# Traditional Political Institutions of Tribal People within Autonomous District Councils of Meghalaya

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Abstract- The three major tribes' communities inhabited Meghalaya -the Khasi, the Jaintia, and the Garo. There are three major traditional political institutions, the Syiemship among the Khasis, the Doloiship among the Jaintias, and the Nokmaship among the Garos. The traditional political institutions of tribal people are deeply rooted in their cultural practices and are integrated within the framework of Autonomous District Councils. These institutions provide a blend of traditional wisdom and modern governance structures, ensuring that tribal communities can preserve their identity while participating in the broader democratic processes of India. Traditional institutions like Durbar Shnong and Nokmas have sometimes overlapped with or been influenced by the formal structures of Autonomous District Councils. There have been ongoing discussions and debates regarding the balance between preserving traditional governance and integrating with modern administrative frameworks under the Autonomous District Councils. The main objective of this paper is to analyze the traditional political institutions of tribal people within the Autonomous District Councils of Meghalaya. The research methodology is explanatory in nature and for data collection; it is confined to primary and secondary sources which include interview, books and records etc. After going through the detailed analysis of the traditional political institutions of tribal people in Meghalaya, it can be said that the institutions are democratic in nature.

*Index Terms*- Nohkma, Doloi, Syiem, Tribal people, Traditional Political Institution, Autonomous District Councils

### I. INTRODUCTION

The present state of Meghalaya comprises three major tribal groups the Khasi, Jaintias, and Garos. The cultures of the Khasis, Jaintias, and Garos signify the vividity of the land. They follow the matrilineal system in which wealth, land, or property passes from mother to daughter. Women have a dominant role in the matrilineal society of Meghalaya. The youngest daughter of the family, the *Ka Khatduh*, inherits all ancestral property. Under the Constitution of India, the Khasis, Jaintia, and Garos have been granted the status of Schedule Tribe. All three have their own Autonomous District Councils now. The Autonomous District Councils for the United Khasi-Jaintia Hills District and the Garo

Hills District were introduced right from 1952 by the provision of the Sixth Schedule to the Constitution of India. Subsequently, however, the people of Jaintia Hills felt that a separate District administration for Jaintia Hills and so a separate District Council for Jaintia Hills was created on 1st December 1964 after the bifurcation of the then United Khasi Jaintia Autonomous District Council. Since then, three Autonomous District Councils have been in operation, one each for Khasi Hills, Jaintia Hills, and Garo Hills (*Warjri*).<sup>1</sup>

The Autonomous District Councils in Meghalaya are such institutions that were introduced among the tribal people of the state only after independence, to be specific, since 1952. However, the tribal people of Meghalaya have had their own traditional political institutions since time immemorial. Such institutions are deeply rooted in the society. They can also be considered as traditional self-governing institutions. The traditional institutions were and are still responsible for the day-to-day administration of the people. They run the administration in a democratic manner and in accordance with the general will of the people based on traditions, customs, cultures, and usages of the land. The traditional Chiefs, though occupied the highest hierarchy in the rung of the ladder of administration cannot go against the popular will of their people. In many cases, such Chiefs were either selected or elected by the people to supervise the administration and not oppress or suppress them. The people retain the highest authority in matters of decision-making although they are helped and guided by the various traditional councils at different levels of administration. These councils play a very important role in the administration and decision-making process. The Constitution provides for the administration of each District Council consisting of not more than thirty members, of whom not more than four can be nominated by the Governor and the rest elected based on adult suffrage (Warjri).ii

The District Councils constituted by the provisions of the Sixth Schedule are conferred legislative, judicial, executive, and financial powers which are spelled out under the Chapter entitled "Sixth Schedule" in the Constitution. These District Councils have some appearance of states within a state. However, being Autonomous in their internal functioning within the broad constitutional provisions, they differ substantially in laws enacted

and rules framed. The Sixth Schedule of the Indian Constitution confers power to the District Council, the District Council to the Kingdoms (Hima), and the Kingdoms to the Villages. They are democratic in nature (Warjri). iii In Meghalaya, the three tribes have different kingdoms (Hima) known as traditional political institutions. A traditional political institution of khasi is known as Syiem, Jaintia as Doloi, and Garo as Nokma. A traditional institution refers to the indigenous political arrangements whereby leaders with proven track records are appointed and installed in line with the provisions of their native traditions and customs. Traditional institutions are the custodian of their people's norms, cultures, and practices. These traditional political institutions play a very important role directly or indirectly in the process of governance. They act as institutions of self-government at various levels as they are directly linked with the people. The traditional political structure of the Khasi community is democratic in nature. In the past, the Khasis consisted of independent native states called Syiemships, where male elders of various clans, under the leadership of the chief, would congregate during Durbars or sessions. They would decide any dispute or problem that would arise in the Syiemship. At the village level, there exists a similar arrangement where all the residents of the village or town come together under the leadership of an elected headman to decide on matters pertaining to the locality. This system of village administration is much like the Panchayati Raj prevalent in most Indian states. On record, there were around twenty-five independent native states which were annexed and acceded to the Indian Union. The Syiems of these native states were traditionally elected by the people or ruling clans of their respective domains. Famous among these Syiemships are Hima Mylliem, Hima Khyrim, and Hima Nongkhlaw, amongst others. These Syiemships continue to exist and function today under the purview of the Autonomous District Councils, which draws its legal power and authority from the Sixth Schedule of the Constitution of India (Traditional Institutions). iv

#### **OBJECTIVE OF THE STUDY**

The objective of this article is to analyze the traditional political institutions of tribal people within the Autonomous District Councils of Meghalaya, problems, and resolutions. The presence of the Khasis, Jaintias, and Garos as the main tribes of the state and their traditional political institutions will be one of the interesting features to study these tribes.

#### REVIEW OF LITERATURE

Sujit Kumar Dutta in his Functioning of Autonomous District Council in Meghalaya (2002) analyses the creation of Autonomous District Councils in Meghalaya in 1952 within the Sixth Schedule of the Indian Constitution and the various functions of the Councils. There are three Autonomous District Councils in Meghalaya. The Councils are the local self-governing bodies and the guardians of the traditional political institution of tribal people in the state. L.S. Gassah in his Traditional Institution in Meghalaya, a Study of Doloiship and His Administration (1998) analyses the historical origin of the office of Doloi in Jaintia Hills, method of election of Doloi, powers and functions of Doloi as the chief of the Elaka. Monica N. Laloo in her Political Structure of the Khasi; With Special Reference to the Nongthymmai Dorbar Pyllun published in Journal of Humanities and Social Sciences

(IOSR) JHSS) Volum-19 Issue 4, ver vii April 2014 pp. 45-53 analyses the characteristics of the Nongthymmai Dorbar Pyllun as one of the traditional political institutions in the Hima Mylliem. The study highlighted the existence of the Autonomous District Council as one of the local self-governing bodies in the state which is closer to the people, the relationship among the Council, Hima Mylliem, appointment, and election of the chief of the clans. L. S. Gassah in his Traditional Self-Governing Institution among the Hills Population Groups of Meghalaya published in Traditional Self-Governing Institution among the Hill Tribes of North East India, edited by Atul Goswami. (2002) highlighted the existence of the Autonomous District Council and its relationship with the traditional institutions of Meghalaya. The study highlighted the characteristics, origins, functions, and development of traditional political institutions in Meghalaya. B.K. Tiwari in his Structure and Functioning of Traditional Institutions in Meghalaya analyses the origins, characteristics, and functions in detail of traditional institutions in Meghalaya.

#### THE RESEARCH METHODOLOGY

The present investigation is assessed by employing an exploratory and investigative study method to seek and identify the traditional political institutions of tribal people within the Autonomous District Councils of Meghalaya. The study is heavily based on the tools of historical analysis. For this purpose, the primary and the secondary data will be confined. Secondary data was collected from books, articles, journals, magazines, and related works. Published works by scholars in the form of books, articles, pamphlets and periodicals including English and vernacular newspapers were the secondary sources of the data collection. Limitation of the study. The present article is focused on the traditional political institutions of tribal people within the Autonomous District Councils of Meghalaya. All sources of information from books, diaries, magazines, records, articles, and journals are acknowledged as references.

#### SIGNIFICANCE OF THE STUDY

The study will benefit the people abroad to know that the three main tribes in Meghalaya practice democratic institutions right from grass root i.e. village level to the state level. The traditional political institutions of tribal people were democratic in nature where the King could not do anything of his own will but by the will of the people. The power of the king derived from the people. The people abroad will know that the tribal people of Meghalaya practiced democratic institutions in governance. The grass root level is the village and each village has a headman as the administrator. Above the villages, there were Kingdoms (Hima) with the Syiem (King) as the head of the Kingdoms. Hima was under the jurisdiction of the District Councils as one of the local self-governing bodies in the state. The people will know that the villages and kingdoms of the tribal people in Meghalaya are democratic in nature.

#### **ANALYSIS**

To analyze the traditional political institutions of tribal people and Autonomous District Councils of Meghalaya, problems, and resolutions. The author has presented the description with the help of different headings and sub-headings. The detailed analysis is as follows:

# THE EXISTENCE OF THE AUTONOMOUS DISTRICT COUNCIL IN MEGHALAYA

The existence of the Autonomous District Council was the choice of the Khasi People in Meghalaya. In fact, it was at the Cabinet Mission's advice that the Constituent Assembly of India set up an Advisory Committee on January 24, 1947, regarding the formation of Autonomous District Councils. The Committee later constituted two Sub-Committees on February 27, 1947, namely the North East Frontier (Assam) Tribal and Excluded Areas Sub-Committee and the other is known as the Excluded and Partially Excluded Areas (other than Assam) Sub-Committee. Sri Gopinath Bordaloi was the Chairman of the North East Frontier (Assam) Tribal and Excluded Areas Sub-Committee; so, it is known as Bordaloi Committee. This Committee studies the administrative setup carefully in the hill areas including Khasi Hills to build up an Autonomous body in the administration of the hills so that the tribal people could continue to follow their traditional life. The Bordaloi Committee recommended the setting up of the administration of tribal areas, based on the concept of autonomy in all matters affecting their customs, laws of inheritance as well as administration of justice, land, forest, etc. The Sub-Committee's report was submitted on July 28, 1947 (Dutta).<sup>v</sup>

The Constituent Assembly accepted the recommendations of the Bordoloi Committee and incorporated them in the Sixth Schedule. By the Act 1935, the tribal areas in Assam were kept as Excluded Areas in the Constitution of India, 1950, and provision was made for the constitution of Autonomous District Councils. This is done in such a way that the tribal people could be in a position to enjoy some rights of self-government for socioeconomic development and preservation of ethnic identities. This arrangement did not come in the way of the formation of separate states. The relevance of District Councils to the social development of the tribals was not ignored as it is evident from the fact that even within the Tribal-State of Meghalaya and the union territory of Mizoram District Councils have been functioning. There are of course differences of opinion about the need for retaining the District Councils in these states. However, six tribal districts of Assam were included in the Autonomous District Council under the Sixth Schedule. The differences of opinion regarding the retention of the District Council in Meghalaya are yet to be clarified. Ultimately there came out the Sixth Schedule, which was actually imposed by taking the public opinion or existing local institutions into consideration. District Council is a political institution that, though meant to be the protector of the traditions and customs of the Khasis, Jaintias and Garos has been so politicized that it only serves the interests of some elected members. People do not look to the Council so much for the protection of the traditions of the society as for some measly grants which ultimately end up in a few pockets. It is the political leaders both from the District Council and the state government who have not really been sincere in their duties towards their communities. The state government must see that new legislation comes out to ensure that the traditional institutions are left unhindered to coexist healthily (Constituent Assembly). vi Balajied Syiem said that traditional institutions have some limitations in modern society even though they are open to changes, but they have the right to choose the changes required. They are in need of a healthy

tradition and good political leaders who are not selfish and who really work for the benefit and development of modern society  $(Dutta)^{vii}$ 

The Sixth Schedule was designed to confer a considerable amount of autonomy on the tribal people by giving them protection to retain their identity according to their own genius socially, and economically politically, through representatives and nominated members. The Sixth Schedule provides a type of local-governmental arrangement, which aims to better the life of the tribal people, keeping in view the ample opportunity to grow in their roots. In reality, the spirit of the Sixth Schedule is to provide complete safeguards to the tribal communities in respect of land, forests, and a system of justice and social customs. It was felt that the state and central government would help them in securing the benefits of a democratic, progressive, and liberal administration. To achieve these aims the contribution has given the power to make laws on various subjects applicable to the tribal people as enshrined in the Sixth Schedule. Against this backdrop, the District Councils/ Autonomous Local Government came into being in Tribal Areas of the North-Eastern Region especially to introduce internal autonomy in tribal compact areas for protecting the social, economic, and cultural interests of the tribal population (Dutta). viii

Article 244(2) of the Indian Constitution provides that the Sixth Schedule shall apply to the administration of the tribal areas in the states of Assam, Meghalaya, Tripura, and Mizoram. This means that the tribal areas in these states will be governed not by any other provisions of the Constitution relating to the states and union territories of India but by the provisions of the Sixth Schedule (Warjri). ix Paragraph 2(6) of the Sixth Schedule entrusted to the Governor to make rules for the constitution of the District Councils which shall provide for 1) the composition of the District Councils and Regional Councils and allocation of seats therein. 2) The delimitation of territorial constituencies for election to those councils. 3) The qualifications for voting at such elections and the preparation of electoral rolls. 4) The qualification for being elected at such elections as members of such councils. 5) Any other matter related to or connected with the election or nominations to such councils. 6) The procedure and the conduct of business in the councils. 7) The appointment of the officers and staff of the District and Regional Councils. Article 40 of the Indian constitution laid down for the establishment of Panchayat Raj (local - self-government in India) became one of the directive principles of state policy as enshrined in part IV of the Indian Constitution. The central government envisaged strong democratic institutions at the grassroots level as well as concerning the affairs of the tribal communities. However, in the case of the tribal areas in the country, especially those in North-East India, there were certain specific provisions provided in the Constitution of India. These areas fall under the jurisdiction of respective states but certain provisions are made to crest some district and regional councils, especially for the tribal areas. These councils have certain judicial and legislative powers. Each District is an Autonomous District and the Governor can modify/divide the boundaries of the said tribal areas by notification (Warjri). x

Meghalaya has three Autonomous District Councils for the three major tribes, the Khasi Hills Autonomous District Council for Khasi, the Jaintia Hills Autonomous District Council for Jaintias, and the Garo Hills Autonomous District Council for Garos. The councils performed executive, legislative, judicial and financial functions (*Warjri*).xi The Councils face several challenges that hinder their effective functioning and governance. The problems are discussed as under:

Financial Dependence: The financial dependence remains a significant challenge that hinders their autonomy and effective functioning. The Councils in Meghalaya rely heavily on grants from the central and state governments, limiting their financial independence. The primary sources of funding include, grants-inaid from the union government, budgetary allocations from the state government and limited revenue from taxes, fees, and levies imposed within their jurisdiction. The Autonomous District Councils have limited power to impose taxes. They can collect revenue from markets, professional taxes, land revenue, and forest products, these sources generate insufficient funds, lack of industrial and economic activities within Autonomous District Councils areas further restricts revenue generation and dependence on natural resources is unsustainable due to environmental concerns and regulations. The flow of funds from the central and state governments is often delayed, leading to administrative inefficiencies and stalled development projects. Bureaucratic red tape and political interference further complicate fund allocation and utilization. The financial dependence of Meghalaya's Autonomous District Councils limits their ability to function effectively and fulfill their mandate. Addressing this challenge requires policy reforms, improved revenue generation mechanisms, and direct financial assistance to ensure these councils can operate independently and efficiently.

**Limited Legislative Powers**: Despite being autonomous bodies, Autonomous District Councils have restricted legislative powers compared to state legislatures. This limitation affects their capacity to enact laws and policies that are crucial for local development and governance.

Autonomous District Councils can legislate on certain subjects (e.g., land, forests, customs, and village administration), but their laws require the assent of the Governor. The state legislature and Parliament can override Autonomous District Council laws, limiting their effectiveness. Many subjects of governance, such as education, health, and infrastructure, fall under the state government's control, reducing Autonomous District Councils authority. The state government's administrative control often undermines the councils' decision-making ability. Autonomous District Councils rely on grants from the state and central governments, limiting their financial independence. They lack the power to levy major taxes, affecting their ability to fund development projects. Even when Autonomous District Councils enact laws, enforcing them is challenging due to limited administrative and policing powers. The presence of state government departments performing similar functions leads to duplication and confusion. Political interference from state governments affects the councils' ability to function independently. While Autonomous District Councils were created to promote self-governance and tribal autonomy, their limited legislative powers hinder effective governance. Strengthening their authority through constitutional amendments, greater financial autonomy, and better coordination with state governments could enhance their role in Meghalaya's governance (Records). xii

Infrastructure Deficit: Many Autonomous District Council areas in Meghalaya suffer from inadequate infrastructure, including roads, healthcare facilities, and educational institutions. This deficit impedes economic growth and quality of life for residents. However, their effectiveness is severely hampered by inadequate infrastructure. Lack of proper office buildings, meeting halls, and administrative facilities limits the smooth functioning of the councils. Many district councils operate from rented buildings or outdated structures, which hampers efficiency. Rural and remote areas under Autonomous District Councils suffer from poor road networks, making governance and service delivery difficult. Transportation of goods and access to essential services like healthcare and education are affected. Limited access to internet connectivity and digital services affects record-keeping, governance, and communication. The infrastructure deficit in Meghalaya's Autonomous District Councils limits their ability to function effectively. Addressing this challenge requires a multipronged approach, involving better funding, improved physical and digital connectivity, and capacity-building initiatives. Strengthening the Autonomous District Councils through better infrastructure will help in the overall socio-economic upliftment of the indigenous communities.

Political Instability: Often experience political instability due to frequent changes in leadership and coalition politics. This instability can disrupt governance continuity and delay decisionmaking processes. However, political instability has severely hindered their effectiveness. The councils often witness frequent changes in executive leadership due to shifting political alliances and defections, leading to governance instability. Autonomous District Councils are frequently ruled by coalition governments that are fragile and prone to collapse, disrupting policy continuity and development initiatives. State-level political parties often influence the functioning of Autonomous District Councils, leading to conflicts of interest and instability. Allegations of financial mismanagement and corruption in Autonomous District Councils have led to distrust among the public and council members, further weakening governance. Political instability in the Autonomous District Councils of Meghalaya remains a significant challenge, affecting governance, development, and indigenous rights. Addressing these issues requires both legislative and structural reforms to ensure effective selfgovernance (Records). xiii

Limited Revenue Sources: Autonomous District Councils have limited revenue sources beyond state grants, such as local taxation powers. This financial constrains their ability to undertake independent development initiatives. However, one of the major challenges they face is limited revenue sources, which restricts their ability to function effectively and implement developmental initiatives. Autonomous District Councils primarily rely on grants from the central and state governments, which are often insufficient and delayed. The lack of direct funding mechanisms makes them financially dependent, affecting their autonomy. Autonomous District Councils have the authority to collect taxes on markets, entry of goods, and land revenue, but these sources generate minimal income. Unlike municipalities, Autonomous District Councils do not have taxation rights on major commercial activities, industries, or large businesses operating within their jurisdiction. Most areas under Autonomous District Councils are rural and agrarian, with limited

industrialization. Absence of major industries, large-scale trade, and corporate investments reduces tax collection potential. Autonomous District Councils control certain natural resources (e.g., forests, minerals), but policies restrict them from fully leveraging these for revenue generation. Unregulated and illegal extraction of resources leads to loss of potential revenue. Limited revenue sources hamper the autonomy and effectiveness of Autonomous District Councils in Meghalaya. Addressing these financial constraints through policy reforms, economic development, and better governance is essential to strengthen local self-governance and promote sustainable development in tribal areas (*Interviews*). xiv

#### TRADITIONAL POLITICAL INSTITUTIONS

Under subparagraph (g) of paragraph 3(1) of the Schedule, the District Council has been given the power to make laws in relation to the appointment or succession of the Chiefs or Headmen of the Village Council. The District Council approves the sanad which has been given to the Headman by the Syiem of different kingdoms. (*Warjri*) The District Council appoints and approves the head of each traditional political institution within its jurisdiction. In the State of Meghalaya, there are three major tribes and three major traditional political institutions, the Syiemship among the Khasis, the Doloiship among the Jaintias, and the Nokmaship among the Garos (*Gassah*).\*\*

#### THE SYIEMSHIP

The institution of chief ship among the hill tribes of the Northeast is a common feature. The institution prevailed and is prevailing among many of the tribal communities of the region. Though some tribes have abolished the office of the chief, a majority of them continue even to date. Traditional institutions play a very important part in the growth and development of any society at various levels. The essence of the institutions is to preserve the customs and traditions of the people and to manage conflicts arising among or between members of the community by the instruments of traditions, customs, and usages of the land. Traditional institutions are the custodian of their people's norms, cultures, and practices. These traditional institutions play a very important role directly or indirectly in the process of governance. In the State of Meghalaya, the major tribes, the Khasis, the Jaintias, and the Garos have their traditional systems of governance.

The Khasi polity is based on long-standing customs, traditions, and usages. The customary laws of succession to different offices of traditional institutions of governance, management of affairs by the Durbars or Councils, the traditional system of judiciary or administration of justice, and a few politicoreligious observances are still surviving.

In the Khasi Hills, the Syiemship forms the most important traditional institution. It is an institution which has existed since pre-British times. Syiemship emanated as an organ to centralize subjects of administration, being associated with issues such as the opening of markets, execution of marriage laws, reorganization of incongruous (out of place) land tenure, the appointment of judicial authority, maintenance of police power, and so on. Syiemship was devised to amalgamate identical pursuits, interests, and necessities of clans and units near and far. The institution of Syiemship at present exists in 25 different Khasi States. There are four types of

Khasi States: One presided over by Syiems, the second presided over by Wahadadar, the third by Sirdars, and the fourth by Lyngdoh (*Gassah*). *xvi* 

According to tradition, the Syiemship remained with one family. A fact of universal application is that heirship to the Syiemship lies through the female side. In the beginning, the succession was regulated by a small body consisting of Lyngdohs of certain priestly clans. Later on, Sirdars and Basans were included in the Electoral College. In some cases, the Syiems were elected by the people when the Electoral Durbar failed to take a unanimous decision. The electorate consisted of all adult males. Though Khasi Syiems are elected, the method of election differs from place to place. Before independence, the election of the Syiems was subject to ratification by the British Government. Since 1952, elections of Syiems have been conducted by the Returning Officer of the District Council.

Powers and Functions of the Syiem: A Khasi Syiem is the head of his State. But he ought to subject himself to ethical instructions, prescribed by customary rules, laws, and regulations, as well as customs, traditions, and usages. He could not act as a tyrant or a dictator as his powers were much circumscribed by the people who actually possess the highest authority. He is expected to be always concerned with the people's welfare and development, and maintenance of peace and security within his jurisdiction. He is the symbol of unity of all the clans and groups of clans and groups of villages within the Syiemship. The Clans and the villages forming the population of the State are co-partners with the Syiem in the smooth functioning of the entire Syiemship administration. He is under the strict control of the whole community and has to lay down his policy in conformity with the resolution of the Durbar or the Council of the People. The Durbars actually transacted both the political and judicial matters and their decision is final. The acts or decisions of a Syiem can be vetoed by the Durbar if they are contrary to the usages and traditions of the community. A Syiem is always assisted by his Myntris (Ministers) in all matters concerning the Syiemship administration. In judicial matters or in the administration of justice, a Syiem acts as a judge and the Durbar as a jury.

In the Durbar, the people enjoy freedom of speech, and the majority decision is taken only after every member is allowed to speak and put up their views. The composition of this small executive body varies from place to place. For instance, in Mylliem five Myntries assist the Syiem, in Khyriem the strength of the Durbar is 31, whereas in Cherra 12 Myntries constituted the Durbar. There was a Durbar called Ka Durbar Hima Pyllun – a gathering of the entire male population of the State and then there is the Ka Durbar Ki Shnong, a Durbar of villages, attended by elders and officials for deciding important issues. The pivot of village administration is the Headman (Gassah). xvii Headman means a Myntri, a Syiem Raid, a Basan, a Lyngdoh Raid, a Matabor, a village elder, and a Rangbah Shnong. The election of the Headman is done according to the prevailing customs of Elaka. A unit or a subdivision has a Durbar called Durbar Raid composed of Raid elders and presided over by a Syiem Raid, Lyngdoh Raid, or a Basan Raid, whereas the village unit has a village Durbar headed by its Headman, and in their administrative capacity they are responsible for maintenance of peace, improvement of roads, markets and collection of market revenues. They also arrange festivals and send their offerings to the Syiem for State

ceremonies. In their judicial capacity, they act as village courts. They make decisions on the basis of a simple majority. It needs to be mentioned that in the meeting of the Durbar the Headman or Rangbah Shnong cannot make unilateral decisions and has to respect the decision of the majority. Thus it can be seen that the Durbar Shnong is today the most basic unit of political administration among the Khasis. It can be seen playing a very active role in the major areas of the State especially under Khasi Hills, with the passage of time this institution of the Durbar has become a very basic institution of Governance among the Khasis. A Khasi state, thus, is not a full-fledged monarchy. It is rather a limited monarchy. The Syiem's powers are therefore much circumscribed. Traditional Khasi polity also functions through various Durbars right from the village level up to the Hima level. Many of the powers and functions of the Khasi Syiems and other traditional institutions were either curtailed or taken away by the British authorities (Gassah). xviii

The sovereignty of the Khasi State is based on customary laws of the Khasi people established since the inception of the society and handed down from generation to generation. This sovereignty is further reflected by the general will of the people as may be exercised and expressed by them from time to time. The Syiem exercises Civil, Judicial, and executive powers; in the past, the Syiem's court was the highest court of appeal within his Syiemship, although his authority was derived and exercised by the state Durbars sitting in judgment in the presence, and the verdict in his name is in actuality a resolution and agreement of a Durbar. In all his executive actions, he was advised by the advised by Durbar of Myntries (Council of Ministers). His executive action today extends principally to the management of markets, arrest of wrong-doers and criminals, and collection of fines and imposts at various quarters in the state. He also approves the appointment of subordinate officials in the state.

The Syiem position is that of nominal Chief; he is simply an elected head and his tenure of office is limited to his people's pleasure. That the Syiem's powers are limited and circumscribed can be envisaged from the constitutional, legal, social, and religious checks and restraints imposed by the usages and covenants upon him. He cannot override the decision of his Ministers and those of the state and local councils. Legally, he has no power to make laws or levies or issue ordinances. In all acts of legislation, he and his state Durbar make laws but such laws should in all ordinary cases conform to the usage and customs of the land.

#### **DOLOISHIP**

Evolution of Doloiship: The office of Doloi in Jaintia did not come into existence all of a sudden. Different processes of traditional polity formation gradually took place at different periods before such an important institution was created by the society concerned. Other traditional institutions were at work among the Jaintia people right from the family and clan at the village level of administration. Having found that these institutions at the grass-root level could not properly deliver the goods on account of their limitations and due to the increase of population and size of the territory coupled with the everincreasing number of functions to be performed, the Jaintia people in their wisdom decided to create an institution above that of the family, clan, and village. Such a higher institution of a political

unit would cater to the need and bring together the different groups of families and clans and villages under one central authority. This process took place when the groups of migrants to the present Jaintia Hills came to lead a more settled way of life. After permanently settled in the land, further development in the organization of their traditional polity also took place. There were few wars to fight and thus different groups of migrants to make themselves more secure from future aggressions, groups of villages with their clan clusters joined together to form a Raid, which may also be called a semi-state. With the formation of the Raid, people were no longer nomads outside their Raid, though they continued to move from place to place within their own Raid. Thus, the Jaintias were then semi-nomadic when the Raid was formed (*Gassah*). xix

The Jaintias were one of the first migrants to have come and occupied their present habitat. Moreover, during the migratory period, they came in different groups. Each of these groups had their leader or chief who also played the role of religious functionary. The different groups after they finally came to the present Jaintia Hills decided to settle here permanently and stop advancing any further. There may be many factors responsible for making such a decision. Perhaps during their migration while moving from place to place either in search of shelter from their enemies' invasion or in search of suitable better lands for cultivation, they found the present Hills to be the safer place from the point of view of its strategic position as far as their enemies are concerned. Comparatively, they also found their present habitat to be more fertile and suitable for their cultivation than the other places that they came across on their way. Their settled life led to an increasing number of other groups who joined, later on, to settle together in this place (Gassah). xx

During the migratory period of the people, a sort of leadership emerged. Any senior male member of the clan or any male member, generally a priest, considered to have divine knowledge would become the natural leader. It may further be noted the concentrated power of the sacred chief, the priest (U Langdoh) who used to be the mediator between the people and their God, the Creator. Thus, the Jaintia people were under the administration and the leadership of U Langdoh, both at the village and groups of villages or Raid level. The Langdoh combined in himself both the sacred and secular functions. The first incumbent of the office of the Priest of the Raid was elected from among the Priestly families of the villages of the Raid. But with the increase in the number of families and clans, area, and size of the population, there was also an increase in the number of duties and functions to be performed single-handedly by the Langdoh. (Gassah) The Jaintia people in their wisdom felt the need that the administrative set-up should be restructured. As a result, it was necessary to bifurcate dual functions of sacred or religious and secular affairs which were under the concentrated power and authority of the Langdoh. In the process, it was decided to hand over those functions which were purely sacred or religious in nature to the priest and the other functions which were purely administrative or secular to the secular chief, U Doloi. Thus, the office of the Doloi came into existence.

U Doloi is therefore the chief of the next higher political unit called Ka Elaka or Province, which was formed by combining a group of villages or Raids. An extra tier between the Elaka and the village was instituted wherever the Elaka was too large to be

managed by one Doloi. Such an extra tier was placed under U Pator. A Doloi could either function directly through his deputy, U Pator with the assistance of Ki Tymmen Ki san or Ki Wahsan who are the representative of their respective clans. Once a Doloi takes up his office, he normally holds it for the rest of his life. It will not be out of place to mention here that in the socio-political life of the Jaintia people, the smallest social unit is the family (Gassah). xxi The Families and clans naturally formed the smallest unit of the political society called Chnong or Village. They have a religious leader from among the family and clan. In such a situation, the Jaintias called it Thied Knyi which means literally to purchase a maternal uncle. Subsequently the increase in the number of families and clans as well as population and territory, ultimately led to the setting up of villages. This gave rise to the increase in the number of functions to be performed singlehandedly by the uncle of the family or clan. The family or clan uncle under these circumstances found it very difficult to look after the multifarious affairs all by himself. The people, therefore, felt the need to concentrate all those functions in the hands of one person or authority but at a higher level than that of the family and clan to supervise the administration. In the process, the office of the Waheh Chnong, or village Headman came into existence.

Before 1834, the Jaintias had a three-tier of administration. Under a set-up, the office of the Syiem or King occupied the Apex position in the hierarchy; in the middle or zonal level, there were and still are the Dolois or Provincial Governors in each Elaka and the office of the Waheh Chnong or Village Headman stands at the lowest rung in the ladder of administration. The office of the Jaintias Syiem was abolished by the British and lapsed in 1835 after the annexation and possession of the land by the latter. On the other hand, the British allowed the office of Doloi, Pator, and village Headman to continue. These offices also continue today aiding and assisting the District Council in the administration of the district about the welfare of the tribal people. The number of Doloiships or Elakas in Jaintia Hills in the earlier period was not constant due to some reasons. However, Pakem provided a different view altogether in his respect where he stated that in fact, the Jaintias Elakas increased from three to seven and from seven to twelve Elakas before the Jaintias formed a State (Hima). He has also given the list of names of the twelve Doloiships which in his opinion regarded them to be the original ones. He was also of the opinion that on the basis of these twelve administrative units, the Jaintia Hills were termed Ka Ri Khad-Ar Doloi (The Land of the Twelve Dolois). The names of the twelve Doloiship in the Hilly portions of Jaintia Hills as provided are, namely, Sutnga, Nartiang, Jowai, Nongjngi, Shangpung, Raliang, Mynso, Nongtalang, Rymbai, Lakadong, Nongbareh and Narpuh. Ali was very particular to make mentioning that these divisions were only those of the hilly portion of the Jaintia Hills. There were three Doloiships that existed in the plains during the reign of Ram Singh I (1701-1708). These were Mulagool, Jaflong, and Charikhata. A careful analysis of the records of the numbers of these Elakas or Doloiships as reported from time to time shows that the number of Elakas fluctuated. But it also appears that at a particular period, the whole of Jaintia Hills had only 12 Elakas. This fact remains generally accepted and, on this basis, Jaintia Hills is something referred to as Ka Ri Khad-ar Dolois (The Land of the Twelve Dolois). The information contained in the United Khasi Jaintia Hills Autonomous District Act, 1953, mentioned that there were 18 Doloiships and one Sirdarship in the whole of Jaintia Hills. In the present list available with the Jaintia Hills Autonomous District Council, there were 18 Doloiships, one Sirdarship, and one Patorship.

Powers and Functions of the Doloi: A Doloi is the administrative head of an Elaka (province). He exercises his functions within the jurisdiction of his Elaka. The Dolois in Jaintia Hills are not autocratic rulers and have no dictatorial power over the people of their respective Elakas. The Dolois also have to run the administration according to the opinion of their Elakas. This is noticed from the fact that all actions initiated or taken by a Doloi are to be approved by all the citizens of Elaka, through the general Durbar of the Raid or Elaka. In the Jaintia Hills, the smallest political unit is called the Chnong or a village. Originally the leadership of the Chnong fell upon the senior most male member called U Knyi, literally meaning a maternal uncle of the family or the clan. But in a later period with the functions of the Chnong becoming more and more complex in nature, the people felt that such functions should be taken over by a person who is higher than the family or clan, and thus the office of the Waheh Chnong or the Village Headman came into existence.

The Dolois in Jaintia Hills had certain executive, political, judicial, and religious functions to perform within their respective jurisdiction. In the past, they also performed military functions. Besides extending their hands to the Syiem in his administration, the Dolois on their part executed and exercised important decisions in matters relating to the administration and welfare of the people of their Elakas. In running the administration of his Elaka, the Doloi was still assisted and guided by the Durbar Elaka or Durbar Raid and an executive council of leading persons like the Pator, clan representatives, and others. The Doloi could either function directly or through his deputy, the Pator, with the assistance of Ki Tymmen ki San or ki Wasan. The Doloi being the Chief of the Elaka has to be approved by the Durbar Elaka. The Doloi wielded much power over their respective Elakas. In the Hills section of the Jaintia Kingdom, as the administration was left entirely in the hands and supervision of the Dolois, they could allow the Syiem to handle only matters of common interests like defense, communications, and foreign affairs, and that too in a very limited way (Gassah). xxii The Dolois also performed judicial functions. A Doloi of Elaka acted as a judge and the members of the Elaka. Court as a jury while trying or deciding cases involving the people of Elaka concerned. In the past, tried all such cases, both of simple and serious nature like theft, robbery, murder, rape, dacoity, cattle stealing, arson, house-breaking. He was to put to trial all those who committed heinous crimes within his Elaka. However, after the British annexation in 1935, most of the judicial functions of the Dolois were taken away. Cases of serious nature, especially those involving heinous crimes, could no longer be tried by them. Such cases were to be tried by the Deputy Commission as the case may be. In those Elakas where the Doloi performs such religious functions while observing certain festivals, he acted as the Head of the Langdohs (Priests). For instance, sometimes in the Jowai Elaka, the Doloi 's presence while performing such religious functions was necessary. During the Behdienkhlam festival of the Jaintias, he used to attend all the religious ceremonies. Moreover, in all such religious ceremonies, the Doloi was helped and assisted by the Wasans of Elaka.

#### **NOKMASHIP**

The institution of Nokmaship is as old as the first settlement of the Garos in the Garo Hills. The Garos have entered the Garo Hills in batches from different directions, each batch consisting of a clan and each clan settling in a particular area. The leader of the clan who has thus brought his people and settled them in a particular area of the Garo Hills was automatically recognized as their leader or the Headman called the "Nokma" in the Garo language. The word Nokma in common parlance means a rich man. As the head of the clan, the Nokma is only a custodian of the lands and property of his wife and her clan. But the Nokma does not enjoy autocratic powers as all the decisions are taken at a joint assembly of all elders of the village (Gassah). xxiii With the passage of time, several types of Nokmas emerged in Garo Hills, like the Chalang Nokma, the Gamni Nokma, the Miteni Nokma, the Gana Nokma, and the A'king Nokma. However, it is only the A'king Nokma which is the actual head of the traditional Nokma institution of the Garos. The term A'king comes from the word "A'kinga" which means "a claimed land". Therefore, a'king means an area of land to which a man holds the title. The Garo Hills District Council, under Act No. 1 of 1959, defined the A'king Nokma as the head of a clan or ma'chong who holds any land as a custodian on behalf of a clan or a ma'chong. Thus, a man becomes the A'king Nokma by virtue of his relationship with the woman who is the head of the village community.

Powers and Functions of the A'king Nokma: As the head of the clan and as the custodian of the a'king land, the A'king Nokma is entrusted with certain political and administrative powers. A long traditional custom endows certain rights and privileges to the A'king Nokma. The A'king Nokma is the center of social activities within the village and outside. He is also responsible within the village and outside. He is responsible for peace and good administration within his A'king land. He has to keep himself abreast of all that is going on within his jurisdiction. He also has to regulate Jhum cultivation, which is one of his important duties, and participate with the villagers in all public and social works and functions.

In settlement of disputes, the Nokma tried all cases, civil and criminal, committed within his a'king land with the help of elders of the village in an open court. Decisions were made either by conciliations or by imposing fines as compensation which is called Dai on the guilty. Their decisions were final and were put into execution at once. Thus, it is clear that under the traditional system, the clan or Ma'chong was the socio-political unit and there could be no authority above that of the Nokma who managed the affairs of the clan with the consent of the people.

Under British rule, the powers and functions of the Nokmas were greatly reduced. Regulation X of 1882 legalized the Draft Proposals of David Scott. According to this a Laskar and Sardar were to be appointed over ten or twelve villages, which means an appointment of a Laskar or Sardar over several A'king Nokmas. A Laskar is an elected head of a group of villages called Elaka which are united for administrative purposes, each village under its hereditary Nokma. The Scheduled Districts Act, of 1874, conferred on the Laskar some powers in matters of police, Civil and Criminal Justice, and revenue administration within its Elaka. They were also empowered to impose a fine whereas the a'king Nokmas were to collect revenue from their village, maintain law

and order in it, report all crimes to the Laskar, and arrest the offenders (*Gassah*). xxiv

Under the District Council administration, the A'king Nokmas have been reduced to mere custodians and supervisors of their A'kings on behalf of their wives and clans. However, the Garo Hills district (Jhum) Regulation, 1954, conferred on the A'king Nokmas the right to allot land for jhumming to each family within his A'king in consultations with the residents thereof. But in the event of any dispute with regard to the land so allotted by the a'king Nokma to any particular persons or a family, the matter has to be referred to the Village Council, a power which was exercised by the A'king Nokma before.

With regards to the trial of cases that the A'king Nokma used to preside over since time immemorial, his powers have been taken away by the passing of the Garo Hills Autonomous District (Administration of Justice) Rules, 1953. According to this Act, there are three classes of Courts, namely, the Village Courts, the Subordinate District Council Court, and the District Court. These Courts try all civil and criminal cases falling within the purview of the tribal laws and customs in which both parties belong to Scheduled Tribes and are residents within its jurisdiction. With regard to the powers of administration and general supervision of the Nokmas within his A'king, his powers have been taken away by the Village Councils by passing the Garo Hills District (Constitution of Village Councils) Act, 1958, whose members are elected.

Thus, from the above, it is clear that in the Garo Hills, the institution of the Nokmaship along with the Village Council plays a very important role at the grassroots level. It has withstood the changes that have come along with the passage of time although much of its powers and functions have been curtailed after the coming of the British. In spite of the grave challenges to the Nokmaship, it has been functioning as the basic unit of governance in the Garo Hills (*Gassah*). xxv

Traditional political institutions among tribal people face several challenges, despite their cultural richness and historical significance. Some of the problems are discussed as under:

Limited Representation: Traditional institutions often represent only certain clans or communities within the tribe, potentially excluding others from decision-making processes. However, one major problem in these institutions is limited representation, which manifests in several ways: Traditional political institutions, such as the Dorbar Shnong (village councils) and Dorbar Hima (chieftainship councils), are often maledominated. Women are generally excluded from decision-making roles in many communities, particularly among the Khasi and Jaintia tribes, despite Meghalaya's matrilineal system. This lack of gender representation limits the inclusion of diverse perspectives in governance. Meghalaya has a significant number of non-tribal residents, especially in urban areas, but traditional institutions largely exclude them from governance processes. In towns like Shillong, non-tribals often have limited access to local decision-making structures. This leads to a governance gap and creates social divisions. Traditional institutions are often controlled by a few influential families or clans, limiting broader democratic participation. This can lead to nepotism and favoritism, where power remains within a select group rather than being distributed fairly. The traditional political institutions in Meghalaya preserve cultural heritage and play a vital role in local governance, their lack of inclusivity and limited representation hinder democratic progress. To address these challenges, there is a need for reforms that promote gender equality, youth participation, and broader inclusivity while respecting indigenous traditions.

Resistance to Change: These institutions may be resistant to adapting to modern governance practices or integrating with formal political structures, which can hinder development and governance effectiveness. However, resistance to change has become one of the major challenges facing these institutions in the modern era. This resistance affects their ability to adapt to evolving political, social, and economic dynamics. Many traditional institutions operate under age-old customs and practices that may not align with contemporary democratic governance. Decision-making is often centralized within a few individuals, such as the Syiems or Nokmas, limiting broader participation. Traditional governance structures sometimes operate in legal grey areas, making their authority uncertain in the face of modern legal frameworks. The lack of a clear legal status for traditional institutions weakens their ability to integrate with state governance. Economic development initiatives, including land reforms and infrastructure projects, often face opposition from traditional leaders who fear losing control over community resources. Adaptation to market-driven economies is slow, leading to economic stagnation in some regions. Younger generations are increasingly viewing traditional political institutions as outdated, leading to a decline in their influence. Resistance to modernization may further alienate these institutions from the people they serve. Embracing democratic reforms, including greater participation of women and youth. Collaborating with state institutions to harmonize traditional governance with modern administration. Adapting to legal and constitutional requirements to ensure legitimacy and authority. Encouraging economic and social reforms while preserving cultural heritage.

Lack of Formal Recognition: Many traditional institutions do not have formal recognition or legal status from the government, which can limit their authority and ability to implement decisions. Traditional institutions such as the Dorbar Shnong (village council), Dorbar Raid, and Dorbar Hima operate based on customary laws and practices. While they are respected by the local communities, their authority is not always formally recognized by the state and central government, limiting their ability to enforce decisions effectively. The Indian Constitution grants special protection to tribal governance in Meghalaya under the Sixth Schedule, which recognizes the role of Autonomous District Councils (ADCs). However, traditional institutions often function outside this framework, leading to conflicts between customary governance and statutory laws. Since these institutions lack formal recognition, they do not receive direct funding or administrative support from the government. This affects their ability to provide essential services, maintain infrastructure, and address local developmental needs. Traditional institutions are often involved in conflict resolution based on customary laws, but their decisions can be challenged in modern courts due to the lack of formal legal backing. This creates confusion about their jurisdiction and limits their effectiveness in maintaining law and order. Some traditional institutions have been criticized for excluding women from decision-making processes. Without formal recognition, it becomes difficult to enforce inclusivity and democratic reforms within these systems. While traditional political institutions in Meghalaya continue to play a vital role in governance, their lack of formal recognition creates challenges in administration, law enforcement, and development. Recognizing and integrating them within the legal framework can help ensure their effectiveness while preserving indigenous governance practices.

Conflict Resolution: While traditional institutions are adept at resolving intra-community conflicts, they may struggle with handling disputes that involve external parties or complex legal matters. The Khasi, Jaintia, and Garo communities each have their distinct governance structures, which coexist with modern democratic institutions. However, the effectiveness of these traditional systems in conflict resolution has been challenged due to several factors. The traditional institutions, such as the Dorbar Shnong (village councils), Syiemship (chieftainship), and Nokma (Garo village headship), operate parallel to modern democratic governance. This dual system often creates confusion regarding jurisdiction, leading to conflicts in legal interpretations, land disputes, and administrative authority. The lack of a clear boundary between traditional and modern governance results in delayed or ineffective conflict resolution. Land ownership in Meghalaya is largely governed by customary laws, which vary across different tribal communities. Disputes over land use, especially between traditional landholders and government authorities or private entities, often escalate due to the absence of a standardized legal framework. The lack of proper documentation and differing interpretations of land rights make it difficult to resolve such conflicts effectively. Traditional institutions in Meghalaya were originally designed to function independently, but political interference has undermined their autonomy. The influence of political parties and state authorities in the selection and functioning of traditional leaders has led to internal divisions, weakening their ability to resolve conflicts impartially. This external influence often results in biased decisions that favor political interests over community welfare. Meghalaya has witnessed periodic ethnic and communal conflicts, often between indigenous communities and non-tribal settlers. Traditional institutions, which primarily cater to their respective tribes, sometimes struggle to act as neutral mediators in inter-community disputes. The exclusivity of these institutions limits their effectiveness in resolving conflicts that involve multiple ethnic or social groups. The traditional political institutions of Meghalaya play a crucial role in governance and conflict resolution, but they face significant challenges due to legal ambiguities, political interference, and socio-economic changes. Strengthening these institutions through legal reforms, better integration with modern governance, and increased inclusivity can enhance their effectiveness in resolving conflicts. Addressing these issues is essential for maintaining peace and social harmony in the state.

Resource Management: As tribal societies grapple with issues of land rights, natural resource management, and economic development, traditional institutions may face challenges in balancing traditional practices with modern environmental and economic demands. Traditional institutions operate on customary laws that may not align with modern legal frameworks. This creates conflicts between customary rights and state policies, especially in sectors like land ownership, mining, and forest conservation. The absence of strict regulations has led to

unregulated coal mining (rat-hole mining) and deforestation, resulting in severe environmental damage. Many traditional leaders have struggled to implement sustainable practices due to economic and political pressures. The Sixth Schedule of the Indian Constitution grants autonomy to Meghalaya's traditional institutions, but state intervention in resource management has created jurisdictional conflicts. This has led to confusion over authority and responsibility in managing resources effectively. Resources in Meghalaya are often controlled by clans or specific groups under traditional systems. This can lead to unequal access to land, water, and forests, marginalizing certain communities and limiting economic opportunities for many. Some traditional institutions have been accused of favoring certain individuals or businesses, leading to unchecked exploitation of resources. Political interference further weakens their role in ensuring fair and sustainable management (Records). xxvi

Addressing the challenges faced by traditional political institutions in Meghalaya requires a nuanced approach that considers both the cultural significance of these institutions and the need for effective governance. Here are some steps that could be taken to tackle these problems:

Increase Representation: Increasing representation within traditional political institutions in Meghalaya requires a nuanced approach that respects the state's unique cultural and governance structures. Provide constitutional recognition to traditional institutions like the Dorbar Shnong, Dorbar Kur, Dorbar Raid, and Dorbar Hima to enhance their authority in governance. Ensure a clear legal framework that allows these institutions to coexist with modern governance systems. Increase the participation of marginalized communities, including women and non-tribal residents, within traditional institutions. Implement policies that promote youth engagement in decision-making bodies. Allow greater participation of traditional leaders in state politics, ensuring they can contest elections without compromising their traditional roles. Consider reserved representation for traditional institutions in legislative assemblies.

**Provision of formal Recognition**: The provision of formal recognition to traditional political institutions in Meghalaya has been a subject of discussion and debate, as these institutions play a crucial role in governance at the grassroots level. The traditional institutions are acknowledged under the Sixth Schedule of the Indian Constitution, they lack full constitutional authority, leading to legal ambiguities in governance and administration. Modern

administrative structures and legal frameworks have diminished the power and influence of traditional institutions, reducing their effectiveness in governance. Some traditional leaders have been accused of misusing their powers, engaging in favoritism, and lacking transparency in governance. Different tribal communities in Meghalaya follow distinct traditional governance systems, leading to inconsistencies and challenges in implementing state-wide policies. Many traditional institutions restrict women's participation in decision-making processes, raising concerns about gender equality and inclusivity. There have been instances where the customary laws of traditional institutions conflict with state and central laws, leading to legal complications.

**Recognition and Integration**: Recognize the importance of traditional political institutions within the local cultural framework. Instead of trying to replace them with modern structures, find ways to integrate them into the formal governance framework of the state (*Interviews*). xxviii

**Conclusion:** The traditional political institutions within the Autonomous District Councils of Meghalaya are pivotal in maintaining tribal identity, fostering self-governance, and promoting community development. They represent a unique blend of traditional governance practices with contemporary administrative frameworks, contributing to the cultural and socioeconomic well-being of the tribal populations in the region. However, ensuring their relevance and effectiveness amidst evolving socio-economic conditions remains a critical area of concern for the future. Even though these traditional political institutions existed for many generations, very little is known of how it actually functions. Most people are not aware that there exists a three-tier system of this traditional administration in Meghalaya. It was the Sixth Schedule of the Indian Constitution that empowered the District Council to appoint different traditional political institutions in Meghalaya.

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