Ministry Officials is another example of their concern for the people and the North East. Four innocent lives were lost in Langpih, and now a school teacher has been injured due to unprovoked firing

by the Border Guards Bangladesh (BGB).

18 August 2010 A meeting of the Rangbah Shnong of Sor Shillong, convened by Paiem Latho M Syiem, Syiem Hima Myllem Syiemship, was held in the Office of the Syiem, Mawkhar, Shillong, today 18 August 2010, in presence of a large number of Rangbah Shnong, and in presence of John F Kharshiing, Chairman Ka Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep (Assembly of Hynniewtrep Nations) who was invited to express his views on the implications and ramifications vis-à-vis the 6th Schedule on the proposed draft (i). The Meghalaya Constitution and Administration of Rural Development Council bill 2009, and (ii) the Meghalaya Community Participation Bill 2010, including (iii) the 6th June 2007, Memorandum of Agreement signed between the Ministry of Urban Development, Secretary, Urban Affairs, Government of Meghalaya and Meghalaya Urban Development Authority (MUDA), which would invite conflict and overlapping of jurisdiction of the State Municipal Act vrs the 6th Schedule. The Syiem in his speech also drew the attention of the gathering to the letter sent by the KHADC to the Syiem Myllem and Dorbar seeking for views and suggestions on the proposed bills. After in depth discussions the meeting resolved to oppose the Meghalaya Community Participation Bill including the proposed Municipal Amended Act, and resolved to inform the KHADC, and the State Government of their serious concerns and strong objections to the above draft bills as it would have serious impacts on the the rights of the indigenous people in the State of Meghalaya.

2 September 2010 A delegation from the FKS comprising of Paiem Phrester Manik Syiemlieh, Syiem Nongkhlaw, Paiem Latho Syiem, Syiem Myllem, NK Lyngdoh, Lyngdoh Mawphlang, Humphrey Lyngdoh Ryntathiang, Lyngdoh Lyngiong, Nasser Syiem Jahnoh, Sirdar Jyngam, John F.Kharshiing, Felix Rancee, and other elders from the Federation of Khasi

Traditional Chiefs (FKTC), met the new Chief Executive Member (CEM) Pynshngainlang N. Syiem, MLA & MDC, in presence of Fabian Lyngdoh, MDC & Chairman KHADC, and other members of the Executive Committee, Lamphrang Blah, MDC & EM, Grace Kharpuri, MDC & EM, LG Nongsiej, MDC & EM, O Pamshong, MDC & EM, including officers of the KHADC to express and update the new CEM and express appreciation to the earlier Chief Executive Member (CEM) and his Executive Members for their taking up the matter with the State Government to stay the draft ‘The Meghalaya Community Participation Bill 2010 and the draft ‘The Meghalaya Constitution and Administration of Village and Area Development Council bill 2009.

15
September
2010

Executive Committee Khasi Hills Autonomous District Council (KHADC) notifies and constitute 13 member Special Committee under the Chairmanship of the Chief Executive Member and includes Executive Member i/c Elaka vide order No.DC.II/Genl/76/2010/8 Dated September 15, 2010 which included the FKS and others to examine the Meghalaya Community Participation Bill 2010 to enable the Executive Committee, KHADC to forward its recommendations to the State Government

15
September
2010

Executive Committee Khasi Hills Autonomous District Council (KHADC) notifies and constitute 16 member Special Committee under the Chairmanship of the Chief Executive Member and includes Executive Member i/c Land vide order No.DC.II/Genl/141/2009-2010/9 Dated September 15, 2010 which included the FKS and others to examine the draft Meghalaya Mineral Policy 2010, to enable the Executive Committee, KHADC to forward its recommendations to the State Government.

18 January
2011

The AHN met and deliberated on the letter from the Special Committee, of the Executive Committee, KHADC seeking views and comments on the ‘Draft Meghalaya

Community Participation Bill 2010'. The Dorbar resolved to urge those Syiemships, Lyngdohships, Sirdarship Doloiship and Nokmaship who are yet to submit and complete their detail Constitution including (Role, Function and Responsibility) of the Village Dorbar, Dorbar Raid and Dorbar Hima within a period of two months so as to enable the KHADC, JHADC and the GHADC to do the needful in legislating these traditional Constitutions and Customary Acts. The Dorbar was adjourned to re-convene again on 25 (Friday) February 2011 to follow up with the above decisions. Those who attended and participated the Dorbar are Paiem Dr Balajied Sing Syiem, Syiem of Hima Khyrim, Paiem PM Syiemlieh, Syiem of Hima Nongkhlaw, Paiem KM Syiemlieh, Dy Syiem of Nongkhlaw, Paiem RH Wahlang, Syiem of Hima Jirang, Mr P Kharkongkor, Sirdar Laitkroh, Mr HL Ryntathiang, Lyngdoh of Hima Lyngiong, Mr Alexius Kurbah, Sirdar of Hima Marbisu, Mr Edward Kurbah, Secretary of Hima Marbisu, Norsing Diengdoh, Myntri of Hima Sohra, Mr Kodin Nongrum, Myntri of Hima Sohra, Mr Spiton Kharakor, Ex Rangbah Shnong, Lumkshiad, Rangbah Shnong Rongthong, Hima Sohra, including others.

14 January 2011 GCCM/FKS/Dolloi under Ka Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep, holds urgent meeting with Mr Lamdibok Sumer, CEM, Ma Qually Suiam, Dy CEM, Ma M.B Rymbai, EM & MDC, Ma Thombor Shiwat, MDC, Ma Arbor Hima Darnei, MDC, Ma Bhawan Chyrmang, MDC, JHADC, and other officials and elders on January 14, 2011, in the office of the CEM in his official chambers in Jaintia Hill Autonomous District Council, Jowai. The delegation from the ka Dorbar Ki Khlieh Nongsynshar besides John F Kharshiing, Chairman Dorbar Nongsynshar, included Ma Moon Garod, Doloi Nongbah and others. The delegation impressed upon the CEM and his officials to take serious note as to the implications and impact that would arise in the event they allowed the Municipal Election to be imposed from the back door in 'schedule areas' and requested their efforts in opposing this move.

11 February The KHAD (Nomination and Election of the Syiem, Deputy Syiem, Lyngdoh and Sordar of Rambrai Syiemship)

- 2011 Act, 2010 is notified, published in official Meghalaya Gazette in accordance with Article 244(2) and para 11 of Sixth Scheduled of Constitution of India.
- 12 February 2011 Meeting convened by Paiem Miwel Shadap, Syiem (Chief) of Raid Nongtung, Hima Khyrim, at Mawlasnai Village Ri-Bhoi District, was held on 12, Feb 2011, Saturday, in presence of landowners, Village Chieftians (Sordar, Rangbah Shnong) on the proposed construction of the 400 KV D/C line by a company in the name of North East Transmission Corporation Ltd, in joint venture with another Company Power Grid of India Ltd. In this meeting the Syiem (Chief) of Raid Nongtung, expressed his sincere appreciation to John F Kharshiing, Co-Chairman, MSPB, & Chairman Dorbar Khlieh Nongsynshar Ka Ri Hynniewtrep, for having sent communication on the public notice by ka North East Transmission Corporation (NETC) on 30 Dec 2010. The meeting was also attended by Sordar Raid, Rangbah Shnong, and many land owners of Raid Nongtung (Hima Khyrim), Ri-Bhoi District in presence of officials from the Company Power Grid India Ltd, consultants of NETC and the Contractors. In this meeting land owners complained of the lack of prior information as to the restrictions and limitations of human habitation from 400 KV D/C Transmission line and raised many questions and objections as to the proposed manner of construction by these companies they complained that the earlier officials who came to explain to them did not express nor inform them of such restrictions and limitations. In concluding the meeting the Syiem Raid Nongtung, gave all the land owners, the village Chiefs and their Dorbar 15 days (Two Weeks) to submit their written observations and reservations, and accepted the suggestions by the Land Owners, the Sordar, and Rangbah Shnong to direct the companies Power Grid India Ltd, their sister concern North East Transmission Corporation, and their Contractors, to immediately stay all their construction works until all the issues views have been properly resolved

by all concerned.

2011 KHADC circulates the Khasi Hills Autonomous District (Village Administration) Bill 2011 and subsequently passed by the KHADC on 1st July 2014 and was referred to the Union Ministry of Home Affairs, by Governor Meghalaya and till date it has not yet received assent due to the lack of understanding of the customary laws by the State and the Central Authorities.

19 March 2011 A FKS meeting discussed the Meghalaya Community Participation Bill 2011, introduced by the Municipal Affairs Dept in the Meghalaya Assembly on 16th March 2011. The Dorbar deliberated at length on this proposed bill which will undermine the Traditional Institutions and the provisions of the Sixth Schedule in Meghalaya. They further stated that it was even more surprising that while Urban Affairs Department had called for views and opinion on the MCP Bill 2011, it was the Municipal Affairs Department which was going ahead in introducing the bill, without completing proper consultations from District Council Affairs Department, Law Department, KHADC, JHADC, GHADC and the Traditional Institutions. Paiem P M Syiemlieh, Syiem Hima Nongkhlaw, stated that what was witnessed in Shillong is something they do not want to repeat in their areas, and urged the MLA's and the State Government to re-consider the matter till all have been consulted. In conclusion the Dorbar unanimously resolved to express its opposition to the MCP Bill 2011 and further appealed to the State Government, the 60 MLAs to re-consider and keep in abeyance the passing of the bill so as to seek a consensus and allow the three District Councils and the Traditional Institutions in the State of Meghalaya to express their views and opinion on the matter.

30 March 2011 John F Kharshiang, Spokesperson FKS called on Hon'ble Mr Justice Madan B Lokur, Chief Justice, Guwahati High Court, at 6 pm today March 30, 2011, at Raj Bhavan, Shillong, and presented a memorandum to the Hon'ble Chief Justice on the appointment of Justices from the Khasi, Jaintia and Garo S/T Community, to the Guwahati High

Court Bench. The memorandum also emphasized on the need for a separate High Court for the State of Meghalaya. Hon'ble Chief Justice, informed during the meeting that till date he is not aware of any recommendations from the State of Meghalaya, and stated that as and when names are recommended by the State Government, the matter will be looked into. When Bah John Kharshing, during the discussions informed that most of the office courts of the traditional institutions at the Hima/Elaka level lack proper infrastructure, and are functioning from dilapidated houses, he informed that it was upto the Autonomous District Councils and the State Government to see that these traditional courts function with proper modern infrastructure which should also be equipped with proper libraries. Hon'ble Chief Justice informed that the Guwahati High Court is considering holding a number of Legal Awareness programs for the Syiem, Lyngdoh, Sirdar, Doloi and Nokma as part of an ongoing process to capacitate and strengthen them in their judicial functions. Chief Justice also informed that in view of the advancement of technologies the Guwahati High Court is considering the use of Video Conferencing in the judicial process in the Courts.

9 April 9
2011,

The GCCM calls on the people of Meghalaya to be in unison with the movement for anti-corruption led by renowned social activist Shri. Kisan Bapat Baburao Hazare, who is popularly called Anna Hazare, a resident of Maharashtra aged 73 yrs, who broke up the fast after 97 hours and after 5 day of indefinite fasting calling for the passing of the Jan Lok Pal Bill which is in the shelves of Parliament for the last 42 years. The important issues in the bill proposed by activist led by Anna Hazare is to ensure that corrupt persons are caught, punished, and persecuted in a timely manner, whereas presently no politician, officer, or judge can be persecuted without permission. Leaders of Civil Society and members representing more than 20 organisations, who attended and spoke in support of the Jan Lok Pal Bill in today's rally was the Mait Shaphrang Movement, which led the call for the rally, The Federation of Khasi Jaintia and Garo People (FKJGP), Khasi Students Union (KSU), Hynniewtrep National Youth Front(HNYF), Civil Society for Women Organisation

(CSWO), The Art of Living-Shillong, Lecturers and Students of Manipal University, Lecturers of North Eastern Hill University, Meghalaya Right To Information Movement (RTI Activist), Ka Lympung Ki Seng Longkmie (The Khasi Women's Organisation), The Central Puja Committee, Shillong, Mrs Patricia Mukhim, Padma Shree and Editor The Shillong Times, Langrin Youth Welfare Association(LYWA), Federation of Ri-War Mihngi Local Dorbar, Ka Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep, Federation of Khasi States, Ki Sirdarship, Ka Dorbar Ki Dolloi, Council of Nokma, and many other individuals including Print & Electronic Media were present to express their support for this very noble cause. The gathering resolved the following 1. to call for wide consultation in framing the Jan Lok Pal Bill, 2. The need for urgent Electoral Reforms 3. The Right to Recall and to introduce 'None of the above' in the ballot during elections.

6 May 2011 Chairperson, Dr Rameshwar Oraon, National Commission for Schedule Tribes (NCST) conducts detail hearing on the memorandum dated 20 March 2010 from the GCMM/FKS on 6 May 2011, Bah John F Kharshiing, Chairman, Chairman, Grand Council of Chiefs of Meghalaya, Ka Dorbar Ki khlieh Nongsynshar Ka Ri Hynniewtrep & Adviser & Spokesperson, Federation of Khasi States, met Dr Rameshwar Oraon, Chairman, National Commission for Schedule Tribes, (NCST), Government of India, in his official chambers in New Delhi, to enquire as to the status of the Memorandum submitted by the Grand Council of Chiefs, on 10th March 2010, in the Khyrim State House, (iing Sad), Smit, through Shri. M Kujur, the former Vice Chairman, NCST, who was accompanied by others during their visit to Shillong. Dr Rameshwar Oraon, Chairman, NCST, informed that Mr M Kujur, former Vice-Chairman and other members have since left office as their three year term had expired recently. After much discussion, Dr Ramesh Oraon, Chairman, National Commission for the Schedule Tribes (NCST), was surprised to learn of the unique Khasi political institutions and agreed that this must be preserved,

he further expressed his surprise to learn that the Government of India did not have to spend a single rupee in the nomination and confirmation of the officials of the Khasi Traditional Institutions such as the Rangbah Shnong, Sordar Shnong, Syiem Raid, Lyngdoh Raid, Bongthe Raid, Sirdar Raid, Myntri, Basan, Lyngskor, Syiem, Lyngdoh, Sirdar, Wahadadar, and Doloi, while the Government of India spent crores of rupees including mobilisation of thousands of security personnel to conduct panchayat elections. The Chairman, also suggested that a delegation of the Grand Council of Chiefs of Meghalaya, should also present their case before the Union Minister for Home Affairs, Government of India, so as to ensure that the National Commitments made 60 years ago are solemnly observed to the satisfaction of all concerned.

30 May
2011

The Dorbar ki Khlieh Nongsynshar ka Ri Hynniewtrep discussed the letter sent by the KHADC on the proposed visit by officials from 7 Ministries of the Govt of India (Tribal Affairs, Home Affairs, Urban Development, Planning Commission, Environment & Forest, DONER, and the Ministry of Panchayati Raj) to discuss amendments to the Sixth Schedule and also on the proposed Draft Meghalaya Village Council Act 2011. The Sordar Shnong, Rangbah Shnong, Sirdar, Lyngdoh, Syiem, Doloi, Myntri, and others strongly opposed the proposed draft Meghalaya Village Council Bill 2011, most expressed their utter frustration on the frequent ridiculous proposals from the various quarters of the Government of India as it appears that they are not conversant and are completely ignorant of the unique history of the Federation of 25 Khasi States, including the Jaintia and Garo tribes of Meghalaya. Paiem P Syiemlieh, Syiem of Nongkhlaw State, expressed his surprise and questioned if these officials were aware of the statement of former Prime Minister (Late) Shri. Rajiv Gandhi, who in his statement, while introducing the Panchayati Raj Bill in Parliament on 18 May 1989, said “The Bill recognises that in the three states of North East –

Nagaland, Meghalaya and Mizoram – there are traditional systems of self Government, akin to Panchayati Raj, which must be preserved...In these three states the Traditional systems will be left undisturbed”. Chairman ka Dorbar, stated that all these constitutional conflict have arisen due to the non-fulfillment and non-inclusion in the Constitution of India, the commitments solemnly made in the Instrument of Accession and Annexed Agreement (IoA &AA) of 15 Dec 1947, and 19 March 1948, and signed and accepted by the Govt of India on 17 August 1948, as done for the Kashmir State in Article 370. The bilateral agreements and treaty Instrument of Accession, and specifically paragraph 4 of the Annexed Agreement of 17 August 1948, facilitated the unification of all Khasi (Sirdarship) & Jaintia (Daloiship) territory. A total number of 7,635 amendments to the Draft Constitution was tabled, while only 2,473 were actually moved in the Constituent Assembly, and on the 26th November 1949, the First Schedule to the Constitution of India as passed and adopted by the Constituent Assembly ‘wrongly’ defined that territory of the State of Assam comprised the territories which immediately before the commencement of Constitution of India were comprised in the Province of Assam, the Khasi States and the Assam Tribal Areas. The Khasi States were unconstitutionally pushed and included by description by the Ministry of States, inside the framework of the Sixth Schedule to the Constitution to form part of the Autonomous District re-named as United Khasi-Jaintia Hills Autonomous District. The gathering also recalled that on 22nd February 1989 the Meghalaya Government, constituted a High Powered Committee, comprising of four Members of the Meghalaya Legislative Assembly, to recommend suitable legislation to strengthen the Traditional Institutions

30 May
2011

The FKS & Ka Dorbar Ki Daloi attended by Syiem, Lyngdoh, Wahadadar, Sirdar, Daloi, Rangbah Shnong, including many others, hereby unanimously resolved: - a)

to demand from the Government of India, that the Instrument of Accession and Annexed Agreement (IoA &AA) 15 Dec 1947, and 19 March 1948, accepted by the Government of India on 17th August 1948; be incorporated in a special Article under the Constitution of India, so as to provide recognition to the existing democratic institutions of the Heads of the States (viz., the Syiem(s), Lyngdoh(s), Wahadadar, Sirdar(s), Daloi(s), Sordar Shnong, Rangbah Shnong and the Dorbar as per the IoA & AA. b) to reiterate its firm opposition to the Draft Meghalaya Village Council Act 2011, the Meghalaya Community Participation Bill 2011, and; c) to urge the District Councils; the Government of Meghalaya to conduct immediate customary referendum to seek opinion of the Indigenous people prior to initiating legislation and; d) to urge the State Assembly to move and pass resolutions on the rights and treaties of the Khasi, Jaintia and Garo people, so as to fulfill the true aspirations of the indigenous people in the State of Meghalaya. The gathering resolved that all Hima(s) Khasi States and Elakas should if necessary immediately convene the State Dorbar Hima of their respective State to see the opinion of the the indigenous people of the State. Those who attended and spoke in the meeting were Paiem Niandro Syiemiong, Syiem Maharam State, Paiem PM Syiemlieh, Syiem Nongkhlaw State, Bah H Skhemlon, Sirdar Mawdon State, Bah MS Umdor, Sirdar Pamsangut State, Bah M Nongbet Myntri Pamsangut State, Ma E Sutnga, Dolloi Elaka Sutnga, U Ma C Pohlynjor, Dolloi Nongtalang, Bah SB Nongdhar, Rangbah Shnong, Laitumkhrah, Sordar Mawkhap, P.D. Rynjah, Gen Secy, FORMLD, including many others.

6
September
2011

The Council of Doloi met on 6 Oct 2011, at Iongpiah, Jowai, in presence of John F Kharshiing, Chairman, Grand Council of Chiefs, Meghalaya, wherein he informed them of the resolutions taken at the earlier Dorbar of the Syiem, Lyngdoh, Sirdar, Wahadadar, Doloi, who accepted the date proposed by the Council of Nokma who all resolved to

participate in unison at the 3rd Peoples Parliament. They were also informed of the decision by the Council of Nokma to host the 3rd Peoples Parliament as agreed on November 14(Monday), 2011, at ASANANGGRE place, 12 Kms from Tura, West Garo Hills District, the venue where 100 Drums Wangala festival is held every year. The road travel distance is about 325 Kms from Shillong to Asananggre, near Tura. The Council of Dolloi, resolved to participate and join in unison, and decided to meet again on the 14th October 2011 as part of their preparation for 3rd Peoples Parliament. The Chairman Ka Dorbar Ki Khlieh Nongsynshar ka Ri Hynniewtep, presented the Council of Dolloi with a Map of Ri Hynniewtrep, including a book 'Golden Vine of Ri Hynniewtrep" authored by Bah Sumar Sing Sawiang, and urged all to keep a copy of the Map and the informative book which briefly explains the status of the 25 Khasi States in page 74, 75, and 76 and includes the territorial jurisdiction of the Hima/Elaka in Ri Hynniewtrep. The Dorbar was presided over by Mr Chawas Lyngdoh, Doloi Elaka Raliang, who is also Chairman of ka Dorbar ki Dolloi (Council of Dolloi), in presence of Mr Comet K Rymbai, Doloi Elaka Jowai, Secretary Ka Dorbar ki Dolloi.

- | | |
|------------------------|---|
| 14
November
2011 | GCCM/FKS convenes Third Dorbar Ri (Peoples Parliament) in Asanangre, East Garo Hills |
| 25
November
2011 | GCCM/FKS writes and request Chief Minister Meghalaya to recommend to Hon'ble President of India Smt. Pratibha Devisingh Patil, the nomination of GCCM Chairperson John F Kharshiing, to the Council of States (Rajya Sabha) under Article 80 sub-clause (a) of the Constitution of India. |
| 28
November
2011 | Khasi Jaintia Rulers/Chiefs writes to Hon'ble President of India Smt. Pratibha Devisingh Patil, recommending the nomination of GCCM Chairperson John F Kharshiing, to the Council of States (Rajya Sabha) under Article 80 sub- |

clause (a) of the Constitution of India.

29 November 2011 Council of Nokmas writes to Hon'ble President of India Smt. Pratibha Devisingh Patil, recommending the nomination of GCCM Chairperson John F Kharshiing, to the Council of States (Rajya Sabha) under Article 80 sub-clause (a) of the Constitution of India.

30 March 2012 Government of Meghalaya notifies constitution of The Meghalaya State Finance Commission Act 2012 to recommend the principle which will govern the distribution of revenue between the State Government and Local Bodies Section 3 (1) (a) the principles which should govern (i) the distribution between the State and the Traditional Bodies, Municipal Bodies or the Autonomous District Councils of the net proceeds of the taxes, duties tolls and fees levilable by the State, which may be divided between them to enable these bodies to perform the functions.

26 April 2012 Directive by the National Commission for Schedule Tribes (NCST) to the Secretary, Ministry of Tribal Affairs, for Incorporation of the IoA & AA into the Constitution of India

7 June 2012 GCCM/FKS delegation meets and submits memorandum to Shri. V Kishore Chandra Deo, Union Minister for Tribal Affairs, Government of India in his official chambers New Dellhi. Delegation comprised of over 30 Chiefs (Syiem, Lyngdoh, Sirdar, Dolloi, Myntri, Nokma) from Khasi, Jaintia and Garo Hills of Meghalaya

9 June 2012 GCCM/FKS delegation meets and submits memorandum to Smt. Sonia Gandhi, Chairperson, National Advisory Council, Government of India in her official residence New Dellhi. Delegation comprised of Chiefs (Syiem, Lyngdoh, Sirdar, Dolloi, Myntri, Nokma) from Khasi, Jaintia and Garo Hills of Meghalaya

- 16 June 2012 National Human Rights Commission writes to GCCM/FKS that the issue of the IoA & AA is within legislative competence of Parliament and that petitioners may approach the Government for redressal.
- June 18, 2012, Chairperson, National Advisory Council, writes to GCCM/FKS informing that our memorandum of 8th June 2012 regarding implementation of commitments made on 17.8.1948 and for incorporation of IoA & AA into Constitution of India is being forwarded to the Union Minister of Tribal Affairs.
- 18 July 2012 Joint Secretary (NE), Ministry of Home Affairs, Government of India, Shri Shambhu Singh, writes to Shri. W.M.S. Pariat, Chief Secretary, Government of Meghalaya seeking opinion of the State Government on the issue of representation of the GCCM/FKS.
- 19 July 2012 FKS Spokesperson submits demi-official letter to Chief Minister Meghalaya vide No. JFK/PER/CM/2021-704 Dated July 19, 2012 urging the State Government to conduct delimitation of the all the three District Council seats proportionately, depoliticize the ADCs and to include the traditional Chiefs from the three tire as members of the ADCs. Based on the representation ratio of the Members of the District Council (MDCs) vrs MLAs in Jaintia Hills, the Garo Hills and Khasi Hills ADC's should have thirty (30) MDC's for every 7 MLAs; such that Garo Hills ADC should actually be having a strength of 100 MDCs while Khasi Hills ADC should be having a strength of 125 MDC's the needed delimitation will balance the ratio of representation of MDC's in the ADC's. Alternatively, to fill this gap, representation drawn from the three traditional Institutions of Self-governments could be nominated as ex-officio members of the ADCs wherein, only a nominal honorarium or sitting fee could be considered.
- 3 August Under Secretary, Political Department, Government of

- 2012 Meghalaya refers memo of Joint Secretary (NE), MHA, to District Council Affairs Department/KHADC requesting views/comments on the issues raised by the GCCM/FKS.
- 10 August 2012 GCCM/FKS/MSPB issues a one page note on the IoA and AA on August 10, 2012 and also quoting references from the debates of the Constituent Assembly by former Premiere of Assam & Member of the Drafting Committee, Sayeed Mohammed Sadulla, raising the issue of “CONSTITUTIONAL ANOMALY” relating to the IoA & AA 17 August 1948 that give equal rights between the suzerain power in New Delhi and the 25 Khasi States and urging the Members of the Constituent Assembly to address this important issue. The note also quotes from the Collections and speeches of Rev. JJM Nichols Roy’s political writings Part –III – My Great Disappointment.
- 17 October 2012 FKS Spokesperson met Shri. M Venkaiah Naidu, MP (RS), Chairman, Member Parliamentary Standing Committee, Home Affairs, on October 17, 2012, in his official residence, in New Delhi to address the demands of the traditional tribal governing institutions of North East particularly the issue of implementation of the Instrument of Accession and Annexed Agreement, between the Government of India, and the Twenty Five Khasi States, signed and accepted by Shri. C Rajagopalachari, Governor General of India on 17 August 1948. On the petition submitted by the Grand Council of Chiefs, on June 8, 2012, the Chairman informed that the Committee has sought clarifications from the Ministry of Home Affairs, and is waiting for its response, based on which the Committee of home Affairs, may ask the concerned petitioners and departments to appear before the Committee.
- 11 February 2013 Secretary, Executive Committee, Khasi Hills Autonomous District Council vide letter No. DC.II/Genl/8/2013/4 Dated 11 February 2013, forwards Proposed Amendment Bill 2012 of the Sixth Schedule to the Constitution of India

received from the Under Secretary Government of Meghalaya vide letter No.DCA.3/2013/33 Dated 14th January 2013 and sought views and opinions from the KHADC Sub-Committee of the Proposed Amendment Bill 2012 of which Spokesperson, FKS was also a member.

13 February 2013 GCCM/FKS convenes Fourth Dorbar Ri (Peoples Parliament) in Mairang, Hima Nongkhlaw

4 March 2013 KHADC on 4 March 2013 notified constitution of a 7 member sub-committee to go into the proposed amendments, with the CEM KHADC as Chairman, Shri. L Blah, Executive Member i/c Elaka KHADC, Vice-Chairman, Shri. AK Nongkynrih, Shri.. John Kharshiing, Paiem, N Syiemiong, Syiem Maharam, Shri. Harlinjai Skhemlon, Sirdar Mawdon Sirdarship, as Members, and Shri. DG Syiemiong, Joint Secretary, KHADC, as Member-Secretary. This sub-committee is likely to meet in the coming weeks

26 March 2013 FKS Spokesperson invited to attend and requested to address the Dorbar Hima to share views in the meeting of the Dorbar Hima, Hima Myllem Syiemship on 26 March 2013 at 12 pm in the Office of the Syiem Myllem, Mawkhar, Shillong to discuss proposed Amendments to the Sixth Schedule proposed by Ministry of Home Affairs, Govt of India.

3 April 2013 FKS submit memo to Chief Executive Member Pynshngainlang Nandah Syiem, MLA & MDC, Khasi Hills Autonomous District Council, Shillong vide letter No. FKS-GCCM/KHADC/2013-1044 Dated April 3, 2013 requesting the three District Councils to pass resolutions urging the Government of India to fulfill the solemn national commitments made on the attainment of India Independence. The memo was signed by Harlinjai Skhemlon, Sirdar Hima Mawdon, & Secretary, Federation of Khasi States and John F Kharshiing, Spokesperson,

FKS.

- 3 April 2013 FKS passes unanimously resolution urging the Meghalaya State Government, to recommend to the Government of India, to also extend the provision of the 10th Schedule to the three Autonomous District Councils of Meghalaya and the North East.
- 19 April 2013 The GCCM/FKS met at 11 AM at Lumjingsuk, Demthring, Shillong, to discuss matters arising from the letter from KHADC and Ministry Home Affairs, Govt of India, relating to the proposed Sixth Schedule (Sixth Schedule Amendment Bill 2012) to the Constitution of India. The gathering was also surprised as to the proposed amendments from MHA, when presently the fulfillment of the national commitments as laid down in the Instrument of Accession and Annexed Agreement were being looked into by the Ministry of Tribal Affairs, based on the directive from the National Commission for Schedule Tribes(NCST), Govt of India. The Council of Chiefs also deliberated the fact that the present Sixth Schedule to the Constitution of India is applied to the ten tribes with different customs, and traditional laws, under Autonomous District Councils in four states, Assam (3ADCs), Meghalaya(3ADCs), Mizoram (3ADCs) and (one) in Tripura. The meeting also deliberated on the matters to be raised by its representatives at the first meeting of the seven Members, KHADC Sub-Committee, on the Sixth Schedule Amendment, to be held on 22 April 2013 in the office chamber of the CEM.
- 23 May 2013 GCCM/FKS writes to Dr. Mukul Sangma, Chief Minister referring to response of the State Government as to the views sought by the Union Ministry of Home Affairs, from the State Government of Meghalaya vide letter D.O. No.9/10/2012-NE-1 Dated 18 July 2012 and Political Department, Government of Meghalaya letter No.POL.143/212/70 Dated 14th May 2012 addressed to

the GCCM/FKS.

- 28 May 2013 GCCM/FKS write to Shri. Shambhu Singh, IAS, Joint Secy, i/c NE – MHA-NE, referring to their meeting on 16th November 2012, in New Delhi, relating to (1) The extension of the 10th Schedule to the ADCs of Meghalaya for which the Meghalaya Legislative Assembly, passed an official resolution in 2012 (2). The restrictions for individuals to hold both MLA and MDC post and even drawing salary from both sides. Informing the the Joint Secy i/c NE about the submission of a memorandum by a delegation from the Grand Council of Chiefs of Meghalaya, i.e on 7th June, 8th June and 9th June 2012, which called on Shri. V. Kishore Chandra Deo, Union Minister for Tribal Affairs, Govt of India, Smt. Sonia Gandhi, Chairperson, UPA, and National Advisory Council (NAC) and Shri. M. Venkaia Naidu, MP & Chairman, Parliamentary Standing Committee on Home Affairs, who has sought a brief from the Ministry of Home Affairs. Also drawing refefence to the earlier Memorandum also sent and received by his office. The memorandum also referred to the directive from the National Commission for Tribal Affairs, Govt of India,(NCS'T), on 26th April 2012, issued to the Ministry for Tribal Affairs to address the Instrument of Accession and Annexed Agreement of 17 August 1948. The Memorandum also referred to the National Commission for Human Rights, Govt of India vide their letter dated 16 June 2012, which stated in their reply to the FKS 'that the matter (treaties) were within the Legislative Competence of Parliament. The petitioner must approach government for redressal of their grievance' lastly the memorandum also referred to the discussions with Mr GK Pillai, IAS, (retd) in 1999.
- 4 June 2013 The GCCM/FKS met at Lumjingsuk, Demthring, Shillong, to discuss the proposed amendment to the 6th Schedule and the letter from the Ministry of Home Affiars, addressed to the Chief Secretary, vide D.O. No.9/10/2012-NE-1 Dated

18th July 2012, which sought for the views and comments from the Govt of Meghalaya regarding the Memorandum from the Chiefs for a separate Party/Less Council in the proposed Thirteen Schedule of the Constitution of India.

13 June 2013 KHADC circulates draft “The Khasi Hills District Village (Administration) Bill” No.DC.XXVII/Genl/87/2011-12/48 Dated 13 June 2013 to all the Rulers/Chiefs of the Khasi Hima.

20 June 2013 The GCCM/FKS convened second consultations at 1.00 pm in the Khasi National Dorbar Hall with various NGOs and Elders regarding the proposed Amendment to the Sixth Schedule, and the proposed Village Administration Bills 2013. The Chiefs informed the gathering that the Chiefs Council held on 4 June 2013 while welcoming the proposed draft Village Administration Bills unanimously opposed insertion of the Village Development Council within the Village Administration Bill which in its present form was not adaptable.

3 August 2013 GCCM/FKS met at 11am in the office of the Dorbar at Demthring, Shillong, to deliberate and discuss on the receipt of the letter from Shri. Mukesh Kumar, Under Secretary, Lok Sabha Secretariat, who informs that on the direction of the Chairman, Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, the Under Secretary, has sent a directive to six Ministries which includes the Secretary, Union Ministry of Social Justice and Empowerment, Secretary, Union Ministry of Tribal Affairs, Secretary, Union Ministry of Home Affairs, Secretary, Ministry of Youth Affairs and Sports, Secretary, Ministry of Personnel, Public Grievances and Pensions, Secretary, Union Ministry of Finance, Government of India, to take appropriate action on the memorandum from the Grand Council of Chiefs of Meghalaya.

10 September 2013 GCCM/FKS writes to Dr Mukul Sangma, Chief Minister, Govt of Meghalaya, vide letter DO. No. MSPB /JFK/2013/ Date: Sept 10, 2013 urging the State Government to a special committee to examine over 40

Acts/Rules/Regulations which need further amendments which would having direct and indirect legislative mechanism to regulate illegal entry of migrants into the state.

- 3 October 2013 Political Department, Government of Meghalaya, Smti V.R. Syiem, MCS, Joint Secretary to the Government of Meghalaya, Political Department, issues a Public Notice No.POL.161/2012/Pt.III/ dated October 3, 2013 calling for views and comments on The Meghalaya Regulation of Landlord and Verification of Tenants Bill, 2013 which aims to provide a framework for verification of the landlord and tenants so as to enhance the security of the citizens of the State and to prevent breach of peace and maintenance of public order. The last date for submission of views and comments was October 31, 2013
- 7 October 2013 Government of Meghalaya issues Notification notifying vide No. GAB-67 /2009/Ptp/747 dated October 7, 2013 and issued in the Meghalaya Gazette on the October 10, 2013, that the local authorities of Village/Town/Locality such as Rangbah Shnong/Nokma/Headman/Secretary of Village shall function as Supervisory and Coordinating Officers for assisting the Local Registrars in the arrangement/publicity/awareness campaign in the village/urban areas regarding the creation of the National Population Register (NPR).
- 21 October 2013 GCCM/FKS delegation meets and submits memorandum to President of India, Shri. Pranab Mukherjee in Raj Bhavan during his visit to Shillong relating to the IoA & AA and constitutional provisions for the Khasi, Jaintia and Garo Chiefs and their institutions. Delegation comprised of over 35 Chiefs (Syiem, Lyngdoh, Sirdar, Dolloi, Myntri, and Nokma) from Khasi, Jaintia and Garo Hills of Meghalaya.
- 31 October 2013 GCCM/FKS receives a message dated 31 October 2013 from the office of the President of India Shri. Pranab

Mukherjee, stating that memorandum on the non-fulfilment of the IoA & AA has been forwarded to the Secretary, Ministry of Tribal Affairs, New Delhi.

18
November
2013

FKS Spokesperson meets with Shri. Rahul Gandhi, MP & Vice President, AICC, in his official residence in New Delhi. Shri. Rahul Gandhi, MP & Vice -President AICC, assures to look into the pending issues of the tribal Khasi, Jaintia and Garo Chiefs. GCCM/FKS submits memorandum for a separate 'Party less Regional Council' & 'Political Space' – for the Khasi, Jaintia and Garo Chiefs during a meeting held at 10:30 am this morning 18th November at 10 Janpath, New Delhi. Mr Rahul Gandhi, MP was informed about the pending issues as mentioned in the White Paper On Indian States - relating to the Instrument of Accession and Annexed Agreement of the Khasi States accepted by the Government of India of 17th August 1948, and the lack of space for the chiefs within the Constitution and the 6th Schedule, the NCRWC report 2003 placed before parliament, during NDA rule, NCST, NHRC, directives in 2012, he was also informed of the ongoing conflict on ILP which was partly due to the insecurity felt by the slow change in the socio-economic political demographic of the State, including lack of constitutional legislative and administrative space for the tribal institutions.

18
November
2021

On recommendation by Shri. Rahul Gandhi, MP, GCCM /FKS meets Prof G. Mohan Gopal, Director and other faculty members of the Rajiv Gandhi Institute for Contemporary Studies (RGICS) at 12pm in RGICS complex New Delhi, to discuss the IoA & AA a copy of the memorandum along with a number of documents was submitted to Prof Gopal and his colleagues who assured to study the issues indept.

24
November

GCCM/FKS meet with Shri. M Rymbai, Chief Executive Member (CEM), Jaintia Hills Autonomous Distirct Council

- 2013 (JHADC) to discuss issues of the Dolloi's and on the proposed Sixth Schedule Amendments.
- 3
December
2014 GCCM/FKS writes to Chairperson, National Commission for Schedule Tribes on i) Submission of representation during Shillong visit to former Vice-Chairman, by Dr Balajied S Syiem, Syiem of Hima Khyrim, in presence of Chairman, Grand Council of Chiefs of Meghalaya; Chairman, Ka Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep, and Spokesperson, Federation of Khasi States, and other Elders of the Hima Khyrim (Kingdom) Syiemship, on 20 March 2010 including the followup on ii) official meeting and hearing before in Chairpersons official chambers on 5 May 2011 iii) NCST directive to Secretary, Ministry of Tribal Affairs, No. BJFK/Service(Inclusion) Meghalaya/2012/ RU-II dated 26 April 2012 iv) Case No. 14/15/2/2012 Dt: 16 June 2012, from National Human Rights Commission (Law Div) v) Letter No.Z.11011/65/2012-NAC-4997 dated 18 June 2012 from Smt Sonia Gandhi, Chairperson, National Advisory Council, New Delhi vi) Demi Official letter Dated 13th October 1947, from former Prime Minister Shri Jawaharlal Nehru to former Dy Prime Minister Sardar Vallabhbhai Patel, on the agreement with the Khasi States vii) White Paper on Indian States – published 1950 – Khasi States.
- 16
December
2013 Ka Dorbar Ki Nongsynshar Raid, Nongsynshar Shnong (Dorbar Raid and Village Chiefs of Mawhati and Ri-Bhoi area convened on the 16 Dec 2013, at Jatah Village, under Mawhati, to oppose the intention of the Assam Government to dam the Umiam River along Lamalong Village areas and also to discuss issues arising out of the Draft Village Administration Bill 2012 proposed by the KHADC.
- 6 January Chairperson, National Commission for Schedule Tribes (NCST), writes to Sushil Kumar S. Shinde, Union Minister

- 2014 for Home Affairs, enclosing FKS representation and advising appropriate action by MHA.
- 23 January 2014 GCCM/FKS meets with academia at the Center for the Study of Social Exclusion and Inclusive Policy, National Law School of India University, Bangalore, were intrigued and surprised to know about the partyless khasi democracy, as they have not heard nor learnt of existence of such institutions. This was expressed during a meeting between Dr. S. Japhet, Professor & Director, Center for the Study of Social Exclusion and Inclusive Policy, National Law School of India University, Bangalore, and John F. Kharshiing, Co-Chairman, Meghalaya State Planning Board, Chairman, Spokesperson, Federation of Khasi States, held on 23 Jan 2014, in the renowned National Law School University Campus. The discussions centered on the various 'democracies' the academicians were very keen to know more about the Dorbar Shnong, Dorbar Raid and Dorbar Hima.
- 9 February 2014 GCCM/FKS submits memorandum to Shri. V. Narayanasamy, Union Minister, Ministry of Personnel and Public Grievances, Government of India seeking redressal of the Instrument of Accession and Annexed Agreement 17 August 1948 of the Khasi States as placed in the Parliament the White Paper of Indian States during 1949-1950.
- 7 March 2014 The GCCM/FKS met on 7 March at Rymbai to express its sincere condolence to the sudden demise of Mr Batskhem Lyngdoh, Dolloi (Chief) Elaka Rymbai, Jaintia Hills District, on 7th March 2014. He was nominated and elected as Dolloi Elaka Rymbai, since 1993-2014 and has held office and committed himself to the service of his people for over 20 years.
- 19 March 2014 GCCM/FKS delegation meets and submit memorandum to Shri. Rahul Gandhi, MP and Vice President, AICC, in Pinewood Hotel, during his visit to Shillong seeking

redressal of the IoA & AA. The delegation comprised of Paiem Niandro Syiemiong, Syiem Hima Maharam, & Vice President, FKS, John F Kharshiing, Spokesperson, FKS, Kodin Nongrum, Myntri Hima Sohra, Eligius Sawian, Hima Sohra, K Langstieh, Myntri Hima Mylliem

- 17 April 2014 Ka Dorbar ki Khlieh Nongsynshar Ka Ri Hynniewtrep/FKS expresses condolences on the sudden demise of Khraw Iangrai Sirdar Hima Mawlong State, resident of Lower nongrim hills his cremation took place on 19 April 2014 in Mawlong State.
- 17 April 2014 GCCM/FKS discusses the 17 April 2014 order of the National Green Tribunal (NGT) which is likely to be an explosive stormy political issue for Meghalaya that is likely to be debated and discussed in the days to come. Ironically the NGT Act was passed in 2010. It is only now that this order has come up and is likely to be a stormy one; the appeal is because there is no regulation. The Meghalaya Govt has been asked to file a report on its next hearing which is on 19th May 2014
- 27 April 2014 GCCM/FKS issues public statement for urgent need for the State Government to urgently consider facilitating engaging an promoting setting up of mini hydro, thermal an solar Projects with active participation of the Chiefs of the Khasi States, the Dolloi, Sirdar, Lyngdoh, Nokmas, Clan Elders, Private Land Owners, the respective Power Department and the private entrepreneurs all over the State of Meghalaya as a policy to resolve the power shortage and crisis that the State if facing.
- 19 May 2014 GCCM/FKS meets to discuss the orders /Notification of the Sub-Divisional Officer, Mairang Sub-Division, No.M/Judl-98/2001/176 Dated: May 19, 2014, banning sand mining under Mairang Sub-Division and which refers to the directions issued by the Principal Bench of the National Green Tribunal, New Delhi in original application

No 171 of 2013 Dated 5th August 2013, and directing all stakeholders related to Mining to seek Environment Clearance from the Ministry of Forest or State Environment Impact Assessment Authority (SEIAA) Meghalaya and Licenses from competent authorities. It further states that violators shall be persecuted under section 188 Indian Penal Code 1860.

28 May
2014

GCCM/FKS writes to Dr Mukul Sangma, Chief Minister, Meghalaya, vide letter DO.No.MSPB/CM-JFK/2014/068 a note on Constitutional validity an conflicts with Central Legislation vis-à-vis the treaty terms Instrument of Accession and Annexed Agreement of the Federation of Khasi States urging the State Government to pass an official resolution in the Meghalaya Assembly in accordance with para 12 A(b) of the Sixth Schedule and to urge Government of India to expedite resolution of IoA & AA

5 - 11 June
2014

GCCM/FKS meets with tribal adivasi leaders of Telengana, AP, Orrisa, in a remote tribal Adivasi Village name Y. Kativaram, under G.Madugula Mandal, 150 kms from Visakhapatnam Dist, Andhra Pradesh, stayed in this village, with no blacktop road, no power, no latrin, an no potable drinking water and writes to the AP Government on the plight of the Tribal people of Telengana

17 June
2014

M Basaiawmoit, Chief Executive Member, Khasi Hills Autonomous District Council, KHADC, accuses the Dorbar Ki Khlieh Nongsynshar stating quote “that it does not have the right to claim that it represents the council of Chiefs in the State, stating that it is only a political group of Bah John F Kharshiing, who is the Vice President of the Congress Party. I want to know who has authorized and empowered Bah John to claim that that he is the Chairman of Ka Dorbar Ki Khlieh Nongsynshar and that he would like to know which Hima or Elaka he represents, that he dares to claim himself as Khlieh Nongsynshar”, stated Bah Ardent while speaking to the press on 17th June 2014. He

said that his Executive Committee will find out who all are associated with this Dorbar Khlieh Nongsynshar led by Bah John and will punish and persecute them as per law as this Dorbar is a only a political platform of the vice president of the Congress for his political self interest. This reaction was due to the Chairman of Ka Dorbar Khlieh Nongsynshar charging and accusing the CEM and EM Elaka KHADC in connection with the removal of the Acting Chief of Hima Bhowal and the decision to allow the public to elect the Syiem of Hima Bhowal. Further, the CEM stated that as per Para (3) of Sixth Schedule, the power to appoint Syiem, Sirdar and other Khlieh Nongsynshar is under the power of the District Council and this EC will exercise its power as empowered by the Sixth Schedule.

20 June
2014

GCCM/FKS /AHN condemns the intimidation and threat to the Dorbar Kur or Seng Kur, Dorbar Shnong, Dorbar Raid and Dorbar Hima, (the traditional bodies of Meghalaya) as reported in the khasi dailies on 17 June 2014, by Mr Ardent Basaiawmoit, MLA & MDC, Chief Executive Member, Khasi Hills Autonomous District Council (KHADC), who is also heading the All Regional Parties Alliance (ARPA) comprising of the (UDP, HSPDP bad KHNAM), in the KHADC. The reported threat is based purely on political considerations for the benefit of the HSPDP and the ARPA which is leading the party based Government in the KHADC. With regards to the statement that the present CEM, KHADC does not recognize the Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep which comprises of the Federation of Khasi States, Ki Sirdarship, Council of Dolloi, and Council of Nokma, the Dorbar would like to remind the CEM, KHADC and his Executive Members's, that the Chiefs were invited on 21st October 2013, to Raj Bhavan, Shillong to meet Shri. Pranab Mukherjee, the President of India. Further, the GCCM would receive messages during the Dorbar Ri (Peoples Parliament) during 2004, 2007, 2011,

and 2013 from the former Presidents including the present incumbent. Messages from other embassies, and countries were also received. It is also necessary to state that ALL POLITICAL PARTIES were always invited to the Dorbar Ri convened by the Chiefs.

23 June
2014

GCCM/FKS opposes Hima Jyrngam Amendment Bill 2014 which is attempts by KHADC influenced particularly by the local MLA & MDC to amend The Khasi Hills Autonomous District (Appointment and Succession of Sordar and Headman of Jyrngam Sirdarship) Act 2005, which has received assent from the Governor ha ka since October 25, 2005. The proposed amendments were to deny the customary and traditional rights of the Ruling Syiem Jahnoh clan and to misinterpret and insert the words 'khasi muliangs and community' including removing the office Deputy Sirdar, removing the Lyngdoh clan and Myntri clans including the customary rights of the Kongor.

23 June
2014

GCCM/FKS write to prominent students organizations NGO clarifying the reasons for opposing the Ka KHADC (village Administration) Bill 2014, informing that Hima Khyrim have already in wrting opposed the Bill. It was reminded that a similar Bill with objectional provisions was circulated in 2013 by the KHADC and it was opposed by the Rulers/Chiefs of the Khasi States.

24 June
2014

FKS meets and resolve to mobilize resources to address the legislative conflict vis-a-vis the IoA which has resulted in the blanket NGT ban on Coal, Lime Stone, Stone Quarry and Sand Mining particularly Khasi & Jaintia Hills of Meghalaya, the FKS constituted a five member committee to suggest steps to address this issue and for consulting legal experts and to approach the Supreme Court. The FKS also took strong objection to the attempts by the KHADC to amend the Acts/Rules of the Khasi States without consent of the respective Dorbar Himas.

- 27 June 2014 The Centre for Social Justice and Governance, Tata Institute of social sciences, Mumbai, invites. John F. Kharshiing, Spokesperson, Federation of Khasi States to lecture students, research scholars, on the subject ' The Status of Tribal Political System Within Sixth Scheduled Areas' the territories of the Khasi States within Assam.
- 28 July 2014 Chief Minister Meghalaya Dr Mukul Sangma, writes to Prime Minister Narendra Modi vide Demi Official letter D.O. No. MG.73/2010/608 urging Governemnt of India to invoke paragraph 12A (b) of the Sixth Schedule for exemption of Central Laws such as the Mines and Minerals (Development and Regulation) Act 1957, the Coal Mines (Nationalisation) Act 1973 as the State Government could not implement the Meghalaya Mines and Minerals Policy, 2012.
- 26 August 2014 The GCCM/FKS led by Bah John F. Kharshiing met Shri. Kirren Rijju, Union Minister of State, Ministry Home Affairs, Govt of India, in his official chambers at North Block, in New Delhi, on August 26, 2014 at 1.25 pm in the afternoon, and handed over a memorandum, from the Grand Council of Chiefs of Meghalaya , in relation to the treaties Instrument of Accession and Annexed Agreement 17 August 1948, which was accepted and signed by the Government of India and the twenty five Khasi States individually and collectively as the Federation of Khasi States.
- 27 August 2014 GCCM/FKS submits memorandum to Chairperson, National Commission for Schedule Tribes (NCST) vide letter No. MSPB/FKS/-NCST/JFK-2014 894 Dated August 27, 2014 relating to the Demi Official letter from Chairperson NCST - D.O. No.CP/NCST/Meghalaya/MHA/2014/08 Dated January 6, 2014 and GCCM /FKS Letter No MSPB/FKS-NCST/JFK-2013 -1056 Dated December 3, 2012 and letter No.14/15/2/2012 dated June 16, 2012, from the National

Human rights Commission (Law Division), New Delhi, on the same issue stating that quote “The Commission has examined the petition carefully and we find that the matter within the Legislative competence of Parliament. The petitioner may approach the Government for redressal of their grievance.” on the subject Implementation of IoA made with the Khasi States and the need for incorporation of the IoA & AA under a special Article 370A within the Constitution of India

27 August
2014

Chairperson, National Commission for Schedule Tribes (NCST), vide letter D.O. CP-NCST/Meghalaya/ MHA/2014/292 Dated 27 August 2014, writes for the second time to Ministry of Home Affairs (MHA), and for the first time addressed to the new Union Minister for Home Affairs, Shri. Rajnath Singh, of the BJP Government enclosing FKS representation and advising appropriate action by MHA.

30 August
2014

GCCM/FKS forwards Chairperson, National Commission for Schedule Tribes (NCST), letter D.O.CP-NCST/Meghalaya/MHA/2014/292 Dated 27 August 2014 to Dr Mukul Sangma, Chief Minister, Meghalaya and urges intervention for Constitutional Amendments with Union Ministry of Home Affairs, Government of India for providing constitutional space to the Partyless Institutions of the Khasi States in compliance to the treaty agreements under the Annexed Agreement of the Instrument of Accession of 17 August 1948.

10
September
2014

GCCM/FKS Spokesperson meets and interacted through a presentation and discussion with Law graduates pursuing their Masters of Law in Access to Justice, belonging to the Department of School of Law, Rights and Constitutional Governance, of Tata Institute of Social Science (TISS) Mumbai, on the topic '13 Schedule' for 'Traditional Tribal Governing Institutions on 10 Sept 2014, in Mumbai.

- 15
September
2014
- In view of the instability in the KHADC the GCCM/FKS issued a statement calling for an all party Executive Committee proportionately among MDC from all parties to avoid the frequent instability in the Khasi Hills Autonomous District Council.
- 17
September
2014
- The GCCM/FKS welcomed and accompanied the US Consul General Ms. Helen LaFave, along with US officials to Mawphlang Lyngdohship (State) Sacred Forest. on the morning of 17 September 2014. The US Consul General then visited Khyrim State House (Jing SAD), Smit, and was welcomed by Dr Balajied S Syiem, Syiem (Ruler) of Hima Khyrim (State), along with his Myntri – Elders, of the Dorbar of Syiem Khyrim, including the ‘Kongor’ at Smit, 17 Kms from Shillong. Ms Helen LaFave, US Consul General, enquired on the cultural history of Hima Khyrim and was informed about the unique traditions of Khyrim Syiemship. She was very impressed to know that there no caste systems exist among the Khasi, Jaintia and Garo clans, and that there was a very strong bond of the clans among the tribes of the North East. Chairman, The Grand Council of Chiefs of Meghalaya, Spokesperson, Federation of Khasi States, during the discussions briefed Ms Helen LaFave, US Consul General on the treaty agreements between the twenty five khasi States and the Government of India and that the Chiefs were moving the Government of India for incorporating the treaty agreements within the Constitution of India and for providing the Tribal Governing Institutions of Self Governments with a Party-Less Legislative Council which would be in consonance with the traditional system of consensus and referendum. A copy of the IoA & AA, including a territorial Map of the Khasi and Jaintia Chiefs was presented by John F Kharshiing, Chairman, and Grand Council of Chiefs of Meghalaya to the US Consul General.
- 24
- Ministry of Tribal Affairs, Government of India, assures to

September 2014 investigate issues raised in the memorandum relating to the implementation of the Instrument of Accession and Annexed Agreement, 17 August 1948, which was submitted personally to Shri. Jual Oram, MP, Union Minister, Ministry of Tribal Affairs, Government of India. The assurance was stated by Hon'ble Shri Jual Oram, Union Minister, Ministry of Tribal Affairs, to Shri. John F Kharshiing, Co-Chairman, Meghalaya State Planning Board, Chairman, The Grand Council of Chiefs of Meghalaya, & Spokesperson, Federation of Khasi States, after he had gone through the memorandum submitted on behalf of the tribal chiefs of Meghalaya, during a meeting with Union Minister, MTA, in his official chambers at Shastri Bhawan, in New Delhi at 11.45 Am on 24th September 2014. Chairman GCCM & Spokesperson FKS informed the Union Minister, MTA, that the National Commission for Scheduled Tribes (NCST) had held a detailed hearing on the matter and issued a directive vide letter No. BJFK Service (Inclusion) Meghalaya/2012/RU-II dated 26-04-2012, addressed to Secretary, Ministry of Tribal Affairs, Govt of India.

26 September 2014 GCCM/FKS writes to Union Ministry for Home Affairs, Government of India vide letter D.O. No.MSPB/MHA-JFK/2014/1210 Dated September 26, 2014 referring to letter from Chairperson, National Commission for Schedule Tribes (NCST), vide letter D.O.CP-NCST/Meghalaya/ MHA/ 2014/292 Dated 27 August 2014, urging the incorporation of the Annexed Agreement of the Instrument of Accession 17 August 1948, within the Constitution of India under a special article. The Policy Statement 1998 of the Bharatya Janata Party for Meghalaya which had mention of the Agreements of the Rulers of the Khasi States was enclosed along with the letter to the Union Minister for Home Affairs.

26 September GCCM/FKS meet Shri. Shambhu Singh, IAS, Jt Secretary, MHA, i/c NE, and hand over copy of Memorandum

- 2014 submitted to Union Minister of State (Home Affairs), MHA, and Union Minister Tribal Affairs, seeking implementation of the treaty agreements between the 25 Khasi States and the Govt of India. Again drawing the attention of the official as to the pending issues of the Twenty Five Khasi States and especially in light of their Policy Statement of the BJP Meghalaya approved by then BJP in charge NE shri PB Archarya,
- 8 - 9
October
2014 GCCM/FKS meet with Andra Pradesh Tribal Chiefs in Visakhapatnam on 8 and 9 October 2014. Andhra Pradesh (AP) tribals constitute only about 7 % of AP State Population. Ironically, while Constitution has separated the National Commission for SC and ST a number of States are yet to separate the State SC and ST Commissions. Resolutions during the meeting was for urgent re-look on the Mandate of the NCST which is the need of the hour, it must be more effective where its directives, recommendation, and suggestions are resolved in a time bound manner. The meeting also observed that there were many Acts but no action for Tribal welfare and empowerment.
- 11 October
2014 GCCM/FKS briefs the press at Chennai Press Club, Chepauk, at 4pm on October 11, 2014, on the resolutions and decisions of the Girijana Aikya Vedika, (Visakhapatnam), Tamil Nadu Tribal Council and the Grand Chiefs of Meghalaya of Meghalaya, constitution of the National Tribal Council of India, and matters arising from the mandate of the National Commission for Scheduled Tribes under Article 338A
- 14 October
2014 Under Secretary, Ministry of Home Affairs, Government of India, North Block, New Delhi vide letter No. 9/15/2013-NE.1 dated 14 October 2014, informs GCCM/FKS that the MHA has written to the State Government to look into the matter of implementation of Instrument of Agreement

made with Khasi States

- 17 October 2014 GCCM/FKS receives copy of letter from Member of Parliament (Rajya Sabha) Smt. Wansuk Syiem, addressed to Chairman, Parliamentary Committee on Welfare of SC & ST, New Delhi and seeking permission for admission of Memorandum submitted by The Grand Council of Chief of Meghalaya dated September 26, 2014, addressed to the Hon'ble Minister for Home Affairs, Government of India, for examination by the Committee on Welfare of the SC & ST and to pursue the legitimate demands of the Federation of Khasi States under written by Sovereign assurances contained in the Instrument of Accession between the Government of India and Chieftains of the erstwhile Khasi States at the time of Accession with the Union of India in 1948.
- 31 October 2014 GCCM/FKS petitions and submits memorandum through the Director and Joint Director, for forwarding to the Chairman Dr EM Sudarsana Natchiappan, MP (RS) Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice, etc., in relation to the unfulfilled National Solemn Commitments entered into between the Federation of Khasi States and the Government of India on 17 August 1948 and drawing the attention of the Committee to the directive from the NCST on the same subject. A copy of the same was forwarded to local MP Shri. VH Pala.
- 11 November 2014 A delegation of 22 Rulers /Chiefs comprising of Syiem, Lyngdoh, Sirdar, Myntri, Rangbah Shnong, led by Chairman, Ka Grand Council of Chiefs of Meghalaya Chairman, Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep, and Spokesperson, Federation of Khasi States, met Adelbert Nongrum, MDC, *Chief Executive Member*, KHADC, in presence of Teinwell Dkhar, MDC *Deputy Chief Executive Member*, KHADC, i/c Development & Planning, Latiplang Kharkongor, MDC

& *Executive Member*, i/c KHADC, Trade & Enforcement, K Phlasting Pangniang, MLA & MDC, *Executive Member*, KHADC i/c Elaka Administration and Revenue, Donkumar Sumer, MDC, & *Executive Member*, KHADC i/c Market, Mines & Minerals, and Youth Affairs, W Syiemlieh, Secretary, KHADC, RS Wanniang, Joint Secretary, KHADC, on November 11, 2014 at 1pm in his official office of the Khasi Hills Autonomous District Council (KHADC), Shillong wherein the CEM agreed to take up with the Executive Committee, KHADC, the issue of creating a Federal Council or Regional Council specifically for the Traditional Heads. The meeting also urged the KHADC to expedite legislating important Acts and Rules for 37 Hima/Elaka and Rules for 51 Hima /Elaka

- 19 November 2014 Pa Comet Rymbai Dolloi of Elaka Jowai passes away. He had proposed to host the Fifth Peoples Parliament in Jowai during March 2015.
- 20 November 2014 Chief Minister Meghalaya express condolences on the passing away of Dolloi of Elaka Jowai
- 27 November 2014 Deputy Secretary, Ministry of Home Affairs, Government of India writes to Chief Secretary, Government of Meghalaya, referring to letter of 14 October 2014, and requesting status report on the implementation of the Instrument of Agreement made with the Khasi States.
- 7 December 2014 GCCM/FKS submits an email to Chief Secretary, Government of Meghalaya, enclosing copy of letter No 9/15/2013-NE of date 27 November 2014 addressed to Chief Secretary, Govt of Meghalaya, relating to the Implementation of IoA & AA made with the Khasi States as mentioned in the White Paper on Indian States submitted by the then former Deputy Prime Minister Sardar Vallabhbhai Patel, before Parliament during 1949-50. The letter also refers to their MHA communication on

25th Sept 2014 and 14th October 2014 to the Government of Meghalaya. A copy of email was also marked to PS to Chief Minister, Meghalaya

- 4 January 2015 GCCM/FKS announce invitation to clans to the 1st Inter-Hima/Elaka Seng Samla KUR (men) KNOCK-OUT Football Tournament to be held at Smit, Hima Khyrim (16km from Shillong). The last date for submission of application is 27 Jan 2015, with the entry fee being Rs 1500/- for each team
- 5 January 2015 A delegation of 12 Chiefs led by Spokesperson, Federation of Khasi States met Dr. Mukul Sangma, Chief Minister, Meghalaya, at 3.30PM in Committee Room, Secretariat, to discuss and deliberate on the letter No. 9/15/2013 – NE.1 Dated 27 November 2014, from the Ministry of Home Affairs, (MHA) Government of India in connection with fulfillment of the national solemn commitments as laid in the Instrument of Accession and Annexed Agreement 17 August 1948.
- 8 January 2015 Commissioner & Secretary, District Council Affairs Department, Government of Meghalaya issues invitation informing the intention of the Chief Minister for the first time to meet Political Parties, MLAs and representatives of the Traditional Institutions on January 16, 2015 in the Main Secretariat, Shillong to discuss indept the proposed amendments to the Sixth Schedule vis-à-vis Traditional Institutions.
- 10 January 2015 GCCM/FKS writes to all Political Parties in the state drawing the attention of the State Leaders and enclosing a copy of the Gazette of Meghalaya, dated 4th April 2000, wherein the then UDP + Congress coalition Government brought amendments to the Meghalaya Municipal (Amendment) Act 2000, and inserted a new section quote ‘15A. Political Parties barred to contest election:- No person shall be allowed to contest a municipal election on

the ticket of the symbol of a political party recognized by the Election Commission of India' unquote. The FKS posed the important question in this aspect is why this same reasoning is not applied to the ADCs and called for a clear stand by the parties on the demands for a partyless council for Traditional Institutions and hoped that the January 16 2015 meeting would resolve this long pending issue.

16 January 2015 A large delegation of Chiefs attended the meeting convened by the Chief Minister, Meghalaya to discuss meet with Political Parties, MLAs and representatives of the Traditional Institutions on January 16, 2015 in the Main Secretariat, Shillong to discuss indept the proposed amendments to the Sixth Schedule vis-à-vis Traditional Institutions.

16 January 2015 GCCM/FKS writes to Chairperson, National Commission for Schedule Tribes (NCST) 6th Floor, Lok Nayak Bhawan, New Delhi- 110 003, drawing its attention to NCST directives vide No.BJFK/Services(Inclusion) Meghalaya /2012/RU-11 dated 26th April 2012 from the National Commission for Scheduled Tribes to the Ministry of Tribal Affairs, and DO letter from NCST to Hon'ble Shri.Rajnath Singh, Union Minister, Ministry of Home Affairs, vide D.O. No.CP-NCST/Meghalaya /MHA/2014/292 and recent Ministry of Home Affairs, memo vide letter No.9/15/2013-NE.1 dated 25th September 2014, 14th October 2014, and 27th November 2014, to Chief Secretary, Government of Meghalaya relating to the incorporation and implementation of Instrument of Accession and Annexed Agreement 17 August 1948 into the Constitution of India, and requesting the National Commission for Scheduled Tribes, to provide its opinion as to the observations of the Hon'ble Mr Justice SR Sen, High Court of Meghalaya on WP (C) No.363 of 2014 dated 10th December 2014.

- 19 January 2015 Spokesperson, Federation of Khasi States, met Hon'ble Shri. Ahmed Hasan, MP Rajya Sabha, Member Parliamentary Standing Committee, Social Justice and Empowerment, on 18 January 2015, in Kolkata, and handed over a copy of the Instrument of Accession and Annexed Agreement 17 August 1948 accepted and signed by Govt of India and the 25 Khasi States. The MP assured to take up the issues of the Khasi States with the Committee and the MHA.
- 19 January 2015 Under Secretary to the Government of Meghalaya, District Council Affairs Department, vide DCA.55/2014/22 Dated January 19, 2015 writes to the Secretary, Khasi Hills Autonomous District Council (KHADC), informing that the quote "Khasi Hills Autonomous District (Village Administration) Bill 2014 has been examined by the Department. Law Department has also been consulted on the proposed Bill and views of the Advocate General is reproduced below" ...". Further, on close examination regarding the duties, accountability, and responsibility of the Dorbar Shnong and Rangbah Shnong are certainly in conflict and duplicity to that of the State Government and other Acts and Rules of the Khasi Hills Autonomous District Council" and returns the Bill with an advise to examin the Bill and to take appropriate action.
- 22 January 2015 District Council Affairs, Department, Govt of Meghalaya returns Bill passed by the Executive Committee, KHADC led by former CEM Shri. Ardent M Basaiawmoit, MLA& MDC. The Under Secretary, DCA, Govt of Meghalaya, vide letter No.DCA.68/2005/135 dated 22 January 2015 addressed to the Secretary, Khasi Hills Autonomous District Council, Shillong, stated that quote *"Passing of the said Bill directly affects the Customary rights practiced and protected under Article 13(3), of the Constitution of India. In view of the above, the Bill passed does not appear to be proper and legal as it directly affects the customs, rights and interest of the affected Durbar*

and such Bill has been passed without giving them any hearing and without there being any consent from them in this regard. In view of the above observations, the Amendment Bill is returned herewith for doing the needful."

- 23 January 2015 Meeting convened by Dr Balajied Sing Syiem, Syiem of Hima Khyrim, attended by hundreds of Rangbah Shnong (Village Chiefs), from the Dorbar Shnong, and Syiem Raid, Lyngdoh Raid Provincial Chiefs from the Dorbar Raid, including Village Elders, Myntri, Lyngdoh, Syiem Raid, and others, representing villages right from the border of Assam to those near the border of Bangladesh, assembled at the Office Syiem Hima Khyrim, Smit, on 23 January 2015, at 10 AM to deliberate on the recent observations and orders of the Hon'ble High Court.
- 27 January 2015 GCCM/FKS kickstarts the 1st Inter-Hima/Elaka Seng Samla KUR (men) KNOCK-OUT Football Tournament held at Smit, Hima Khyrim (16km from Shillong). Dr Balajied S Syiem, Syiem of Hima Khyrim, inaugurated the opening of the clan football.
- 30 January 2015 GCCM/FKS convenes meeting of the FKS Chiefs to deliberate on the impact from the orders of Hon'ble Meghalaya High Court relating to the powers of the Rangbah Shnong. The meeting decided to remind Government to urgently respond to MHA letter, to meet Chief Minister and Chief Executive Member, Khasi Hills Autonomous District Council (KHADC), to press for constitution of Regional Council, it also urge Govovernment to amend Sixth scheduled to constitute a Regional council for tradition chiefs only, to reiterate their decision to reject nomination to ADC, and to remind all that chiefs had rejected proposal of Vajpayee commission in 2003 which had proposed Five(5) Syiems, Dolloi, Nokma as nominated MDC's. To urge all chiefs to urgently convene dorbar Shnong, dorbar raid an durbar hima to discuss MHA letter, and high court order, to send their

proceedings relating to their decision on role of Rangbah shnong, to the GCCM, to explore ways to move appeal before division bench against the HC order.

- 5 February 2015 GCCM/FKS concerned about the situation arising out of the High Court order. A delegation of more than 300 Chiefs (Syiem, Sirdar, Lyngdoh, Syiem Raid, Lyngdoh Raid, Basan, Myntri, Wahadar) Village Chiefs, Clan Chiefs and Elders marched and assembled at the District Council premises to meet and submit a memorandum relating to Constitutional Recognition under IoA terms, constitution of a Regional Council, etc., to Shri. Adelbert Nongrum, MDC, Chief Executive Member, KHADC, in presence of Shri. Teinwell Dkhar MDC, Deputy CEM, Shri. Latiplang Kharkongor, MDC EM i/c Trade & Enforcement, Shri. KP Pangniang, MLA & MDC, EM i/c Elaka, Bah Morningstar Mawsor, MDC, EM i/c Transport, Bah James B Basaiawmoit, MDC, Bah PT Sawkmie, MDC, EM, i/c Fisheries, of the KHADC, including Leader of Opposition & former CEM, Shri. PN Syiem, MLA & MDC. The CEM and other Executive Members including the Leader of Opposition who addressed the Chiefs assured that they would take up the issues before the Executive Committee of the KHADC in the interest of the people of the State.
- 11 February 2015 GCCM/FKS writes to CEM KHADC drawing attention to the Myllem Syiemship Act 2007 Section (19) and Section (3) of the SANAD issued to the Syiem/ Ruler /Chief of the Hima/Elaka as an interim solution to the concerns arising from the Hon'ble High Court order.
- 16 February 2015 Paiem Phrester Manik Syiemlieh, Syiem of Nongkhlaw writes to the Chief Secretary, Meghalaya informing him that the Dorbar of Nongkhlaw held on 14 February 2015, passed resolution expressing concerns as to the directions from the Hon'ble High Court Meghalaya in WPC No.363 of 2014 and urgently urge the Government to pass notification/Act/Rules recognizing and to define the

powers and function of the Rangbah Shnong /Sordar Shnong so as to be in line with the observation of the Hon'ble High Court.

- 27 February 2015 GCCM/FKS conducts the FINALS of the 1st Inter Hima/Elaka Seng Samla Kur Knockout Football Tournament 2015, finals held at 2PM, on February 27, 2015. (Friday), at Smit, Hima Khyrim. A request was made to all the Rangbah Kur (clan elder) and 28 team clans /players to assembly for the Finals between the SS Kur Kharbyngar vrs SS kur Nongspung and the Closing Ceremony ia poi ban ioh ai ka Certificate ia baroh ki player.
- 4 March 2015 Government convenes meet of Traditional Heads on 4th March 2015 to be chaired by Chief Minister at 2pm at Yojana Bhavan to discuss institutionalizing Traditional Local Bodies/Organisations. The GCCM/FKS submits a detailed memorandum to the Chief Minister urging State Government to resposmnd to the MHA letters, proposed amendments to the Sixth Schedule and constitution of a Federal /Regional Council specifically for the partyless Traditional Institutions
- 14 March 2015 Responding to GCCM/FKS representation on the non fulfillment of the IoA & AA submitted through the website of the Prime Minister vides CPGRAM registration No. PMOPG/W /2015/ 0051661 Dated 27 June 2014 the Section Officer IPS -1, Union Ministry of Home Affairs, writes to the Chief Secretary on March 14, 2015 advising appropriate action with intimation to the Petitioner.
- 20 March 2015 Indian Parliament Rajya Sabha (Upper House) passes the The Mines and Minerals Bill 2015 as passed by LOK SABHA on 3rd March 2015 which mandates Coal Mines should be leased by auctioned only. Intrestingly a reading of Section 9 : ... (4) The State Government while making rules under sub-sections (2) and (3) shall be guided by the provisions contained in article 244 read with Fifth and

Sixth Schedules to the Constitution relating to administration of the Scheduled Areas and Tribal Areas and the Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 and the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 which impacts the customary land laws of the Khasi States.

23 March 2015 Meghalaya Legislative Assembly passes unanimous resolution seeking exemption under paragraph 12A (b) of the Sixth Schedule to the Constitution of India and to rescind the application of the Mines & Minerals (Development and Regulation) Act 1957 and the Coal Mines (Nationalisation) Act 1973 to the tribal areas of the States of Meghalaya. The resolution on Coal was sent to the Government of India and todate it has not yet been resolved and remains an area of conflict.

23 March 2015 On behalf of the National Tribal Council of India, GCCM/FKS a memorandum calling for Constitutional Amendment of Article 338 A and 338 B of the Constitution of India were submitted by Shri. John F Kharshiing, Co-Chairman, Meghalaya State Planning Board, Govt of Meghalaya, Chairman, Grand Council of Chiefs of Meghalaya, addressed to Hon'ble Shri. Jual Oram, Union Minister of Tribal Affairs, Govt of India, today 23rd March 2015, in his official chambers, Shastri Bhavan, New Delhi.

23 March 2015 GCCM/FKS spoke over phone to Union Minister for Tribal Affairs, Shri. Jual Oram as he was not in office in Delhi, submitted memo and met with OSD to Minister Tribal affairs, also forwarded a copy to Prime Minister Office, Leader Opposition in Lok Sabha, Speaker Lok Sabha, Union Minister of State for Home Affairs, Chairperson, National Commission for Schedule Tribes (NCST) an National Commission for Schedule Caste urging amendment of Article 338 an Article 338 A,

referring to NCST directive to Union Ministry for Tribal Affairs, on 26 April 2012, and to Union Home Minister (UPA),MHA on 6 Jan 2014, an to Union Ministry of Home Affairs, (NDA), on 27, Aug 2014, an Ministry of Home Affairs has sent letter to Meghalaya on 18, July 2012, and recently on 25 Sept, 2014, 14 Oct, 2014, 27, Nov 2014, seeking status report of IoA and Khasi States, drawing the attention of the Union Minister for Tribal Affairs that issues of ST & SC all ovr India has to be placed before Parliament which they are not doing which is mandated by Article 338 hence the need to amend Article 338 to make it time bound as recommended by the earlier combined NCSC&ST.

- 25 March 2015 Chief Executive Member, Jaintia Hills Autonomous District Council (JHADC) introduces the Jaintia Hills Autonomous District Council (Establishment of Elaka and Village and Election, Appointment, Powers, Functions, And Jurisdiction of Dolloi/Sirdar and Waheh Shnong) Bill 2015 in the Budget Session of JHADC on March 25 2015.
- 30 March 2015 State Government issued an Ordinance & Notification No.POL.89/2004/Pt.1/9-A Dated March 30, 2015 relating to constitution of a fifty (50) Member State Committee on Institutionalising Traditional Institutions of Meghalaya issued by Meghalaya Chief Secretary, Shri. P.B.O.Warjri, IAS, listing its terms and reference with Shri. DD Lapang, MLA Chief Adviser to the Chief Minister as Chairman of the Committee.
- 1 April 2015 OSD to MOS (Home) send acknowledgement to GCCM /FKS informing that the Hon'ble Minister of State for Home Affairs, Shir. Kiren Rijju is in receipt of letter Dated March 23, 2015 for amendment of Article 338 and 338A and that the matter is being forwarded for necessary action. A copy of the same was forwarded to JS(NE), MHA.
- 6 April FKS interacts with Pu Zoramthanga former Chief Minister

- 2015 in Guwahati on 6 April 2015
- 10 April 2015 FKS forwards a copy of memorandum addressed to Chairman-Committee on Institutionalisation of Traditional Institutions, dated 6th April 2015, to Chief Minister, Meghalaya, requesting the concerned departments to also provide working papers, notes, presentations, and importantly their perspective on the subject matter to enable the members to deliberate fruitfully in the Committee meeting.
- 15 April 2015 FKS met on the 15 April 2015, at Dorbar Office in Demthring, Shillong, to discuss the Constitution of a State Committee on Institutionalisation of Traditional Institutions and the second agenda was discussions on the frustratingly slow process of codification of the customary laws of the Hima /Elaka by the KHADC authorities and called on the citizens (u khun u hajar) to be prepared for an urgent call on these issues. The Dorbar also discussed matters arising out of the communication from the Ministry of Home Affairs, (MHA) Government of India. The meeting was presided over by Paiem Phrester Manik Syiemlieh, Syiem Hima Nongkhlaw, & Vice-President Federation of Khasi States.
- 22 April 2015 FKS submits a memorandum to Shri Amit Shah, National President, Bharatiya Janata Party (Central Office) New Delhi urging incorporation of the treaty Instrument of Accession and Annexed Agreement signed and accepted by Shri C Rajagopalachari, Governor General of India on India 17 August 1948 and referring to the BJP Policy for Meghalaya 1998 and to the NCST April 26, 2012 and NHRC June 10, 2012 directions and observations
- 29 April 2015 Chairperson, National Commission for Scheduled Tribes (NCST) Delhi vide D.O.CP/NCST/2015/170 Dated April 29, 2015 writes to Chairman, Grand Council of Chiefs of Meghalaya appreciating the initiative and role of the GCCM

in writing to Shri. Amit Shah, President, BJP, vide letter dated 22/4/2015 on the vital issues concerning the functioning of the National Commission for Scheduled Tribes with the Government of India.

- 30 April 2015 FKS send memorandum to P.B.O. Warjri, IAS, Chief Secretary, Government of Meghalaya, on April 30, 2015, expressing serious concern from all over Khasi Hills on the recent arrest of the Sordar Raid of Wahkhen, also requesting clarity on the Constitutional and Customary Role, Function, Responsibilities of the Sordar Shnong, Rangbah Shnong, Myntri, Basan, Bongthai, Pator, Sangot, Wahadar, Lyngdoh, Syiem, Dolloi, and Nokma and to urgently seek constitutional opinion with regards to the Instrument of Accession and Annexed Agreement of 17 August 1948, from the Ministry of Home Affairs, Government of India including eminent Constitutional Experts on the Annexed Agreement of 17th August 1948 and Customary Laws that exist under the administrative jurisdiction of the Khasi States vis-a-vis Central and State Laws under the Seventh Scheduled and the Sixth Scheduled so as to once and for all resolve the administrative jurisdiction and customary codification of traditional Laws which have unfortunately not been codified since last six decades. The above letter was also forwarded to Chairperson, NCST.
- 6 May 2015 FKS submits memorandum to Chief Minister Dr Mukul Sangma, referring to the various communication and correspondence from the MHA relating to the status of the IoA & AA and listing a sample of over ten central legislation which are in conflict with the treaty terms of the IoA & AA of 17 August 1948
- 8 May 2015 NCST Chairperson agrees to write to Govt of India to call the FKS for talks on the IoA & AA. The Grand Council of Chiefs met Dr Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes, (NCST), on 8th May at

1pm, in his official Chambers at Lok Nayak Bhavan, New Delhi, during the meeting Co-Chairman, Meghalaya State Planning Board, *Chairman*, The Grand Council of Chiefs of Meghalaya, *Chairman*, Assembly of Hynniewtrep Nations, (Ka Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep), *Spokesperson*, The Federation of Khasi States, submitted a detail memorandum urging the Chairperson, NCST, to take up the cause for implementation of the Instrument of Accession and Annexed Agreement accepted by the Government of India on 17th August 1948 with the Federation of Khasi States.

8 May 2015 Md.Nadimul Haque, MP (Rajya Sabha) from the TMC, and member Parliamentary Standing Committee on Coal agreed to take up Mineral rights issues of the Khasi States in the powerful 30 member Parliamentary standing Committee on Coal & Steel. This decision was taken by Shri. Md. Nadimul Haque, MP (Rajya Sabha) after a detailed meeting held on 8th May 2015, with Bah John F Kharshiing, Spokesperson, and FKS in New Delhi.

11 May 2015 Member of Parliament, (Rajya Sabha) Md. Nadimul Haque, from the All India Trinamool Congress, and member Parliamentary Standing Committee on Coal vide letter dated 11 May 2015 forwarded memorandum from the GCCM to the Chairman, Parliamentary Standing Committee on Coal & Steel, Parliament House Annexure recommending that the Constitutional issues raised could be discussed by inviting the Chiefs and stakeholders for a hearing during the committee's visit to North East and Shillong. Copy of the same was forward to the GCCM.

11 May 2015 Meghalaya Cabinet convened and met at the Main Secretariat, Shillong, on May 11, 2015 for consideration on the pressing agenda namely, Meghalaya Special Courts Amendments Bill 2015 and Meghalaya Local Administration (Empowerment of Traditional Institutions, Traditional Bodies, Headmen in Governance and Public

Delivery System) Ordinance 2015.

- 13 May 2015 FKS meets Faggan Singh Kulaste, Member of Parliament & Chairman, Parliamentary Standing Committee on the Welfare of the SC & ST, in New Delhi and presented a memorandum on the pending fulfillment of the Instrument of Accession and Annexed Agreement 17 August 1948 and on the urgent need to amend Article 338 & 338A for the interest of the voiceless SC & ST of the Country.
- 14 May 2015 FKS met with Kiren Rijiju, Union Minister of State, Ministry of Home Affairs, in his official chambers, at North Block, Central Secretariat, New Delhi, at 2pm. Shri John F Kharshiing, Spokesperson, Federation of Khasi States, submitted a memorandum to the Government of India drawing the attention of the Union Minister, to the directives and recommendation of the i) National Commission for Scheduled Tribes vide D.O.CP-NCST/Meghalaya/ MHA /2014/292 dated 27 August 2014, addressed to Shri. Rajnath Singh, Union Minister for Home Affairs, Govt. of India and the recommendations from the ii) National Human Rights Commission (Law Division) case No.14/15/2/2012 dated 6 June 2012, and urged the Center to constitute a High Powered Committee, to be chaired by the Union Cabinet Secretary, to fulfill the national commitments (treaties Instrument of Accession and Annexed Agreement) accepted by the Government of India on 17 August 1948 with the Federation of Khasi States.
- 19 May 2015 GCCM met at Dorbar Office in Demthring, Shillong, to brief on the meeting with the Union Minister of State for Home Affairs, MHA, Government of India resolutions were taken to pursue with both the KHADC and the State Government to resolve these long pending issues of the IoA & AA.
- 25 May FKS receives copy of letter from Shri. RV Dkhar,

- 2015 Chairman, Ka Synjuk Ki Rangbah Shnong Nongthymmai Pyllun, addressed to the General Secretary, Synjuk ki Rangbah Shnong Shillong (Sor & Khap Sor) Shillong dated May 25, 2015 seeking clarification as to the overlapping issues arising from Section 13, and 15 of the proposed KHAD Village Administration Bill 2015 and stating its support to mobilize and attend the peoples gathering “Ka Dorbar Bah Ka Bri Hynniew Trep” to be held on May 30, 2015 in the polo grounds with the appeal that the Joint Action Committee (JAC) will take responsibility to re-examine and amend all the conflicting issues prior to passing of the draft VAB.
- 28 May 2015 Cabinet Minister, District Council Affairs, Government of Meghalaya Shri. HDR Lyngdoh, accompanied by Spokesperson, FKS at 10.30Am met Adelbert Nongrum, MDC, & former CEM KHADC at the location where he was holding his indefinite hunger strike demanding from the State Government to approve and pass the Village Administration Bill 2014. During the meeting the Cabinet Minister handed over letter dated 27 May 2015 from Chief Minister Meghalaya, Dr Mukul Sangma, who in the letter stated that he had very fruitful meetings on 27 May 2015 with both the Chief Executive Member’s of KHADC and JHADC and they have both agreed to effect corrections /amendments and to revert back the Bills immediately for further progress by the State Government with the Hon’ble Governor. The letter further states that as an interim measure the draft The Meghalaya Local Administration (Empowerment of Traditional Institutions, Traditional Bodies and Headmen in Governance and Public Delivery System) Ordinance 2015 has been forwarded to the Hon’ble Governor for approval, and that this Ordinance would in no way infringe on the legislative jurisdiction of the District Council, and in view of the positive steps taken by the State Government the letter from the Chief Minister, requests the former CEM to withdraw his

indefinite hunger strike.

- 29 May 2015 Meghalaya Government issues an Ordinance- The Meghalaya Local Administration (Empowerment of Traditional Institutions, Traditional Bodies and Headmen in Governance and Public Delivery System) Ordinance 2015
- 30 May 2015 Spokesperson FKS attends one of the biggest gathering in Meghalaya history called - Ka Dorbar Ka Dorbar Bah Ka Bri Hynniew Trep” convened by Synjuk Rangbah Shnong Sor bad Khap Sor Shillong held on May 30, 2015 under the umbrella of the Joint Action Committee (JAC) demanding the approval of the State Government and Governor to the draft KHAD Village Administration Bill 2014.
- 8 June 2015 GCCM/FKS/MLFOA seeks permission and appointment for the FKS to appear before the India Parliamentary Standing Committee on Coal & Steel through the intervention of Member of Parliament, (Rajya Sabha) Shri. Md. Nadimul Haque, from the All India Trinamool Congress, and member Parliamentary Standing Committee on Coal & Steel during their upcoming visit on 26 and 27 June 2015 to Shillong to enable FKS to make a presentation before the Committee on the constitutional and legal conflicts faced by the people within the jurisdiction of the Federation of Khasi States due to non fulfillment of the Instrument of Accession and Annexed Agreement of 17 August 1948.
- 9 June 2015 FKS issues a detailed press note to enlighten the citizens (u khun u hajar) on the conflicts arising out of the Village Administration Bill 2014 which is contradictory to the customary laws of the Khasi States and siting that Bills of conflict has been proposed in the past such as The Meghalaya Local Self Governance Bill 2009, bud sa ka The Meghalaya Constitution and Administration of Village and Area Development Council Act 2009 - 2010, nangta la mih

ruh ka Community Participation Bill 2010, and refers to the further conflict of the Indian Citizenship Act 1955 bad ka The Citizenship (Amendment) Act 2015 with customary laws within the jurisdiction of the Khasi States while on the other hand the Khasi States have been included within the First Schedule and Sixth Scheduled by description and not in compliance with Section 290A of the Government of India Act 1935.

13 June
2015

FKS issues a press note after an urgent meeting at Dawki with Chiefs and Dawki Land Owners on June 13, 2015 stating that India - Bangla boundary need to be reviewed and discussed The Constitution (One Hundred and Nineteenth Amendment) Bill 2013 passed by Parliament of India, on 6 May 2015, which ratified the letters of 16th May 1974, 26th December 1974, 30th December 1974, 7th October 1982, 26th March 1992, and the Protocol agreed on 6th September 2011, on the boundary between India and Bangladesh. The Chiefs opposed the Bill and the agreement as it has been finalised without knowledge of land owners, the Rangbah Shnong, Syiem and Dolloi –The meeting expressed serious concern on the above protocol and agreements between India and Bangladesh, especially from IB Pillar 1251 (Nongjri) upto IB Pillar 1299 (Hawai Sangkhat-Jaliakhola), including IB Pillar 1315 upto 1318 at Nunchera, as all these agreements have been arrived at in absence and ignoring the claims of the Land Owners, Rangbah Shnong, Dolloi, Sordar Raid, and Syiem, (traditional institutions), which is also a violation of Indigenous Human Rights. From the above agreements it shows a loss of 278 Acres area to Khasi and Jaintia including others, all due to the faulty ‘Radcliff Line of June-July 1947’ which was drawn in two months on a table at New Delhi, due to the urgency to divide India and Pakistan. The meeting discussed possibilities of the Chiefs moving United Nations Organisation to intervene for fresh Boundary Survey, under UN Mandate. The meeting was attended among others by Land Owners, Rangbah Shnong,

Secy Elaka, CCIB elders and leaders Bah MF Rynksai, Rangbah Shnong, Dawki, Chairman CCIB, Bah Kmen Myrchiang, Secretary, CCIB, Dawki, Bah John Buam, Secretary Elaka Satpator, Bah Klop Pohtam, Rangbah Shnong, Muktapur, in presence of Assistant Professor Bodhi S Rane, TISS, Bah John F Kharshiing, Co-Chairman, Meghalaya State Planning Board, *Chairman*, The Grand Council of Chiefs of Meghalaya, *Chairman*, Ka Dorbar Ki Khlieh Nongsynshar ka Ri Hynniewtrep, (Assembly of Hynniewtrep Nations), *Spokesperson*, Federation of Khasi States,

- 16 June 2015 President Meghalaya Pradesh Congress Committee (MPCC) MPCC vide notification No.MPCC/2FC/44/151 dated June 16, 2015 reconstitutes renames the Local Self Government Committee to Tribal Affairs & Local Self Government Committee of MPCC with Chairman GCCM/FKS Spokesperson as Chairman along with 10 other members among whom two were former Chief Executive Member's KHADC, including Laborious Syiem former Syiem Myllem as members.
- 19 June 2015 FKS response to Letter NO.RS.6/2/2014-P&L Dated: June 17, 2015 on the subject "Synergy between Tribal Justice and Regular Justice in the Country" from Shri. KP Singh, Director, Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, Rajya Sabha Secretariat, and confirmed to appearing before the Committee June 30, 2015 and that as advised the views in writing would be sent before June 25, 2015
- 26 June 2015 FKS invited by Department of Sociology, Lady Keane College, Shillong, to deliver a talk on the topic, "The Relevance of Traditional Institutions in Modern Society: with Reference to Meghalaya" keepin in mind the events that have taken place in the state recently, it is a felt need for students to be more aware of the role of traditional

institutions in a society (Khasi) that is fast becoming influenced by modern institutions and culture and requested to enlighten the Honours students on the relevance of traditional institutions in this fast-changing modern society on the 29th of June, 2015, at 10:00 a.m., in the Seminar Hall of the college. The audience comprised of Honours students of the Sociology and Political Science Departments of the college, and included an interactive session with the students and some teachers.

- 30 June 2015 FKS appears before the Department related Parliamentary Standing Committee, on Personnel, Public Grievances, Law and Justice and submits a petition to Dr EM Sudarsana Natchiappa, MP Chairman, of the Committee on the issues of the Khasi States and especially the IoA & AA and how the non fulfillment of these treaty terms has had a very serious impact on the Customary laws and the traditional Judicial delivery system on June 30, 2015 in New Delhi. Another petition from the Movement for Indigenous People Rights and Livelihood, (MIPRL), Meghalaya Shillong was also submitted to the Committee highlighting the constitutional and legal conflicts faced by the indigenous people.
- 2 July 2015 The Administration of Nongstoin Syiemship (First Amendment) Rules 2015
- 10 July 2015 GCCM/AHN/FKS forwards Memorandum to Hon'ble Prime Minister Shri. Narendra Modi urging review of Boundary agreement between Meghalaya (Federation of Khasi States) India –Bangladesh Boundary finalized without knowledge and consent of land owners, clan elders, the Rangbah Shnong, Rangbah Kur, Sordar Raid, Syiem and Dolloi and to relocate the Indian Boundary Fencing presently from 150 yards inside India to the international Boundary (IB) Pillar as done for Tripura.
- 15 July FKS submits a detailed note to Shri J Lyngdoh, IAS,

- 2015 Commissioner, Political Department, Government of Meghalaya, Shillong advising that it may be forwarded to the Working Committee and Legal Committee of the Committee on Institutionalising Traditional Institutions for consideration relating to the contradictions between the present Sixth Scheduled/Contitution of Inda vis-à-vis the Instrument of Accession and Annexed Agreement and the over lapping conflict that exist with a host of central legislation
- 16 July 2015 FKS meets Mrs. Grace Mary Kharpuri, MDC, Executive Member, i/c Forest, Marriage and Divorce, Khasi Autonomous District Council (KHADC) Shillong, and urge for the need to compile a list of Khasi Tribes KUR - Clans in relation to Marriage and Divorce as per Khasi Customs, Usage and Practice within the jurisdiction of the Sixth Scheduled.
- 28 July 2015 FKS in association with Church Auxilliary for Social Action (CASA, SAST, RRDA-Ri-lyngam, RMDP-Ri-Bhoi, RLSWO-Jaintia Hills, MDPSA-East Garo Hills, DMSEDO-West Garo Hills) conducts seminar /discussions on the subject “The powers of the Sixth Schedule under the Constitution of India to protect the Customary Laws of the indigenouse people within the Meghalaya” invites legal and prominent personalities which included Prof. L.S. Gassah, Prof. A.K. Nongkynrih, Paiem Laborius Syiem, Shri.V.G.K. Kynta, Advocate, President Meghalaya High Court Bar Association, Shri Sadon Blah, Secretary, HNYF, to deliberate on this subject on July 28, 2015 at Dinam Hall, Shillong.
- 29 July 2015 The Administration of Myllem Syiemship Rules 2015 is notified and published in the official Meghalaya Gazette.
- 9 August 2015 GCCM/FKS receives a copy of the draft “The Meghalaya Grassroots Institutions Governance Act 2015” from the Working Committee on Institutionalisation of Traditional

Institutions of Meghalaya.

- 13 August 2015 GCCM/FKS writes and send invitations to all President /Secretary of all Political Parties including UDP, INC, NPP, HSPDP, KHNAM, and BJP in Meghalaya to attend the August 17 2015 meeting to recall the historic day when the Governor General of India signed and accepted the treaty Ioa & AA on 17 August 1948
- 17 August 2015 FKS meets for the fourth year to recall the acceptance and signing of the Ioa & AA of 17 August 1948 by Shri. C Rajagopalachari, Governor General of India, Government of India, the gathering of the FKS was convened on August 17, 2015 and met at Dinam Hall, Shillong this was the fourth instance that the FKS had met to recall the historic day and released important historical documents, correspondence of 1948-1949 relating to the Myllem State and the Federation of Khasi States that are very much relevant till today and the conflict between the IoA & AA vis-à-vis the Sixth Scheduled /Constitution of India.
- 3 Sepetember 2015 The Executive Committee, Khasi Hills Autonomous District Council (KHADC) vide order No.DC.II/Genl/20/2015/21 dated September 3, 2015 notifies constitution of the Federation of Traditional Dorbar comprising of twenty six (27) members (not less than 5 members each from the KHADC, Dorbar Hima, Dorbar Raid and not less than 10 members from the Dorbar Shnong with Chief Executive Member as the Chairman and Planning Officer, KHADC as Member Secretary.
- 5 September 2015 FKS attends and called to address another mammoth huge gathering of “Ka Dorbar Bah Ka Bri Hynniewtrep” (Peoples Parliament) convened by the Khasi Hills Autonomous District Council (KHADC) on September 5, 2015 in the Polo Grounds, Shillong. This gathering reiterated the demand for early resolution of the KHAD

Village Administration Bill 2015 and honouring the treaty of the Federation of Khasi States.

11
September
2015

The KHADC vs State jurisdiction clash forces the chiefs, elders led by former Syiem Mylliem Laborious M Syiem to withdraw memorandum submitted on September 10, 2015 to Chairman, Institutionalisation of Traditional Institutions of Meghalaya, Government of Meghalaya, with another memorandum on September 11, 2015 retracting its stand stating that on behalf of the traditional institutions they are opposed to any Bill related to empowering the traditional institutions which will clash with the power enshrined in para 3 of the Sixth Scheduled of the Constitution.

16
September
2015

GCCM/FKS receives acknowledgment and copy of note from Prime Ministers Office (PMO), New Delhi dated 5th August 2015, addressed to Secretary, Ministry of Home Affairs, New Delhi, forwarding the petition dated 10 July 2015, from the Grand Council of Chiefs of Meghalaya, and the FORMLD, relating to the faulty Radcliff Line of July 1947, and objections to the recent Indo-Bangla Boundary settlement, along Bangla-India and Meghalaya, and directing the Ministry Of Home Affairs, to take action as appropriate. A similar directive was also issued on 2nd September 2015, by the Ministry of Home Affairs, to the Joint Secretary (NE), North Block, New Delhi to take action. The Land owners, the Village Chiefs, and Clan Elders, await the amicable, peaceful and early resolution to the six decades old international boundary issues of Meghalaya.

18 & 19
September
2015

FKS invited to address the two day Nationa Conference of the Tribal Intellectual Collective India (TICI) on September 18 & 19 2015, at Old Guest House, North Eastern Hill University (NEHU) a number of prominent speakers from different tribes presented their papers on various subjects.

26

FKS expressed its condolences on the sudden death of

- September 2015 Basan (Elder Chief) of Hima Mawiang State Bah Hopingstone Lyngdoh, and also an undefeated sitting MLA and also a former Member of Parliament.
- 1 October 2015 A marathon walk of over four and half hours took place inside the trails of Law Kyntang Lyngdoh of Hima Lyngiong Lyngdohship, Sacred Grove, East Khasi Hills, wherein Shri. Prabjot Sodhi, MBE, Country Program Manager, Global Environment Facility (UNDP-SGP-CEE), visiting the sacred grove for the first time stated that 'It is an irreplaceable treasure of mankind gifted to human beings by the ancestors of Lyngiong Lyngdohship and we express our gratitude to these wise indigenous tribal Chiefs representing these unique Khasi Jaintia and Garo people and their biodiversity culture'. He was accompanied by John F Kharshiing, Co-Chairman, Meghalaya State Planning Board, Chairman, The Grand Council of Chiefs of Meghalaya, and Chairman, *Society for Promotion of Indigenous Knowledge and Practice (SPIKAP)*, Hamphrey L Ryntathiang, Lyngdoh of Hima Lyngiong Lyngdohship, along with Myntri's (clan Chiefs) and Elders and Village Chiefs of the Lyngiong Kingdom. A religious ritual is conducted on around every 28th October after which it will be followed by another important ritual a week later which would be attended by citizens of the Lyngiong kingdom.
- 12 October 2015 FKS writes to General Secretary, Khasi Students Union, on the issues of overlapping jurisdiction due to the non fulfillment of the IoA & AA August 17, 1948
- 16 October 2015 FKS forwards an urgent note to Chief Minister, Meghalaya expressing concern as to the prevailing situation which has arisen due to the delay by the Hon'ble Governor in approval of the KHAD Village Administration Bill 2014 and recommending consideration by the State Government to convene a meeting at the earliest of the Chief Executive Member's (CEM) of KHADC and JHADC including 10 or 20 member representatives from

the above mentioned Ka Synjuk Ki Nongsynshar Shnong Ka Bri Hynniewtrep, and five members from Grand Council of Chiefs of Meghalaya to deliberate on this matter. The note also suggested interim options such as 1. The Bill may be recalled by the KHADC and the JHADC or; 2. The KHADC and JHADC be requested to expedite codification of all Hima/Elaka or; 3. The KHADC and JHADC may be asked to expedite/fast track frame the same contents/ objectives of the VAB through section 21. of the United Khasi and Jaintia Hills Autonomous District (Appointment and Succession of Chiefs and Headmen) Act 1959.

- 17 October 2015 FKS Spokesperson attempts to facilitate communication between the conglomeration of Rangbah Shnong, the CEM KHADC and the State Government by holding a fruitful one to one meeting with SD Khongwir, former MLA, Rangbah Shnong & President, Mawlai Town Dorbar (a conglomeration of 13 villages) so as to possibilities for talks prior to the October 30, 2015 proposed march by the Rangbah Shnong.
- 19 October 2015 FKS receives confirmation and consent from Prof Venkat Nagesh, TISS, Mumbai, accepting invitation from the traditional institutions to document the sacred groves and the Hynniewtrep people's ecological practices and was willing to volunteer to do the same from 27th October to 5th November.
- 26 October 2015 Commissioner & Secretary, Political Department, Government of Meghalaya issues a notification ORDER BY THE GOVERNOR No. Pol.89/2004/Pt.II/405 Dated October 26, 2015 denotifying the Committee for Institutionalisation of Traditional Institutions under the Chairmanship of Dr DD Lapang, Chief Adviser to the Government, constituted vide Notification No.Pol.89/2004/Pt.I/9 Dated March 30, 2015 read with No.Pol.89/2004/Pt.II/9, Dated June 12, 2015, stating

further that the notification has been necessitated due to the press reports on the recent developments and the apparent adverse impression created in view of the draft Bill being contemplated to be presented to the Government by the Committee and the need to immediately dispel this impression in the larger public interest, hence the Governor of Meghalaya is pleased to denotify the Committee constituted vide above notifications.

29 October 2015 In response to the State Governments official resolution, passed on 23 March 2015, by the Meghalaya Assembly, the Union Ministry of Coal has in principal agreed to exempt the operation of the Coal Mine Nationalisation Act 1973, under para 12A (b) subject to approval by Union Ministry of Home Affairs, Govt of India, this was informed to FKS Spokesperson during a meeting with Dr Mukul Sangma, Chief Minister, on 29th Oct 2015, in his official chambers, in the Main Secretariat, Shillong. The Chief Minister informed the undersigned that another important matter which has been taken up by the State Government was the Amendment of the Mines and Minerals Development Regulation Act 1957, as amended upto 2015, which is at an advanced stage of being finalised to suit the land tenure conditions existing in Meghalaya. The state government is awaiting the expeditious amendments of these Acts and Regulations.

3 November 2015 FKS invited to attend the inauguration ceremony of the second international Terra Madre or Slow Food/ International Mei Ramew 2015 at the Convention Center, North Eastern Hill University, Shillong (Meghalaya, India) hosted by the Khasi indigenous communities. Over 600 delegates representing indigenous communities, academia, youth, UN agencies and donors from 62 countries participated in three days of conferences addressing the rights of indigenous peoples. The result of the discussions held over these days was summarized in the so-called

“Shillong Declaration.” On the final day thousands of visitors were invited to participate in a festival celebrating indigenous foods and voices through cooking demonstrations, handicraft, music and dancing,

- 22-24
November
2015
- FKS invited to attend the annual religious rituals Leh niam Elaka Raliang by Pa Chawas Lyngdoh, Dolloi Raliang –at 5pm upto 11 upto on 22 Nov 2015, followed again from with 6AM on 23 November upto 9.30Am followed with cultural program from 10am on 23 Nov upto 3pm and Shad Pastieh from 3pm upto 4 AM again from 4AM nguh Dolloi on 24 Nov upto 1pm which are religious rituals.
- 5
December
2015
- FKS Spokesperson attends a meeting of the Chiefs and Elders at Sohra-Rim Village presided over by the Village Sordar in presense of the Deputy Syiem (Syiem Khynnah) of Hima Nongkhlaw to deliberate on the possibilities of regeneration and afforestation approaches to the ancient Sacred Forest (ka Law Kyntang - Law Lieng) which is 35km from Shillong, folklore suggest that two boats stopped and settled there and hence the sacred forest having a boat like shape at 5500 feet above sea level.
- 8 – 10
December
2015
- FKS invited to the 1st North East Indigenous Peoples Parliament hosted by Coalition for Indigenous Rights Campaign, Manipur; Assam Sanmilita Mahasangha; Assam Meitei Apunba Lub from December 8 -10, 2015 held in Imphal, Manipur.
- 17
December
2015
- Mitford Ryngksai, Rangbah Shnong (Village Chief) of Dawki passes away. He was one of the strong pillars of the FKS along the Boundary between India and Bangladesh a senior clan chief and associate member of the Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep, Ka Federation of Khasi States, Ka Federation of Ri War Mihngi Local Dorbar.
- 18
December
- GCCM/FKS connects with tribes of Goa State wherein the Goan Tribes resolves to join the demands for

- 2015 Amending Article 338A and for "Charter of Tribal Rights"
- 15 January 2016 GCCM/FKS issues a statement highlighting that the legislative conflicts faced by the indigenous people are all related to the non fulfillment of the national solemn commitment signed and accepted between the Government of India and the Federation of Khasi States on 17 August 1948. The delay in the assent to the KHAD Village Administration Bill 2014/2015 by the Governor and the subsequent referral of the VAB Bill to the Union Ministry of Home Affairs, New Delhi exposes how the Government of India till date has absolutely no idea about the customary laws of the Khasi States. The FKS expressed surprise to the recent Hon'ble High Court orders while other past rulings of the Hon'ble High Court and Supreme Court had upheld the customary laws of the rights of the Clans permitted to contest the post of Dolloi Elaka Jowai. Similarly there are many rulings recognizing the unique rulings of the Khasi & Jaintia people. Further the statement recalls late PM Rajiv Gandhi, statement in 1989 in Parliament exempting the states of Nagaland, Meghalaya and Mizoram from Panchayati Raj, hence the on going movement for incorporation of the IoA & AA under Article 370A of the Constitution of India.
- January 2016 FKS accessed copy of undated letter of January 2016 from Director (NE-II) Ajay Kanoujia addressed to MS Rao, IAS, Principal Secretary to the Governor of the State of Meghalaya on the legal and Constitutional Validity of the Khasi Hills Autonomous District (Village Administration) Bill 2014 refering letter No. GSMG/100/2015/964 Dated 10 December 2015 and consultation of the Ministry of Law & Justice stating among many other issues that quotes "(ii) Paragraph 3(g) of the Sixth Schedule also empowers the district council for appointment and succession of Chiefs and Headment in the traditional Institutions. Hence paragraph 3 (e) and (g) cannot be mixed up as mentioned in the proposed bill of Khasi Hills Autonomous District

Council. This needs to be examined and appropriately segregated. Traditional institutions and modern elected democratic institutions may not be mixed as it would be contrary to the provisions of the Constitution of India". It further states "(iii)...Darbar Shnong and other proposed institutions should be elected on the basis of adult suffrage. Non representation of other tribes and original inhabitants will be undemocratic and unconstitutional".

- 23 February 2016 FKS attends meeting at Iithangsher, Raid Diengsaw, Hima Sohra, to discuss with Chiefs/clan elders and conduct awareness on the Sacred Forest of the Diengdoh Clan.
- 4 March 2016 GCCM/FKS express condolences on the sudden death of former Lok Sabha Speaker, Shri Purno Agitok Sangma.
- 21 April 2016 GCCM/FKS writes to Dr Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes Government of India, 6th Floor, Lok Nayak Bhawan, Khan Market, New Delhi, on the subject of violation of Human and Tribal rights by TSIDC, Telengana, which is denying guaranteed scheduled tribes rights by incompetent officials and requesting the Chairperson to lead a delegation of tribal elders of the country to meet Hon'ble Prime Minister and Hon'ble President of India to demand the amendment of Article 338A of the Constitution of India.
- 29 April 2016 GCCM/FKS writes to Dr Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes Government of India, 6th Floor, Lok Nayak Bhawan, Khan Market, New Delhi, on the Chairpersons Demi Official letter No.CP/NCST/Meghalaya/MHA/ 2014 /08 Dated January 6, 2014, to former Union Minister for Home Affairs, Govt of India, and second letter No. D.O.No.CP-NCST/Meghalaya/ MHA/2014/292 Dated August 27, 2014 addressed to Hon'ble Shri. Rajnath Singh, Union Home Minister, Ministry of Home Affairs, Government of India, in connection with implementation of agreement made in

the year 1948 with the Rulers of Khasi States and also drew the Chairpersons attention to the fact that the spirit of Article 338A has not been effectively adhered to by the authorities.

18 May
2016

GCCM/FKS writes to Chief Secretary, Government of Meghalaya on behalf of the Grand Council of Chiefs of Meghalaya (comprising of The Federation of Khasi States, Ka Dorbar Ki Khlieh Nongsynshar Ka Ri Hynniewtrep, Ka Dorbar Ki Dolloi, and Council of Nokmas), requesting facilitation for appointment of thirty (30) traditional Rulers/ Chiefs of Meghalaya with Hon'ble Shri.Narendra Modi, Prime Minister Government of India, during his proposed upcoming visit to Shillong on 27th May. 2016. The memo also requested early confirmation so as to enable us to communicate to the Chiefs who are spread across Meghalaya in remote areas.

27 May
2016

GCCM/FKS/Rulers/Chiefs submits memorandum to Hon'ble Prime Minister Shri Narendra Modi, thru Governor Meghalaya, Raj Bhavan at 7pm on May 27, 2016 since they did not get the appointment inview of the Prime Ministers busy schedule wherein a number of appointments were cancelled during his visit.

17 June
2016

FKS meets in Shillong to reiterate its demands from the Government of India for fulfillment of the treaty Ioa & AA of 17 August 1948 for which Syiem of Nonkhlaw has also handed over personally to the Hon'ble Prime Minister prior to his departure during his visit on May 28, 2016 to the Sacred Forest at Mawphlang. The meeting recalled and remembered leaders who stood up and agitated 64 years on June 27, 1952 on the opening day of the United Khasi & Jaintia Autonomous District Council the meeting also recalled the statement of Rev. J.J.M. Nichols Roy who lamented that at the end of 1949 he was betrayed by his close friend Shri Gopinath Bordoloi, Premier of Assam who changed the recommendatios of the Sub-Committee which led to the ADC coming under the State of Assam.

- 11 July 2016 FKS treks 2.5 kms to Tyniar Village, Raid Diengsaw, Hima Sohra, to discuss village governance issues in the Village and the Raid.
- 4 August 2016 FKS writes to President/Secretary, Seng Samla Smit Pyllun, Hq. Smit, Hima Khyrim regarding the hosting of the Second Inter- Hima/ Elaka Seng Samla KUR -Knock Out Football Tournament 2016, during September-October and proposing a meeting of the Committee, Referees on August 8, 2016, at (Krissimai Syiem Mini Stadium and Shortimai Syiem Stadium) Smit, Hq. Hima Khyrim
- 8 August 2016 FKS conducts meeting with leaders of Seng Samla Mawlai Pyllun on the issue and conflicts of overlapping jurisdiction and boundary of the Municipal of Shillong vis-à-vis the village of Mawlai Mawdatbaki, wherein half of the village is claimed to be within the jurisdiction of the Municipality of Shillong. After indepth deliberations the FKS stated that these issues had arisen due to conflict in central legislation and the pending non fulfillment of the Instrument of Accession and Anexed Agreement of August 17, 1948 and any deliberations on overlapping jurisdictions required discussions starting with the legal constitutional process of Accession between the Khasi States with the Dominion of India.
- 8 August 2016 FKS/SS Smit Pyllun after the meeting announce the schedule of the Second Inter- Hima/ Elaka Seng Samla KUR -Knock Out Football Tournament 2016, with the opening ceremony and kickstart on September 3, 2016, at Smit, Hima Khyrim.
- 9 August 2016 National Commission for Schedule Tribes writes to The Secretary, Ministry of Home Affairs, North Block, Central Secretariat, New Delhi vide letter F.No.BJFK/Service/Inclusion/Meghalaya/ 2014/ RU-II Dated 9 August 2016, forwarding Memorandum dated 27 May 2016 addressed to the Hon'ble Prime Minister of India

from the Chairman Grand Council of Chiefs of Meghalaya & the Federation of Khasi States

- 11 August 2016 FKS delegation meets and submits a memorandum to Pynshngain N Syiem, MLA & MDC, Chief Executive Member, (CEM) Khasi Hills Autonomous District Council, Shillong on the Non-fulfillment of Instrument of Accession and Annexed Agreement signed accepted by the Government of India with the Federation of Khasi States on 17th August 1948 and referring to the i) Lok Sabha Office Memo No.8(202)/SCTC/2016 Dated: 23 June 2016 from Under Secretary ii) MHA letter No.9/15/2013-NE.1 Dated 27 November 2014 seeking status report on IoA & AA and Khasi States from the Government of Meghalaya including legal opinion on iii) Section 7 of the Indian Independence Act 1947
- 29 August 2016 Memorandum submitted by FKS to Dr Rameshwar Oraon, Chairperson, National Commission for Scheduled Tribes, Government of India, on 29th April 2016, in his official chambers, at Lok Nayak Bhawan, New Delhi, urging the NCST, which is a statutory body under article 388A of the Constitution of India, to take up the matter for concluding the IoA & AA treaties. After detail discussions the Chairperson, agreed to forward and submit a special report to Hon'ble President of India on the issue of implementation and incorporation of the Instrument of Accession and Annexed Agreement into the Constitution of India.
- 31 August 2016 FKS submits note on urgent issues to Dr Mukul Sangma, Chief Minister, Meghalaya, on the objective to have an acceptable mechanism to introduce a regulation namely a bye-law for rural and urban planning and development to be resolved for the good of all, and advisable to initiate a joint ADCs assisted by MUDA initiative to get matters going and started on the ground and to be reviewed periodically by a task force to resolve issues objectively, regular periodic meetings of Law, DCA, an ADCs to get

all on the same page, and also suggested that on the VAB which is stuck 1) It will help to be proactive to have expeditious clearance of amendment and rules bills of ADCs 2) KHADC could withdraw the VAB and send fresh bill through special session 3) After 64yrs ADCs must complete within a time frame codification of all 54 Hima/Elakas 4) Existing Headmen Act and rules 1959 as recently amended framed which KHADC has forwarded to DCA could be assented by initiate from Government /Governor 4) The KHADC Constitution of Traditional Dorbar Council bill 2016 awaits clearance. 5) The 29 erstwhile Sirdarships including Jaintia Hills are all part of the Khasi States as reflected in clause 4 of the IoA &AA which has been accepted by GOI on 17Aug1948 6) There is urgent need for a joint committee of GCCM, FKS, ADCs and State Government regarding Amendment of Sixth Scheduled

27 October
2016

FKS expresses serious concern as to the recent suspension of some of the Dollois in Jaintia Hills. The Spokesperson, Federation of Khasi States, stated that he has been trying since many years now to impress upon the Khasi, Jaintia and Garo Hills District Councils to legislate and codify the Customary and Social laws, the Traditions and Practices, of the Hima/ Elakas and the recent mis-understanding and conflict between the JHADC and the Dolloi could have been avoided if there was proper timely codification of the Customary and Social Laws and Practices. The present state of affairs is due to frustratingly slow progress of Legislation by the three District Councils constitutionally mandated by the Constitution of India under the Sixth Scheduled to codify the Customary and Social Laws under the 54 Hima/Elaka in Khasi Hills, 18 Elaka Dolloi and one Sirdarship in Jaintia Hills and 1400 A King, Nokmas in Garo Hills, ironically the District Councils have been in existence for 64 years 1952-2016. The GCCM/FKS states that in the past meetings have been held with a number of Chief Executive Member's (CEM) in Khasi, Jaintia and Garo Hills to urge upon them to expedite effective codification and legislation and stated that unfortunately

they do not have the time as the District Councils are based on Party affiliations and are a contradiction while the Hima/Elaka are based on consensus, referendum and are Partyless, 'there is no ruling or opposition' in the Dorbar Shnong, Dorbar Raid or Dorbar Hima/ Elaka, it has brought about much confusion in governance, as bureaucrats are ignorant of the traditional partyless customary governance of Kur, Shnong, Raid, and Hima, ideally a party less District Council would probably have been more effective, and productive given that today the independents form the largest block among the MDCs in the Khasi Hills Autonomous District Council !.

3
September
2016

N Kingkerious Lyngdoh, Lyngdoh (Ruler/Chief) of Hima Mawphlang passed away (2-08-1969-1-09-2016) on September 1, 2016. The FKS recalls the initiative of N.K Lyngdoh, Lyngdoh Hima Mawphlang, for his memorable leadership in hosting the second Dorbar Ri Peoples Parliament at the Sacred Forest Grounds of Hima Mawphlang on October 6, 2016.

3
September
2016

FKS submits a memorandum to Convenor W. Anthony, and Members of the Meghalaya Indigenous Tribal Constitutional Rights Movement(MITCRM) suggesting and recommending the bar of automatic application of central legislation in the Khasi States of Meghalaya stating that the Sixth Schedule is not adequate to protect the rights of the Khasi States as per the treaty agreement of the Annexed Agreement of the Instrument of Accession and for consideration of Article 370 in lieu of Sixth Schedule and called for their discussions on this matter.

8
December
2016

FKS with the permission of the Syiem Hima Khyrim and Dorbar the FKS Spokesperson, & Chaiman, Society for Promotion of Indigenous Knowledge and Practice, (SPIKAP) conducts the first limited one day sample survey to register the citizens, participants, visitors from far and near as authorised by Syiem and Dorbar, was conducted

from 10Am to 7pm on 8 December 2016 at Smit, during the famous and most reverent festival of the Khasis and *U Khun ki Hajar* (Original inhabitants citizens of the Hima) known as Shad Pomblang or Nongkrem Dance, of Hima Khyrim.

27 January 2017 FKS public statement issued cautioning and reminding citizens (u khun u hajar) especially the Rangbah Shnong and Sordar Shnong to dwell in depth on the continuous conflict due to the onslaught of central laws happening due to the non-fulfillment of Lynshop ki Ain ba sah teng ka IoA & AA and narrating the unique historical process of accession under Section 7, of the Indian Independence Act 1947 culminating in the accepting and signing of the conditional treaty of Instrument of Accession and Annexed by the Governor General of India on 17 August 1948.

2 February 2017 FKS appeal to the citizens (u khun u hajar) on the heated political debate on the implementation of the Meghalaya Building Bye Law 2011 and on the jurisdiction of the byelaws in the Greater Shillong Master Plan, stretching to Umphyrnai, Laitkor, Upper Shillong, Nongrah, Mawpat and beyond Mawlai, which has generated more debate due to the recent orders and directions from the Hon'ble High Court to the Urban Affairs Department, to effectively enforce the provisions of the Meghalaya Building Bye Law 2011 in accordance with Meghalaya Town & Country Planning Act 1973, and the current opposition debate to Notification of 1989 that it is an intrusion by the MUDA under Urban Affairs into the jurisdiction of the KHADC, the GCCM/FKS on the other hand highlights the irony that three Chief Executive Member (CEM)s were official members of the MUDA since last 25 years.

21 February 2017 The FKS deliberated on the two legislations passed by both the State Government and the Autonomous District Council (Sixth Scheduled) namely the The Meghalaya Building Byelaws 2011; The Khasi Hills Autonomous

District (Land Development and Building) Regulation 2015; Ka The Administration of Nongstoin Syiemship Rules 2006, and The Administration of Myllem Syiemship Rules 2015. The Federation of Khasi States strongly urges the Govt of India and District Council to urgently publish the Laws in the local KHASI and GARO language for the benefit of the 6500 village Chiefs. The Federation of Khasi States, resolved to once again meet the Hon'ble Chief Minister of Meghalaya and the Chief Executive Member, KHADC to seek a clarification from them as to the silence and reason for not responding to the letters and queries from the Union Ministry of Home Affairs since July 2012 and Nov 2014 seeking clarification as to the implementation of the IoA & AA. The FKS recalls that clause 5 of the IoA & AA requires and mandates that the Government of India, State Government and District Councils may legislate laws subject to consent by the Federation of Khasi States.

22 February 2017 FKS resolved to write to Govt. of India regarding silence by both KHADC and Meghalaya Government and their not complying to constitutional responsibilities to respond to letters from MHA

8 March 2017 FKS writes to Pynshngain N Syiem, MLA & MDC, Chief Executive Member, Khasi Hills Autonomous District Council, Shillong to facilitate the summoning of the Dorbar Hima Myllem to deliberate on the overlapping central laws without understanding the serious impact caused on the customary laws of citizens (u khun u hajar) and drawing the CEM to letter dated August 11, 2015 and our letters of 2012, hence the urgent need to convene the Dorbar Hima Myllem, in presense of the Myntri, clans (Kur), Basan, Lyngdoh, Myntri, Lyngskor, Lyngdoh Raid, Syiem Raid, Longsan, Rangbah Shnong, elders of the village and citizens "u khun u hajar" of Hima Myllem to deliberate the challenges and conflict faced by the various Acts/Rules/Regulations being imposed over the customary

laws such as Indian Registration Act 1908, Citizenship Act 1955, ‘Municipality of Shillong’ and Shillong (Administered Areas) Municipality, para 20 of Sixth Scheduled, The First Schedule 2. Assam“Khasi States”, Income Tax Act 1961, The Meghalaya Building Bye Laws 2011, Cantonment Act 2006, National Highway Authority Act 1988, The Coal Mines Nationalisation Act 1973, the Mines and Mineral Development Regulation Act, Forest Conservation Act 1980, and many other central Acts, Rules ki Regulations which has seriously impacted the sacred customary laws “Riti ka Dustur” of Hima Myllem.

- 3 April
2017
- FKS met in the Conference Hall, in the Main Secretariat, Shillong.and sought clarification on the issue of for Registration of the record of right, from the Law Department vis-à-vis the Instrument of Accession and Annexed Agreement accepted by the Govt of India on 17th August 1948, as listed in the official KHADC website. The meeting also discuss the fact that the Federation of Khasi State collectively and individually, did not sign the Instrument of Merger as done by the other over 500 princely states, the issue in question is given that we have not merged what are the ramifications of registration under the Indian Registration Act or 1908 vis-a-vis the traditional customary practice of registering our record of right with the office of the respective Khasi State.
- 16 April
2017
- FKS writes again to the Sordar -Chiefs of Raid Diengsaw, Hima Sohra, inviting the Eleven (11) villages under its jurisdiction in collaboration with SPIKAP to join the tree plantation at Lum Umthli, Hill to celebrate the June 5, 2017 World Environment Day.
- 10 June
2017
- Syiem of Khyrim sought appointment for June 12, 2017 with Chief Minister Meghalaya to submit Memorandum along with a few Rangbah Shnong on the challenges and conflicts arising from the Cattle Slaughter Rules 2017

notified recently by the Government of India

- 12 June 2017 A delegation of Elders, Rangbah Shnong, Myntri, led by Dr Balajied S Syiem, Syiem of Khyrim, submits a Memorandum to Dr. Mukul Sangma, Chief Minister, Meghalaya, Shillong urging urgent need for separate Legislation/Resolution to exempt Meghalaya State from the recently notified The Prevention of Cruelty to Animals (Care and Maintenance of Case Property Animals) Rules 2017 and The Prevention of Cruelty to Animals Act, 1960 (59 of 1960) and to protect recognize our Indigenous tribal customary beliefs and way of life.
- 28 June 2017 GCCM/FKS writes to Chairperson, NCST, Shri. Nand Kumar Sai, former MP, vide letter dated June 28, 2017 appealing to the Chairperson, NCST to take action under Article 338A Section 5, 6, & 7, and to report to Hon'ble President of India regarding inhuman atrocity and discrimination against our Khasi Tribal Women by Delhi Golf Club on June 25, 2017 which has caused a feeling of alienation due to the atrocities by the majority against the minority.
- 17 July 2017 GCCM/FKS invited by Office of Dorbar Syiem Nongkhlaw to attend and address the commemoration of the 173 death anniversary of the legendary Freedom Fighter u Tirot Sing Syiem, Syiem of Hima Nongkhlaw who waged a war by attacking the British Garrison in Nongkhlaw on April 4, 1829. The commemoration functions were presided over by Paiem Phrester Manik Syiemlieh, Syiem of Hima Nongkhaw, in Mairang and at Nongkhlaw on July 17, 2017. The FKS spokesperson while addressing the gathering highlighted the status on the demands for resolution and implementation of the Instrument of Accession and Annexed Agreement of August 17, 1948.
- 16 August GCCM/FKS invites Press Club, NGOs/Important

- 2017 personalities/Chiefs to the meeting of the Chiefs to be held on 17th August 2017, at 11Am, in the Youth Hostel Hall, near Addl Secretariat, Shillong, to recall the acceptance and signing of the Instrument of Accession and Annexed Agreement 69 YEARS ago by Shri. C Rajagopalachari, Governor General of India (Known as President of India after 26 Jan 1950) on this day chiefs from various levels will discuss the long pending national commitment including the IoA & AA into the Constitution of India without which the Khasi States and their people are in constant conflict with the numerous Central, State and District Council Laws.
- 17 August 2017 FKS meets to recall the when the day when Governor General of India accepted and signed the Instrument of Accession and Annexed Agreement on August 17, 1948 accepting the controversial conditional treaty terms with the Federation of Khasi States
- 8 September 2017 Delegation led by the Meghalaya Indigenous Tribal Constitutional Rights Movement (MITCRM) comprising of (Synjuk Ki Nongsynshar Shnong Ka Bri Hynniewtrep(SKNSBH), Khasi Strudents Union (KSU), Federation of Khasi Jaintia & Garo People (FKJGP), Hynniewtrep National Youth Front (HNYF), Garo Students Union (GSU), Federation of Khasi States (FKS), and SAMOLA met PN Syiem, Chief Executive Member, KHADC, to deliberate on the proposed amendments to the Sixth Scheduled of Constitution of India by Union Ministry of Home Affairs (MHA) Government of India and during the discussions when FKS Spokesperson asked why there was no sincerity to respond to the very important clarifications sought by the State Government which was required to be sent to the MHA and Parliamentary Standing Committee on Home Affairs, New Delhi since August 2012, which erupted into a heated argument between the CEM and the FKS Spokesperson which almost broke the discussions but for the patience

from the FKS.

- 27 September 2017 Dorbar of Syiem Nongkhaw writes and invites Chief Minister to lay foundation stone for the Tourism Project and the two day Krem Tirot (Tirot's cave) Festival in Nongkhlaw village on November 3 & 4, 2021.
- 2 October 2017 GCCM/FKS calls on all the Chiefs Rangbah Shnong, Sordar, Syiem, Lyngdoh, Sirdar, Wahadar, Dolloi, Nokma, Syiem Raid, Lyngdoh Raid, Basan Raid, Bongthe Raid, Myntri, Clan elders to urgently debate and plan how to deal with sanitation especially eradication of waste plastic through recycling which is presently becoming alarming, this appeal was made at 9Am on October 2, 2017 at Nongmadan Laitkor Rngi, Hima Myllem.
- 14 October 2017 GCCM/FKS announces the start of the 3rd Inter- Hima / Elaka- Seng Samla KUR -Knock Out Football Tournament -2017 scheduled to begin from November 4, 2017
- 17 November 2017 GCCM/FKS writes to Synjuk Ki Nongsynshar Shnong Ka Bri Hynniewtrep, for the need for all the citizens (u khun u hajar) to understand indept the unique history of the Khasi who acceded with India by a conditional treaty Instrument of Accession and Annexed Agreement August 17, 1948 and to ensure that these agreements relating to our customary laws and rights are incorporated within the Constitution of India under a special Article 370A of the Constitution of India. The note also refers to letted dated January 2016, from MHA addressed to Shri. MS Rao, Principal Secretary, Governor of Meghalaya, letter from Joint Secretary, i/c NE, MHA dated 18 July 2012, addressed to Chief Secretary, Meghalaya which sought clarifications from KHADC, the letter dated August 3, 2012 from the District Council Affairs, Department seeking views and opinion from the Khasi Hills Auonomous District Council (KHADC), and sighting a host of Acts /Rules / Regulations which are in conflict to the Khasi Customary

Laws.

17 December 2017 FKS issues a statement appreciating the efforts of Dr Mukul Sangma, Chief Minister, Meghalaya, Ka Synjuk ki Rangbah Shnong ka Bri Hynniewtrep, Shri. Pynshngainlang N Syiem, MLA, & MDC, CEM, KHADC, and other stakeholders who have facilitated the discussions and resolution on the issue of the overlapping jurisdiction between the KHADC vis-à-vis the Urban Affairs Department / MUDA.

Besides the above advocacy and democratic movements resulting in legislation from the KHADC, it is note worthy that about ten Bills of the respective Himas passed by the Khasi Hills Autonomous District Council is presently awaiting assent by the Governor. A large number of Bills related to customary law from the rest of the Hima/Elaka(s) have also been submitted in draft form in Khasi language to the KHADC. The process for codification is awaiting scrutiny and translation by the Legislature of the KHADC which has been frustratingly poor in processing legislative content and slow in completion. (*There are 25 Khasi States 29 Sirdarships also known as Elaka and about 19 Elakas in Jaintia Hills*).

Since 1999, advocacy to highlight the pending issues arising out of the treaty terms of the IoA & AA of 17 August 1948 has led to political parties highlighting these important issues in their party Manifesto's. A number of Meghalaya Regional and National Parties recognized by the Election Commission of India have raised and promised to address the IoA & AA during the parliamentary elections for the Lok Sabha.

Another significant milestone is that due to the intense grassroots advocacy by the FKS, the KHADC has also pursued its agenda of dominance and control over Himas to hold on to the Khasi States by legislating three Bills 2006, 2016, and 2018:

i) *The Khasi Hills Autinonomous District (Constitution of The Federation Of The Khasi Traditional Chiefs) Bill, 2006* passed by the Khasi Hills

Autonomous District Council on the 26 October 2006. Shri. M Pyrbot, Chairman, KHADC.

ii) *The Khasi Hills Autonomous District (Constitution of Council of Traditional Dorbar) Bill, 2016*, passed by the Khasi Hills Autonomous District Council on the 3 March 2016 – Shri. ManstudyNongrem, Chairman, KHADC and

iii) *The Khasi Hills Autonomous District (Constitution Of Subordinate Council of Traditional Chiefs And Headmen) Rules, 2018, Notification No. DC.XXVII/GENL/97/2018/4 under Rule 73(2) of the AD Rules 1951 issued on 23 October 2018* by the Khasi Hills Autonomous District Council – Shri. HS Shylla, CEM.

All the above three Bills appear to have been rejected and returned by the Governor Meghalaya, questioning the legislative competence of the KHADC to frame and pass such Bills. These developments only confirm the demands of the FKS that the Parliament of India needs to address these solemn national commitments.

Additional Resources

Discussions on the Book with the Authors

<https://www.youtube.com/watch?v=uVIXVdaGxUU>

<https://www.youtube.com/watch?v=HMWqL8HOFFU&t=12s>

<https://www.youtube.com/watch?v=wn37E2Ivi30&t=3s>

https://www.youtube.com/watch?v=daSTKi6_tSY&t=46s

<https://www.youtube.com/watch?v=38EBQLzyEls&t=648s>

THE DECOLONIAL/DIALOGICAL HISTORY PROJECT

This book engages with the political history of the Khasis and their indigenous institutions from 1771 to 2017. Known as Syiems, Lyngdohs, Sirdars and Wahadadar, these diverse and distinct organic institutions are 25 in number and constitute the roots and mainspring of about a million Khasis. These independent institutions first came together in 1933 and later in 1946 to establish the Federation of Khasi States. During the mid 1940s, a period of great turmoil, they collectively negotiated with the powers that be to attain a dignified and self-determining political status for Khasi society in the new evolving politico-legal infrastructure. Though bruised by nearly 200 years of colonial distortions and political peripheralization, these institutions remain alive, grounded and thriving to this very day. Capturing these complex socio-political trajectories, the authors provide insight into the epistemologies of these indigenous 'engaged governance' systems and draw out from their historical struggle, the political events that have shaped both Khasi psyche and contemporary Khasi reality.

The Decolonial/Dialogical History Project aims to support thought leaders from within the nearly 450 non-caste societies in India to tell their own stories and write their own histories within a diversity-coexistence frame of reference as against the colonial Universal-particular framework. The book is an attempt to establish 'Decolonial-Historical Approach' as a methodology in the 'writing of history(s)' undertaken by the Tribal Intellectual Collective India.



**Tribal Intellectual
Collective
India**

ISBN 978-81-942059-1-3

