

CHAPTER IV

STATE POLICIES, POLITICAL PARTIES & THE ETHNIC QUESTION BEFORE 1975

A plural society inhabited by different ethno-cultural or linguistic groups often exhibits antagonistic tendencies due to the presence of competition among them over various things which they consider valuable. Such antagonistic tendencies, which otherwise remain dormant, act under certain situations in a particular way impairing social cohesion and development itself. The political institutions, which are expected theoretically to act as arbiters in a conflict, also often act as instruments of promoting interest of a particular ethnic community. Moynihan and Glazer believe "the strategic efficacy of ethnicity as a basis for asserting claims against government has its counterpart in the seeming case whereby government employs ethnic categories as a basis for distributing its reward."¹ When the government tends to favour a particular ethnic group or groups and deprive others, the country in the long run normally experience ethnic polarization or ethnic divide in the society and subsequently it affects political mobilization. For instance, in his recent analysis Dipankar Gupta has said that the Sikh identity in India and subsequent demand for a separate Sikh State have developed not only because of its opposition to Hindu identity but also in relation to the community's perception of a government which has discriminated the Sikhs.² Similarly, Susana Devalle argues that the movement for a separate state of Jharkhand was basically a political manifestation of the ethnic resentments of the people of Jharkhand against the 'deku' (the outsiders).³ In the context of Sikkim, a careful analysis of those different historical events as well as perceptions of different ethnic groups about the government may prove helpful in understanding the reasons behind ethnic segregation and development of ethnicity oriented consciousness among various cultural groups. At this stage a brief discussion on the demographic composition of Sikkim is required.

Major socio-cultural groups or communities of Sikkim before its merger with India and even today have been the Lepchas, the Nepalis and the Bhutias (for details see Ch. III). The Bhutias and Nepalis have their sub-groups, some of which often claim distinct culture, social values and racial origin. Such groups demand that they should be recognized as separate and distinct communities and not just either as Bhutias or as Nepalis. For instance, the Tsongs (Limboos) and Tamangs claim that they constitute separate socio-cultural community and therefore should not be confused with Nepalis. Interestingly, the Limboos and Tamangs are regarded as Nepalis in adjoining Darjeeling hills. Besides, the Nepalis of Sikkim do not constitute a single homogenous group. Broadly, the Nepalis may be classified, from racial point of view, into two major categories of Aryans, chiefly the upper caste, and Mongoloids which constitute the bulk of various Nepali sub-groups. Similarly, among the eight sub-groups of Bhutia community, the Sherpas have tried to assert their separate identity. Apart from them, there are fairly good number of plainsmen, called 'Byaparis' in Sikkim. Among the three major ethnic groups, the Lepchas, also called 'Rong', are fairly established as the original inhabitants of Sikkim.⁴ Similarly, available evidences show that certain sub-groups of Mongoloid Nepalis such as Tsongs (Limboos), Mangars, Rais, Gurungs, Tamangs etc. are also among the early inhabitants of Sikkim (Ch. III). The Bhutias and bulk of the Nepalis are, however, the later migrants. The Bhutias have probably migrated to Sikkim during the fifteenth and sixteenth century from Tibet as a result of the religious strife between the Red-Hat-Sect and the Yellow-Hat-Sect.⁵ It is believed that the Bhutia patriarch, Khye Bumsa, sought hospitable relationship with the Lepcha Athing (Priest), Thekong Tek. The occasion was then solemnized by a blood-brotherhood pact at Kabi and the Lepcha priest also blessed Khye Bumsa for a son. According to the legend, Phuntsog Namgyal, who was consecrated in 1642 at Yaksum as the first Bhutia⁶ ruler of Sikkim by the three Lamas belonging to the Nyangmapa sect (Red-Hat-Sect) of Buddhism, is described as predecessor of Khye Bumsa though some writers have expressed reservation in the light of the circumstances which necessitate Tibetan migration to Sikkim.

Scholars differ quite extensively on the issue of Nepali migration into Sikkim. The differences are mainly due to the presence of two separate racial groups – Mongoloid and Aryan – within the corpus Nepali. Following the remarks made by various eminent scholars like Chatterji, Sprigg, Risley, Hooker, Mackaen, Choudhuri, Sinha, Mainwaring and others it can be said that Nepalis of Mongoloid race were among the early settlers in the same way as Lepchas and Bhutias. These tribal communities were known by their group name like Limboo (Yakthumba), Mangar, Gurung, Murmi (Tamang), Rai (Zimdar/Khambu) or by cognate reference 'Kiratis' which also includes the Lepchas. The bulk of the Nepalis, particularly the Aryan stock, however came to Sikkim in the later half of the nineteenth century both as a result of the military expeditions or at the instance of the local Sikkimese authorities, particularly the political officer, J.C. White, and other Lepcha Kazis and landlords who, as a part of the national policy, either duped or persuaded the Nepalis to settle in Sikkim for political and economic reasons. The scholars like Subba, Rao, Grover, Karan & Jenkins, Lall, Datta-Ray and others subscribed to this version. Over the years, it has become quite common among the scholars to consider Nepalis as a homogenous entity and conveniently call them as later migrants from Nepal neglecting the historical evidence that Tsongs, Mangars etc. lived in Sikkim even before the advent of Bhutia rule. Such sweeping remarks about the Nepalis of Sikkimese origin have not only undermined historical antecedents but also have blurred the identity of Nepalis in Sikkim. To sum up, neither all groups which to-day are known as Nepalis were/are migrants from Nepal nor they were poor or landless labourers or had come to Sikkim to work as colliers (labour).

State Policies and Ethnic Divide:

Information scattered in various books and manuscripts suggest towards prevalence of a cordial relationship between the Lepchas and various other cultural groups, especially the Tsongs and the Mangars who to-day are recognized as sub-groups of the Nepali community. Inter-group marriages were quite common among the Lepchas and the Tsongs. The Tsongs and the Mangars

adorned the court of the Lepcha Panu "Turvey".⁷ It is said that the relationship between the Lepchas and the Tsongs prospered with the defeat of the notorious marauding Tibetan invader 'Lhaso Mong', believed to have ruled over the Lepchas for 12 years, by the joint effort of the Lepchas and Tsongs sometime in 666 A.D.⁸

In 1642, Phuntsog Namgyal of the Tibetan descent was appointed as the Chogyal of Sikkim by the three Tibetan lamas at Yaksum, West Sikkim. With Phuntsog's appointment the political and religious suzerainty of the Tibetan ruler was established in Sikkim.⁹ The Chogyal and members of ecclesiastical body began to look upon Tibet for ultimate guidance on political as well as religious matters concerning Sikkim. A convention in the Royal family was established that the Gyalmo (queen) should be selected from among the Tibetans; and a son of a Tibetan wife could alone be declared as the heir apparent. The influence of Tibet began to be so overwhelming by 1733-34 that even the Regent for minor Chogyal was selected from among the Tibetans in Tibet and sent to Sikkim to rule as long as the authorities in Tibet wanted.

There was an effort at indigenization as well as legitimation of the rule of Bhutia Chogyals through the myth of 'blood brotherhood' between Bhutias and Lepchas. Under various pretexts such as 'blood brotherhood' pact or 'Lho-Men-Tsong-Sum' etc., the ruling Bhutias had always justified their rule as historically predetermined and advocated forceful conversion of the Lepchas and other Nepali tribal communities into the Tibetan Lamaist (Nyangmapa) form of Buddhism, the chief religion of the ruling hierarch. The recalcitrant Lepcha and Tsong chiefs/patriarchs were often eliminated surreptitiously. For instance, in December 1826 the Lepcha Prime Minister, Bholod Kazi or Tshongot Bholek, along with his pregnant wife and two sons, was treacherously murdered at Tumlong by Tung-yek Menchoo Bhutia, the father of Dunya Namgye who is better known as Pagla Dewan (mad Chief Minister) in the history of Sikkim.¹⁰ Later in 1828, Tsong Tsang-thung and Gyamu (both were Lepchas) gave eye-witnessed testimony of the murder.¹¹ Bholek's youngest son, Gebu Atchuk, who later became the Athing of Pakyong, was also killed in 1856 allegedly by Meche Dolma, the first wife of

Tsugphud Namgyal, in connivance with the Dev Raja Jigmi Topgye of Bhutan.¹² Later Iklathup, the cousin of Bholek Kazi, also fled to Nepal with 800 Lepcha households contemplating threat to his life.¹³ The settlement of those Lepcha refugees figured prominently when the talks on transfer of Darjeeling took place between the Sikkimputi Raja and Lord Bentinck in 1834-35.¹⁴ Similarly, Tsongs (Limboos) believed that the Tibetan Lamas of Tashiding and Pemayangtse monasteries were involved in the murder of Tsong (Limboo) linguist and a preacher, Guru Teyongsi Sirijonga (Singthebe), who is revered even today by the Tsongs (Limboos) as an incarnation of Siri Junga, the creator of the Tsong (Limboo) script¹⁵

Scattered information from different sources also reveal that the Lepcha and Tsong (Limboo) people often were waging localized wars or revolts against Bhutia domination and expansion of Bhutia control over land. According to R.K.Sprigg after the murder of Bolot or Bholod, the Lepcha Prime Minister of Sikkim, in 1826 the Lepchas were involved in Kotapa insurrection and made several raids into Sikkim.¹⁶ Sprigg also provides information regarding the involvement of Changzod Karwang in the suppression of revolt by the Tsongs (Limboos) against the Bhutia Chogyal.¹⁷ The policy of elimination of important Lepcha personalities continued even in later half of the 20th century. Ruth Karthak, a Lepcha lady, who founded Sikkim Independent Front party in 1966 in order to articulate socio-economic and political grievances and asserting a separate identity of the Lepcha community, was banished from Sikkim allegedly for questioning the legal basis of Bhutia rule in the land of the Lepchas.¹⁸ The emerging Bhutia dominated state in Sikkim pursued a policy of systematic elimination of important Lepcha and Tsong (Limboo) people of important families, lords and functionaries. Thus, in spite of matrimonial linkages and blood brotherhood pact, a deep seated mistrust prevailed in their relationships.

Thus, slowly but steadily the Lepchas and the Tsongs lost their leaders, their culture, their language, their land and most importantly their freedom. The condition of the Lepchas is well described by B.S.Das in the following words, "The dominance of the Bhutias was so overwhelming that the Lepchas remained

the poorest and the most neglected of the people... Mostly confined to the northern belt of Sikkim in an area called Djongu, they lived their life of indolence and negligence contributing little against the aggressive exploitation by the Bhutias of the riches in land and forest.”¹⁹ The effect of territorial confinement of the Lepchas in the seemingly barren and desolate area of Djongu, of course in the name of protection, has ruined the community in diverse ways, most significantly in the field of economic and educational advancement. The Tsongs (Limboos) too suffered intermittent looting and killing at the hands of the royal soldiers in the vicinity of Rabdentse which alienated the Tsongs forever.

The Gorkha invasion in Sikkim in the eighteenth century generated an antagonistic relationship between Nepal and Sikkim. Its effect was also reflected in the relationship between the Nepali subjects and Bhutia rulers in Sikkim which was characterized by mutual suspicion and xenophobic tendencies. Hence, the Gorkha soldiers who had occupied the western parts of Sikkim, including the capital Rabdentse, received the support of the local Lepcha and Tsong populace. The growing intimacy between the Gorkhas and Lepcha-Tsong subjects of western Sikkim, including latter's revolt expressing displeasure against the Chogyal Gyurmed Namgyal for marrying a Tibetan lady, further evoked resentment of the ruling community against the Nepalis. Besides, the Lepchas and Tsongs seemed to have been contended with the way the Gorkhas had given them administrative autonomy over their respective fiefdom.

The available sources do not in any way indicate antagonistic relationship between the Nepalis and Lepchas, but the relationship between the Bhutias and Lepchas or between the Nepalis and Bhutias was marked by the relationship of domination and dependence and, therefore, was not always cordial. The settlement of the Hindu Nepalis, excluding the Tsongs and other mongoloid sections who now constitute Nepalis, under the tutelage of the British policy makers in conjunction with some influential local Lepcha Kazis naturally became the cause of concern and further apprehension of the Bhutia ruling elite. The Bhutia rulers who constituted a numerical minority always remained suspicious about the majority group of their subjects. This suspicion naturally prompted the

minority rulers to perceive Nepali settlements of late 19th century and early 20th century with reservations. The British contemplated that the Lamaist Buddhism which had wide influence on social, political and economic life of Sikkim would be confronted by Hinduism coming up with the overwhelming Hindu Nepalis in Sikkim²⁰ In Gazetteer of Sikkim H.H.Risley expressed the British perception in the following words, "... race and religion, the prime movers of the Asiatic world will settle the Sikkim difficulty for us, in their own way. We have only to look on and see that the operation of these causes is not artificially hindered by the interference of Tibet and Nepal."²¹

Thus, the legacy of ethnic division and occasional ethnic outburst was as old as the history of the Bhutia-Namgyal dynasty itself; the British functionaries simply ensured that the forces responsible for such division were not interrupted. The governing principle of the British Political officers in Sikkim, which also reflected the interest of the Bhutia ruling elite, was guided by the objective to keep the ethnic communities at bay. The prevalence of ascriptive collective identities, in this case religion and race, in them are not always adequate for ethnic division or tension but the way the State or political party uses such identities very often create ethnic mobilization and tension. Thus, a thorough examination of the roles and policies of the government is important. An attempt is made here-below to show how such policies have contributed to the enhancement of ethnic division and ethnic mobilization.

Revenue Order No. 1 of 1917 (The System of Land Revenue):

The ruling Bhutias have always perceived Nepalis as potential threat. The growing demands for democratic system of governance and presence of numerically and culturally strong Nepalis had been the greatest cause of concern for the Bhutias. The condemnation of the Nepalis as 'non-Sikkimese' or 'immigrants' and introduction of various legal-political arrangements were all but part of the Bhutia strategy for alienating and maintaining Bhutia domination over the Nepalis though, as a matter of fact, "neither community was indigenous and were only early settlers."²² The first ever State policy that had aimed at restricting

the expanding influence of Nepalis was promulgated in January 2, 1897, prohibiting the Bhutias and Lepchas from selling or subletting their lands to other communities.²³ An updated version of the Order was issued in May 17, 1917, popularly called “Revenue Order No. 1” which is in operation even today. Further, a general direction was issued to all Elakadars, Managers of Elakas and the Chief Court reiterating that “ no Nepali can purchase Bhutia or Lepcha land” unless special permission to that effect was granted by His Highness²⁴ These notifications were issued in the interest of the minority Bhutia and Lepcha communities but until 1969 the Tibetans and Bhutanese were not debarred from buying the Bhutia-Lepcha land in Sikkim²⁵ while other Nepali tribes and castes who now constitute a larger Nepali population and who have been inhabitants of Sikkim long before the Bhutia migration into Sikkim began, were denied such benefits.

Similarly, the land revenue imposed on the farmers belonging to the three ethnic communities, namely the Bhutias, the Lepchas and the Nepalis, was highly discriminatory. For the same acre and quality of land the Nepalis had to pay a higher rent than the Bhutia or Lepcha farmers. The policy remained operative till 1966²⁶ when the policy was revoked under pressure from the Nepalis who were demanding abolition of discriminatory revenue system since the days of the peasants’ movement in 1949. The differential rate of revenue between the Bhutia-Lepcha and Nepali subjects is shown below in table no. 3.0.

Table 3.0: Rate of revenue to be paid by the Nepalis and B-L peasants.

Class (In Rs. & Anna)	Nepali (In Rs. & Anna)	Lepcha-Bhutia (In Rs. & Anna)
Paddy – Class I	Rs. 2	Rs. 1 – 8 – 0
- Class II	Rs. 1- 8 – 0	Rs. 1 – 2- 0
Dry field (No Class)	Rs. 14	Rs. 8

Source: P.K.Jha: History of Sikkim – 1817-1904. Unit of measurement was Pathy which was equivalent to 4 sheers.

This system was intended to deny fruits of labour to the Nepalis. The revenue chart clearly was differential and was in favour of the Bhutia-Lepcha community.

But the most important part of the revenue structure was the very high rate of taxes on dry fields. Nepalis had to pay almost double than the tax paid by the Bhutia-Lepcha subjects. It was possibly done to restrict accumulation of land in the hands of Nepalis. Similarly, the Nepali subjects used to pay Rs. 6 as House Tax as compared to Rs. 2 by the Bhutia and Lepcha subjects. However, under the prevailing socio-economic conditions even those who were favoured by the government policies, i.e. Bhutias and Lepchas, were incapable of paying such a high rate of revenue and were subjected to various forms of exploitation at the hands of the Kazis and landlords. Apart from the forceful confiscation of their land, they were subjected to compulsory voluntary services like 'Kuruwa', 'Zharlangi', 'Kalo Bhari' etc. Such inhuman practices were banned in 1937 and 1947 respectively but the Kazis and landlords continued to exploit the gullible poor farmers. The growing resentment among the poor peasants ultimately resulted in a general upheaval in 1949 demanding abolition of the Zamindari system and differential House Tax.

Other Policies of the Bhutia State:

Further, Nepalis were considered as 'non-hereditary' subjects and were also prohibited to settle beyond the Dikchu river in the north. The Administrative Report of the State of Sikkim for the year 1931-32 states, "A portion of the country lying in the Teesta Valley north of Dikchu has not been thrown open to Nepali settlers and is specially reserved for the 'hereditary' inhabitants of Sikkim such as Lepchas and Bhutias; recently Tamangs and Sherpas, who are Nepali Buddhists were allowed to settle there, and own land.....A law prohibiting land alienation by hereditary State subjects (i.e. Bhutias and Lepchas) in favour of non-hereditary subjects such as Paharias (Nepalis) or domiciled plainsmen is in force." The content of the Administrative Report was repeated in 1934-35 and 1935-36 administrative reports of the State of Sikkim also. ²⁷ The rationale behind the policy was to protect the interest of the minority Bhutia-Lepcha communities, but the intention to divide or segregate the subjects was distinct when the Tamangs and Sherpas among the Nepalis were allowed to settle and own land in the

forbidden north just because they were Buddhists. Thus, the policy of differentiating subjects either on grounds of ethno-cultural identity or religious belief had an adverse effect on the communities' social mobility which strengthened aggressive ethnic attitude and consciousness among them. Karan and Jenkin (1963) attempt to explain the Durbar's view as "...Through the ebb and flow of political maneuvering, the government of Sikkim has had one firm consideration- the preservation of Sikkim from internal political strife. Bhutias and Lepchas may be in minority, but they are the original people, and their character is largely that of Sikkim. Accordingly, the administration has endeavored to safeguard their rights. The administration's policy is that the Nepalis, who are in the majority, should live as partners of the indigenous population".²⁸ Under the given circumstances, the Nepalis had no objection to the idea of 'living as partners', but were apprehensive to the way that Nepalis were subjected to various types of discriminations and allegation that Nepalis were grabbing Bhutia-Lepcha lands. The alienation of Bhutia-Lepcha land in favour of Nepalis was prohibited since January 1897. On the contrary, there were instances of individual Lepchas who complained about their lands being taken over by certain Bhutias. Secondly, some tribal communities like Tsongs and Mangers who inhabited both Nepal and Sikkim, had territorial area of their own and enjoyed limited administrative autonomy even after the consolidation of Sikkim under Bhutia rulers began. The land rights of these communities were not respected. Thirdly, even those Hindu Nepalis who settled in Sikkim during the later half of the nineteenth century under the tutelage of some Bhutia-Lepcha Kazis and the British Political Officer had settled in the areas traditionally uninhabited by the Bhutia and Lepcha communities. They converted the barren wasteland or forest land into agriculturally productive land and practiced terrace farming. Lastly, owing to their religious belief, the Bhutias and Lepchas after being converted into Lamaist faith were averse to digging for agriculture or mining purposes, and hence by tradition they were not cultivators.

On the religious front forceful conversion of non-Buddhists continued in large magnitude. Numerous monasteries were built at the expense of the

government though the Lepchas and other converts were debarred entry in some monasteries. The Bhutia cultural festivities received subsidy from the Government. Rustomji, one of the close friends of the last Chogyal, P.T.Namgyal, once remarked that the intention behind the construction of the Institute of Tibetology in Gangtok was an effort to dislodge the dominance of the Nepalis who were basically Hindus by religion.²⁹

Since the beginning of the theocratic regime, the influence of the Tibetan Lamas and aristocrats over the administration of Sikkim had been overwhelming. Phuntso Namgyal appointed 12 Kalons (Ministers) from the Tibetan immigrants and 12 Dzongpens (Administrator of the Fort) from the Lepchas. There is no recorded evidence to suggest that Tsongs (Limboos) too were appointed as Kalons or Dzongpens. Over the years, the political scenario changed but the bureaucracy, including the recruitment pattern, continued to be traditional, i.e. relatives of Royal family and members of ruler's religious and political clique, feudal elements and individuals supporting the Royal interest for personal gain continued to dominate the bureaucracy. The Nepalis, who had least possibility to fulfill the criteria, had been effectively marginalized. A study conducted in 1970-72 by Dr. Sinha (1975) with a view to analyzing the social background of the bureaucrats of Sikkim, observed that "recruitments to the higher civil service are made on personal considerations through certain networks of influence at the highest level."³⁰ The study further revealed that out of the 72 bureaucrats interviewed for the purpose about 56.77 per cent (41 approx.) belonged to the Bhutia-Lepcha community while the Nepalis formed 31.44 per cent (22 approx.)³¹ The alienation of the Nepalis in the elite service took place despite the fact that the Nepalis had better or higher educational qualification than the Bhutias or Lepchas. The former Dewan of Sikkim, N.K.Rustomji (1987), wrote "unqualified Bhutias and Lepchas were appointed to posts which Nepalis, by virtue of their higher qualifications, had a stronger chance."³² This practice of appointing civil servants on personal whims continued till the merger of Sikkim with India in 1975.

The Parity Formula:

The end of the British rule in India in 1947 was the beginning of a new era in the political history of Sikkim. This was the era of democratic movements, of rights and freedoms, and of political agitations which allowed articulation of grievances and amelioration from the bondage of exploitation. The peasants' agitation of 1949 followed by the short-lived 'Popular Ministry' of Tashi Tshering together with the support of the Government of India for 'progressive association' of the people of Sikkim in the Government actually accentuated the demand for representative governance in Sikkim. Along with the question of 'association' of the people, the problem of representation of different communities in the government acquired importance among the parties concerned. The Darbar, quite obviously, wanted to maintain equilibrium between the two major communities irrespective of numerical strength of them. Accordingly, in May 1951 the Chogyal called a tripartite conference to discuss about the communal representation in the proposed State Council. The Maharajkumar Palden Thondup Namgyal represented the royal interest, Sonam Tshering represented the Bhutia-Lepcha interest and the Nepalis were represented by Capt. Dimik Singh Lepcha and Kashi Raj Pradhan. It was in this tripartite conference of 1951 that the "Parity Formula" as the governing principle for equal seat sharing between the minority Bhutia-Lepcha and majority Nepalis was worked out and accordingly adopted. The supremacy of the ruling community was established in the name of the protection of minority communities. According to this Formula, the State Council was to be a 17 member legislative body in which six seats were reserved for the Bhutia-Lepcha community and six seats for the Nepali community, and the remaining five seats were to be nominated by the Chogyal. In spite of the clear instruction by the party President, Tashi Tshering, the National State Congress nominee, Kashi Raj Pradhan, failed to negotiate for more seats for the majority Nepali. Condemning the Formula as murder of democratic principle, Tashi Tshering tried to renegotiate on the seat sharing formula but failed to yield any response from the Chogyal. It was rumoured that the representatives of the State Congress were forced to sign in an intoxicated condition. Thus, with the blessings of the

government of India the "Parity Formula" was signed under which the 25 per cent Bhutia-Lepcha population was given equal representation with the 75 per cent Nepali population³³ Besides, since the Lepchas were not awarded any separate representation the Bhutias who constituted only 10 to 12 per cent of the population now effectively exercised control over 50 per cent of seats in the Council. The proposal of the Sikkim State Congress to have at least one representation each from the three communities was, however, opposed by the Bhutias³⁴ for it would have recognized the Lepchas as a separate community; and the Bhutias then could not monopolize all the seats reserved for Bhutia-Lepchas. The combined representation for Bhutia-Lepcha community was perhaps intended to prohibit split and maintain a better representation for the Bhutias. The Nepalis resented the Parity Formula for some additional reasons: the Formula was arbitrarily extended to every conceivable area like scholarships, employment, stipends etc. where the Bhutias-Lepchas could claim equal share with the Nepalis though the latter constituted the numerical majority. Hence, all resources of the State were to be shared by the communities on the basis of parity irrespective of the size of communities. It obviously reduced the opportunities available before the Nepalis as regards employment, stipends, scholarships etc. Interestingly, the parity formula was however not implemented in cases of settlement or buying of the Bhutia-Lepcha land. The founder member of the Sikkim State Congress, Mr. C.D.Rai, once remarked that "under what impression Kashi Babu (Kashi Raj Pradhan) signed the agreement we do not know. But this Parity Formula has been the festering wound for the Nepalis".³⁵ Politically, the Parity Formula was the first ever official attempt to restrain the influence of the majority Nepali subjects in the political institution of Sikkim.

On the basis of the agreement, the Maharaja issued a Proclamation in January, 1952 laying down the rules regarding the electorate and the method of election³⁶ The Proclamation was not only communal in intent but the method of election too was very complicated and confusing. The Proclamation stated, "Whereas each of the Nepali seats was to be returned by the whole electorate of the constituency concerned, the Bhutia-Lepcha candidates were first to be elected

by only the Bhutia-Lepcha voters of the constituency concerned and thereafter to be voted again by the whole electorate of the constituency.”³⁷ The arrangement, therefore, contained special safeguards for the Bhutia-Lepcha candidates in order to reduce the influence of Nepalis in determining electoral results while no such safeguard was offered to candidates contesting for the seats reserved for the Nepalis. The Proclamation of March 1953 postulated the composition and functions of the Executive Council and the State Council.

Elections were held for four different territorial constituencies like Gangtok, North-Central, Namchi and Pemayangtse in two different dates extended from March to May. The election result clearly reflected sharp ethnic division among the voters. The National Party (also called Darbar Party) won all six Bhutia-Lepcha seats and confirmed its identity as the Bhutia-Lepcha Party whereas the Sikkim State Congress won all six Nepali seats and became the Nepali Party. Interestingly, all Bhutia-Lepcha candidates contesting from the Sikkim State Congress were defeated in the primary election which helped the Bhutia-Lepcha candidates contesting from the Sikkim National Party to have an absolute control over the reserved Bhutia-Lepcha seats. The party position in the first election of Sikkim State Council is shown in Table No. 3.1.

Table 3.1: Party position after the first State Council Election, 1953

Name of the Political Party	No. of seats contested	No. of seats won
1. Sikkim State Congress	6	6
2. National Party	12	6
3. Rajya Praja Sammelan	5	0
4. Scheduled Caste League	2	0

Source: N. Sengupta's 'State Government and Politics in Sikkim, 1985.

Sources close to the Darbar believed that the Chogyal viewed the Parity system as an interim solution to the problem of minority representation and was optimistic of its disappearance with the emergence of the feeling of Sikkimese nationalism. But the way the Parity system was extended to other areas and the way Lepchas were denied separate representation in the State Council, it effectively created a feeling of deprivation among the majority Nepali and the minority Lepcha

subjects. Expressing dismay over the idea of Sikkimese nationalism, Mr. C.D. Rai questioned "How could we create a unified Sikkimese identity, when the government devised means to keep the people divided?"³⁸ Most of the Nepalis believed that the Parity scheme was a special strategy manufactured to protect the interest of the minority ruling Bhutia community at the cost of the rights and privileges of the Lepchas and the Nepalis.

The Issue of Sikkim Subjects Regulation:

The Administrative Report of the Sikkim State for the year 1934-35 and 1935-36 justified the anti-Nepali approach of the government as an effective means for checking the dominance of the Nepalis and plainsmen, described as non-hereditary subjects, over the Bhutias and Lepchas, called hereditary subjects.

The Sikkim Subject Regulation of 1961 was another significant state decision which was intended to segregate the Bhutia-Lepcha subjects from the Nepalis and other communities. Interestingly, the Tsongs (Limboos) were treated at par with Bhutia-Lepcha subjects this time. The Sikkim Subject Regulation of the 3rd July, 1961, was promulgated in order to provide subject-hood to the following three categories of population of Sikkim;

- a) All persons of Sikkimese domicile, if born in Sikkim and resident there, or if ordinarily resident in Sikkim for not less than fifteen years prior to the promulgation of the regulation;
- b) Persons not domiciled in Sikkim but of Lepcha, Bhutia, or Tsong origin whose father or grand-father was born in Sikkim; and
- c) Person not domiciled in Sikkim but whose ancestors have deemed to be Sikkimese subjects before 1850.³⁹

Subject by naturalization was allowed on fulfillment of residential qualification of minimum fifteen years and subsequent renunciation of citizenship of the country of his/her birth.

The Regulation was significant for three reasons. First, it categorically recognized the Lepchas, Bhutias and Tsongs (Limboos) as the bonafide subjects of Sikkim while such ethnic reference in case of the Nepalis, particularly mangers,

was avoided. The segregation of the Tsongs (Limboos) from the Nepalis was viewed as an attempt to split the Nepali community and subsequently harm their political interest. Secondly, the Regulation recognized all those Sikkimese who were alienated due to realignment of political boundaries prior to 1946 as Sikkim Subjects. The Clause 'C' of the Regulation of July 1961 was explicit in its intention to accommodate the population of Darjeeling of 1850 as subjects of Sikkim. Thirdly, the Regulation though maintained 1946 as the cut off year but for all practical purposes the cut off year was actually pushed to 1936. The Land Survey Report of 1950-51 was the basis for registration of names in the Subject Register and the 'Bustiwalas' were the eligible subjects for enumeration in the Survey Report.⁴⁰ Thus only propertied persons were eligible to be registered as Sikkim Subjects while ordinary cultivators without any substantial property in 1936 were left out. Owing to the nature of land ownership system and settlement rules prevailing then in Sikkim, it was obvious that many were denied registration in the Land Survey Report and subsequently in the Sikkim Subject Regulation of 1961.

The promulgation of the Regulation was considered inevitable in view of the growing influx from outside Sikkim. It must be noted here that there has been a general tendency among the scholars to associate influx with the Nepalis but the influx of the plainsmen and Tibetans have seldom attracted attention of the scholars. For example, between 1931 and 1951 the Nepali population had fallen by 0.8 percent and in 1961 the speakers of the Nepali language were only 88,916 persons, including the Tsongs and all other tribes and castes which now constitute the Nepali. On the contrary, during 1961, the Bhutia population of Sikkim had been 54, 029 persons, including the Tibetans.⁴¹ Besides, the population of others in 1961 was 4,397 persons. Considering the circumstances leading to promulgation of Sikkim Subject Regulation in 1961, and not in 1947, it can be said that the Chogyal was not only sympathetic towards the Tibetan refugees but also provided refuge to thousands of them in Sikkim in spite of resentment shown by the Bhutias and Lepchas against the decision of the Chogyal. The poor Nepali subjects, on the other hand, neither had royal support nor had adequate documents

regarding property, were subjected to discrimination and humiliation. The Regulation of 1961 possibly was an attempt to legalize the status of Tibetans and Drukpas who immigrated to Sikkim during the 1950s particularly after China's assertion over Tibet became intensified.

Various political parties criticized the Sikkim Subject Regulation of 1961. The political parties, namely Sikkim State Congress, Sikkim National Congress, Scheduled Caste League and a small faction of the Sikkim National Party, held a joint session at Gangtok on July 26, 1961, and passed a proposal to request the Chogyal to withhold the enforcement of the Regulation of 1961 pending determination of public opinion.⁴² Since the Regulation was promulgated without consulting the members of the State Council, C.D.Rai demanded certain amendments in the Regulation in the Council meeting in which the Sikkim Subject Regulation of 1961 was placed for discussion.⁴³

While considering the demands of various political parties for amendment and in view of possible political backlash, the proclamation of July 3, 1961 was amended.⁴⁴ The relevant portions of the Sikkim Subject Regulation, 1961 (as amended in 1962) are provided below;

1. Short title and extent –

- (i) This Regulation may be called the SIKKIM SUBJECTS REGULATION, 1961.
- (ii) It shall extend throughout the territory of Sikkim.

2. Commencement –

This Regulation shall come into force on such date as may be appointed for the purpose by The Chogyal of Sikkim.

3. Certain persons domiciled in Sikkim territory at the commencement of the Regulation be Sikkim subjects -

- (1) “Every person who has his domicile in the territory of Sikkim immediately before the commencement of the Regulation shall be a Sikkim Subject if he
 - a) Was born in the territory of Sikkim and is resident therein, or

- b) Has been ordinarily resident in the territory of Sikkim for a period of not less than fifteen years immediately preceding such commencement; or
- c) Is the wife or minor child of a person mentioned in clause (a) or clause (b).⁴⁵

The Sikkim Subject status was denied to certain persons namely:

- a) Any person who renounces his status as a Sikkim Subject, or voluntarily acquires the citizenship of any other country, or takes an oath of allegiance to a foreign country or ruler thereof without the consent of the Chogyal's government; or
- b) Any person who severed his connection with Sikkim such as by parting with his property in Sikkim and migrates to a place outside Sikkim and India after the commencement of this Regulation, or has not been ordinarily resident of Sikkim for a continuous period of seven years shall thereupon ceased to be a Sikkim Subject; or
- c) Any Sikkimese woman who marries a person who is not a Sikkim Subject.⁴⁶

A Committee was constituted under section 3 (3) of the Sikkim Subject Regulation, 1961 (as amended in 1962) by the Chogyal for the purpose of enumeration of names in the register and subsequent grant of certificates subject to fulfillment of the above conditions and favour of the Chogyal.⁴⁷ It could not be known as to how many persons actually applied for registration and how many of them were issued Sikkim Subject Certificates. But, there were allegations ranging from denial of the Certificate to some to issuance to those who actually did not merit or deserve to get it. To sum up, names of many people could not be registered and hence they were denied the status of the Chogyal's subjects.

The Sikkim Subjects Certificate once again became a subject of controversy in 1975 when Sikkim became the 22nd State of the Indian Union. The Sikkim Citizenship Order of 1975 under clause 2 stated "Every person who immediately before the 26th day of April 1975, was a Sikkim Subject under the Sikkim Subjects Regulation 1961, shall be deemed to have become a citizen of

India on that day”.⁴⁸ As a result, those who did not have their names in the Sikkim Subject Register were denied Indian citizenship too. In regard to ‘stateless persons’ or ‘left-out persons’ it was stated that “many persons had applied for registration but their applications were not considered for immediate registration for want of verification of antecedents due to lack of proper administrative machinery prevalent at that time. Besides, the political considerations which guided the Chogyal’s administration also delayed the process of verification and subsequent grant of Subject Certificates. It was further stated that the registration of names in the Sikkim Subject Register was not mandatory. Therefore, only those who desired for government services or get scholarships or acquire immovable property, for which submission of Sikkim Subject Certificate was necessary, actually applied and procured the subject certificate. Thus, thousands belonging to the three ethnic communities – Nepalis, Bhutias and Lepchas - mostly living in rural areas, were left out and this resulted in wide-spread discontentment among the people of Sikkim.”⁴⁹ An interesting debate in the State Legislative Assembly over the administrative lapses and subsequent denial of registration of names in the Sikkim Subject Regulation revealed indifferent attitude of the Panchayat Officials and Mandals as the primary cause of the problem. It was said that the officials “.... would not do anything unless some gifts (butter/ghee or Rs. 10/15 per person) were given”.⁵⁰ The members also expressed the view that the Panchayat officials not only misguided the villagers but there was no provision for re-registration of the names who were unable to register in the first time.⁵¹ The legislators condemned the Regulation of 1961 as undemocratic and a black act of the Chogyal regime, and emphasized the year of merger of Sikkim with India, i.e. 1975, as the cut-off year for the award of citizenship to the left out person of Sikkim as it was done in case of the people of Goa, Daman Diu and Dadra Nagar Haveli.⁵² N.B.Bhandari contended that if the ‘left out’ persons were denied inclusion in the subject list then Sikkim’s merger with India would be questioned.⁵³

The Sikkim (Citizenship) Order, 1975 was amended in 1989 to include the names of the ‘left-out’ persons of Sikkimese origin without abolishing the

mandatory clause of the Sikkim Subjects Regulation of 1961 as the basis for Indian citizenship. Hence, the Sikkim Subject Regulation of 1961 (as amended in 1962), continue to remain an important document which distinguishes a Sikkimese from other Indians. It is the symbol of identity and passport to public appointment and other political-economic opportunities in Sikkim. For being the old laws in force immediately before the merger, it enjoys protection under article 371F (k) of the Indian constitution. As of now, the office of the District Collector issue 'Certificate of Identification',⁵⁴ to the descendants of the Sikkim Subject holders.

At present, the controversy surrounding the Sikkim Subjects Regulation, 1961, including the Sikkim Government Establishment Rules, 1974 (Rule No. 4 (4) (ii), which allows replacement of a non-Sikkimese employee by a suitable Sikkimese candidate as and when the latter is available, revolves around the constitutional validity of the Regulation. In 1984, the then governor of Sikkim, Homi J. H. Taleyarkhan was reported to have written in his official file 'Sikkim Subject', dated the 3rd June, 1984 that "Clear order must be passed. There is nothing like 'Sikkim Subject' since May 1975 and that everyone since the merger of Sikkim with India is an Indian National.....At present even those who have been here for generations harassed. The two separate merit Identity Cards, one to 'NL' (non-local) and other to 'L' (local) shall be withdrawn immediately as it smacks of 'apartheid' within our own country on this account".⁵⁵

Similarly, in relation to the extension of the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959, the then Chief Secretary, Government of Sikkim, Mr. K.S.Rao, reportedly told the local journalists that Sikkim Subject Certificate would gradually loose significance with the extension of the said Act in Sikkim.⁵⁶ The government was forced to roll back its policy owing to public outrage and protest movements.

Legally speaking, article 15 (1), does not provide 'residence' as grounds for discrimination, State can confer special benefits upon its residence in matters other than those in respect of which rights are conferred by the constitution upon all citizens. Apart from this, article 371F, which is a non-obstante article, also

provides constitutional sanctions to the old laws of Sikkim. But same article under clause (1) also authorizes the union parliament/central government to amend or repeal the provisions contained in the said article. After the expiry of the Public Employment (Recruitment as to Residence) Act, 1957 (enacted under article 16 (3) of the constitution) in 1974, the government of India is not legally bound to continue with such provisions. Hence, even if the people of Sikkim disagree on many other issues, they find reason to agree on the importance of the Sikkim Subject document and defend it as a symbol of their separate identity as Indians of Sikkimese origin from dilution and discontinuation.

EMERGENCE OF POLITICAL PARTIES AND ETHNIC MOBILIZATION: PRE-MERGER DAYS.

Political Parties and Ethnicity:

Sikkim basically represents traits of a traditional society. In such a traditional societies political parties and other political organizations do not always represent ideological and policy divisions. Political parties, in such circumstances, often are organized on the basis of traditional bonds, networks and relations. The political parties seek to expand their support base and often appeals, including raising ethnic demands, are made on the basis of traditional bonds in order to be electorally successful and capture political power. On the other hand, ethnic groups or communities seek better share of the State resources and articulate groups' interest or aspirations, and adopt strategies, including extension of support to political party or parties, in order to achieve their objectives. In other words, political parties and ethnic groups often are engaged in symbiotic relationship in fulfillment of their respective objectives. Thus, when political mobilization of ethnic community or group takes place the traditional community consciousness is strengthened. During the late 1940s through to 1970s the Sikkim National Party had clearly demonstrated the creation of a modern political organization on the basis of traditional ethnic-cultural identities to expand its support among the members of target group, i.e the Bhutia community. Similarly,

political parties and social organizations are also engaged in the process of articulation and aggregation of interests in a society. The demands raised by social organizations and also political parties are transformed into political issues which represent the aspirations of a group of people. But more importantly, through the function of raising and mobilizing support for an issue or demand, parties and social organizations generate consciousness regarding the demand and indirectly legitimize the demand. Hence, the activities of political parties and social organizations supporting and raising community oriented demands tend to legitimize demands socially and influence popular perceptions.

The authoritarian rule of the Chogyal, the feudal socio-economic structure, the poor, suppressed and illiterate masses, lack of political awareness and leadership were factors basically responsible for the non-existence of a political organization in Sikkim till the early nineteen forties. Although reform measures were started in various fields since the consecration of Sir Tashi Namgyal in 1914, they were yet to make noticeable progress. The practice of forced labour, locally called *Zarlangi*, had reduced the masses to deplorable and inhuman conditions, both socially and economically. A small event at Namthang in which Mahasing Limboo and Passang Tshering Lepcha revolted against the practice of forced labour and bearing palanquin, proved to be an eye opener for peasants who had long groaned under the Kazis and the Landlords. Soon a secret organization, called Member Party, was formed in 1941 at Namthang at the initiative of Trilochan Sapkota, Jainarayan Sapkota, Jaimurn Lepcha and Dida Lepcha. They were inspired by the leaders of the Indian freedom struggle based in Darjeeling. They opposed the Zamindars and their oppressive rules, and told people not to cooperate and obey them and their exploitative rules. Later, Tashi Tshering published a pamphlet entitled "A Few Facts about Sikkim State" in 1947 detailing the nature of exploitations and emphasizing need for a strong political organization to address basic issues affecting peasants and common people. This initiative was largely responsible for converting individual resentment into a mass movement in Sikkim. Excerpts taken from the document are given below for

better understanding of the situation responsible for the emergence of political organization.

“Sikkim is a small Indian State tucked away in a corner of the Himalayas. Its ruler, Maharaja Sir Tashi Namgyal, K.C.S.I., is of Tibetan descent, and so are his personal adherents called ‘Kazis’, who formed the majority of the landlords of Sikkim. His Highness has State Council consisting entirely of landlords and a Secretariat, which is largely controlled by landlords... The subject people or ryots have no voice in the administration and they have long groaned under the pernicious yoke of landlordism.

“The Kazis, who are the leading landlords, claim to belong to the old nobility and compare themselves with the barons of the feudal system... They form an exclusive and influential coterie around the ruling family and are able to impose their will on all and sundry. The rest of the landlords, called ‘Thikadars’, are content to play second fiddle to the Kazi party and thus share in the loaves and fishes of office and other privileges... Bound by a common policy to oppress the ryots, the ‘Thikadars’, especially the most influential one, have proved as bad as any of the Kazis. Landlordism... has enabled the landlords, through coercion and intimidation, to acquire for themselves the best holdings of the ryots. The landlords pay no taxes which consequently fall with greater severity upon the ryots. On the other hand the landlords receive large unearned commissions from the state as a reward for carrying on a thoroughly corrupt administration.”

Talking about the modus operandi of the landlords, the document writes, “The landlords are vested with magisterial powers in both civil and criminal matters. They are also empowered to register documents for the sale or transfer of landed properties. There are no effective checks on these powers and the landlords are free to abuse them for their own gains. The more fine a landlord can impose, the larger his share of spoils, for he receives one-half of the collection as his fees and the other half goes to the State. A grabbing landlord has no difficulty in dispossessing an uncompromising ryot of his cherished possession, be it a paddy field or a herd of cattle. Most of the landlords live away from the estates and their powers are exercised by ignorant and rapacious underlings who have no scruples

about filling their own pockets besides extracting as much as they can for their masters.”

The document then highlights the form of oppression under forced labour (Jharlangi), which was rampant in Sikkim. “There are various forms of forced labour to which the ryots are subjected. About twenty years ago, a notification was said to have been issued by the State, based on International Conventions announcing the abolition of forced labour. This notification was never explained to the ryots and the practice was never stopped, let alone abolished. It is carried on to this day....Forced labour with minimum, often without any compensation, is usually exacted by the landlords when cultivating their extensive, mostly ill-gotten, private fields and when harvesting their crops...such exactions of late have become manifold on account of the ever-increasing farming and gardening interests of the landlords, which allow the ryots scarcely any time to attend to their own affairs. Most of the influential landlords....live in Gangtok. Their estates may be two or three days journey away. From there the ryots have to come all the way to Gangtok and serve their landlords in turn in various menial capacities. The ryots get no wages or compensations for such services, and they are lucky if they escape cruelties.”

Those landlords whose estates were in and around Gangtok “ the forced labour is often requisitioned on behalf of the State for carrying loads across the passes (over 15000 feet) into Tibetan territory.....What he will earn as wages under the prescribed rates for forced labour, would barely suffice to buy his meager meal for the journey to and from. The landlord bleeds him to the limit and sends his own private pack mules to carry the loads, for which he is doubly recompensed. A greedy landlord often seizes upon his chance of making further easy money and calls for double the number of men required.”

This state-requisitioned forced labour was commonly known as “Kalo Bhari” (black loads) in Sikkim. The document written by Tashi Tshering continued, “Kalo Bhari was the name given to a special consignment compactly packed in black tarpaulin, which gave the name. Huge quantities of these loads were transported overland to China via Tibet during the later part of the war

(World War II). Such was the demand for transport for this purpose that the wages offered reached unprecedented heights. The cupidity of the landlords rose in unison and they stooped to swindle. They falsely requisitioned 'force labour on the authority of the State' to carry these loads. A very large number of these loads belonged to private concerns..... The landlords charged the private concerns the highest rates, paid the ryots the prescribed rates, and pocketed the rest....Such blatant deception could not, however, remain concealed for long. When they learnt about it, the victims of the swindle approached the powers- that-be for redress. As the culprits were all 'high born' Kazis, the matter was hushed up, and the aggrieved ryots were sent away with the facile advice to 'let bygones be bygones and to forgive and forget.'⁵⁷ This document acquired statewide appreciation but the people, in general, were too ignorant and unorganized for carrying out a unified action against the powerful Kazis and Thikadars.

The independence of India in 1947 together with the utterances of Pandit Jawaharlal Nehru and other leaders of the Indian National Congress had been the greatest source of inspiration for the leaders like Tashi Tshering and C.D.Rai. Nehru was a strong supporter of republicanism and would frankly confess that "I am a socialist and a republican, and am no believer in Kings and Princes....."⁵⁸ It was, therefore, natural for Tashi Tshering and others to demand for democratic system of governance and mobilize the people in the struggle for their own salvation.

Soon three separate social organizations were born in three different parts of Sikkim in 1947 with both social-welfare as well as political objectives. The Praja Sudharak Samaj was formed at Gangtok, the Praja Sammelan at Temi Tarku in south Sikkim and the Praja Mandal at Chakhung in west Sikkim.⁵⁹ These organizations were precursors to political parties which were yet to emerge in Sikkim. Among the three the Praja Sudharak Samaj was formed with an objective to work for reforms⁶⁰ while the Rajya Praja Sammelan was in favour of accession of Sikkim with India and union of the Gorkhas of Sikkim and North Bengal.⁶¹ The third organization, the Praja Mandal, stood for the protection of rights and

promotion of communal harmony among the three ethnic groups, i.e. the Bhutias, Lepchas and Nepalis, of Sikkim.⁶²

These organizations were, more or less, formed as welfare bodies but they clearly lacked well-defined programmes, cohesive course of action and a set of political goals.⁶³ Thus, the need of a strong political party was felt immediately by none other than Tashi Tshering “who alone had good education, good understanding of politics and administration, and had the gifts of being able to articulate his views.”⁶⁴ Accordingly, under Tashi Tshering, the leaders of the three premier organizations met at Palzor Stadium at Gangtok in December 7, 1947, for a public meeting. By the end of the day, the three parties merged into one to form a strong political organization, called Sikkim State Congress.⁶⁵ It was in this meeting the pamphlet “A Few Facts About Sikkim State”, written in English by Tashi Tshering and translated into Nepali by C.D.Rai, another highly educated leader from Namchi, was distributed among the people.

Tashi Tshering and C.D.Rai, irrespective of their ethnic affiliation, were elected as the President and General Secretary of the party respectively. Other notable figures of the Sikkim State Congress were D.B.Gurung, Capt. Dimik Singh Lepcha, Sonam Tshering, Kazi Lhendup Dorji, Raghubir Singh Basnett, Dhanbahadur Tiwari and Gobardhan Pradhan. The most important feature of this party was, in spite of the Durbar’s allegation that the emergence of Sikkim State Congress was the handiwork of the disgruntled Nepali peasants, that members of all the three ethnic communities were given adequate representation in the party.

On December 9, 1947, a five-member committee was formed to give representation to the Chogyal, Sir Tashi Namgyal. The memorandum highlighted three basic demands;

- a) The abolition of land-lordism;
- b) The formation of the interim government as an essential precursor of the democratic government to come; and
- c) The accession of Sikkim to the Indian Union.⁶⁶

The demands were basically the expression of the ‘call of the downtrodden and suppressed ryots of Sikkim consisting of the Lepchas, the Bhutias and the

Nepalis'.⁶⁷ The idea underlying the demand for accession was to acquire support of the government of India for the establishment of democratic system of governance in the theocratic and monarchical State of Sikkim.

The Maharaja, Sir Tashi Namgyal, agreed to the demand for abolition of landlordism in phased manner.⁶⁸ The Maharaja also agreed to appoint three nominees of the Sikkim State Congress as Secretaries to the government.⁶⁹ The State Congress in its meetings of February 2 & 3, 1948, selected Tashi Tshering, Sonam Tshering and Raghbir Singh Pradhan. But later Tashi Tshering was replaced with Captain Dimik Singh Lepcha to give equal representation to the three communities,⁷⁰ subject to recall the members.⁷¹ They were appointed secretaries after the party recommended their names to the Darbar.⁷² Regarding the last demand of the State Congress, the Chogyal summoned five State Congress leaders in the palace on December 9, and told them that the union of Sikkim with India was out of the question.⁷³

In the meanwhile, the Sikkim National Party was formed on April 30, 1948, under the leadership of Sonam Tshering. This party was sponsored by the Chogyal as an alternative to democratic agitation and to utilize communal and racial differences as backwaters to democratic development.⁷⁴ No force can be stronger than one which is based on ethnic or racial or religious elements. The leaders of the Sikkim National Party used racial-cultural issues to malign the demands of the Sikkim State Congress, in general, and interests of the Nepalis, in particular. The Nepali leaders in the Sikkim State Congress were alleged for being "later migrants, while the Bhutias and the Lepchas, by virtue of their having already settled in Sikkim when the Nepalis were unknown, were classified as indigenous people".⁷⁵ In a concerted attempt of the ruling house, the landlords and the Lamas, the National Party projected itself as the party of the Bhutia-Lepcha community and the Sikkim State Congress as the Nepali party. The Sikkim State Congress by virtue of having majority supporters among the Nepalis came to be regarded as the party representing the Nepali interests, though it did not have any clear sectarian objective to achieve.⁷⁶ The National Party had been also successful in drawing a line that those who supported 'accession' were "ushering in the rule

of the Dhotiwallas” and those who opposed ‘accession’ were for “independence of Sikkim”.⁷⁷ Thus, according to Sikkim National Party’s logic the Nepalis were anti-nationals and anti-Sikkimese too. This labeling also led to a rift within the leaders of the Sikkim State Congress. The birth of the Sikkim National Party, therefore, facilitated ethnic and ideological polarization among the Sikkimese both at the social and political levels.

Politics of the Sikkim National Party clearly reflected its effort to polarize Sikkim into two camps: the Nepalis on the one hand and Bhutia-Lepcha community on the other. By this division the Sikkim National Party intended to retain and perpetuate not only the monarchy (as against any movement for democratization) but also the privileges enjoyed by the Bhutia landlords and elites. Democratization, therefore, was perceived by the Sikkim National Party as a threat to prevailing privileges. Thus, the struggle between monarchy and feudal system on the one hand and forces of democracy on the other was transformed into a struggle between Bhutia-Lepcha and Nepali subjects due to the manipulation of the Sikkim National Party.

The Sikkim National party in its resolution adopted in April 30, 1948, assured gradual demolition of the institution of landlordism and provided justification as to why accession of Sikkim with India was impossible;

- a) “Historically, socially, culturally and linguistically, Sikkim has closer affinities with Bhutan and Tibet;
- b) “From the geographical and ethnic point of view Sikkim is not a part of India. She has only political relations with the latter, which was more or less imposed on her;
- c) “The religion of Sikkim is ‘Mahayana Buddhism’ which is the established religion of Tibet and Bhutan. Hence from the religious point of view also, she is quite distinct from India.
- d) “The Policy of the Party is to implement their voice by all means to maintain intact the indigenous character of Sikkim and to preserve its integrity. The Party would make all out efforts to establish a separate

entity and to remain outside the Indian Union even at the teeth of opposition from any political counter party;

- e) "Taking into account the various vital points specified above, the Party firmly resolved that necessary arrangement should forthwith be made to revise Sikkim's political relation with the Indian Union on the basis of equality."⁷⁸

It is to be noted that Sikkim National Party maintained that Buddhism was the religion of Sikkim in spite of the presence of the Hindu Nepalis. Besides, the Party also argued that ethnically Sikkim was akin to Tibet and Bhutan. Thereby the Sikkim National Party completely ignored the existence of Nepali language, culture and religion in Sikkim.

The Sikkim State Congress members visited Delhi in December 1948 and met the Prime Minister and other leaders of the Indian National Congress. Prime Minister had been reported to have told Tashi Tshering and C.D.Rai that the voice of the people would always reign supreme in shaping the destiny of Sikkim.⁷⁹ Nehru, however, was said to have declined to support State Congress's demand for accession on three grounds: a) it would internationalized the issue; b) a nation fighting for independence could not immediately think of merging another nation; and c) India's distinct relationship with the three neighbouring Himalayan kingdoms of Bhutan, Nepal and Sikkim.⁸⁰ After returning from Delhi, the Annual Conference of the party was held at Rangpo in February, 1949. In the gathering of about 5,000 people Tashi Tshering launched the "No Rent" and "No Tax" campaign and told people not to pay land revenue and other taxes until the Darbar considered their demand for popular government. C.D.Rai and some other leaders were arrested on charges of violation of notification issued some days ago banning the assembly of people for political purpose but arrest warrant against Tashi Tshering was not executed.⁸¹ The sympathizers of the party marched towards Gangtok⁸²

Apprehensive of public disorder, the government imposed curfew in Gangtok on February 9. At the intervention of the Political Officer, Harishwar Dayal, the leaders of the State Congress were released unconditionally on

February 12.⁸³ The business community also observed indefinite strike in support of the State Congress.⁸⁴ The negotiation, which was followed after the incidence, at the initiation of the Political Officer, however, failed. The Congress leaders resorted to Satyagraha. On May 1, 1949, the agitation started at Gangtok and some three thousand party workers went up to the palace shouting anti-landlordism and pro-democracy slogans. For the first time Maharajkumar, P.T. Namgyal, addressed the crowd in Nepali language and assured to concede to their demand.

The movement was followed by the formation of the so called "popular Ministry" by the Chogyal and Tashi Tshering was sworn in as the Prime Minister of Sikkim on May 9, 1949. The other members of the Ministry were C.D.Rai, Dimik Singh Lepcha from Sikkim State Congress, and, Dorjee Dadul and Reshmi Prasad Alley were nominees of the Darbar.⁸⁵ Representation-wise there were two Nepalis, two Bhutias and one Lepcha in a five-member ministry. The ministry could not last long 'due to the lack of unity within the ideologically segmented members of the Council.'⁸⁶ The situation is explained by Datta-Ray as "The Prime Minister had no experience of administration and looked to the (Indian) residency for guidance in all matters..... Sir Tashi Namgyal did not think of delineating areas of jurisdiction and Tashi Tshering did not ask for a framework of governance."⁸⁷

The political situation deteriorated further. The government of India sent Dr. B.V.Keskar, Deputy Minister for External Affairs, to Sikkim to resolve the impasse amicably but, despite his hard-pressed effort, the deadlock continued. Dayal, the Political Officer, also failed to resolve the problem. The Maharaja eventually dissolved the twenty-nine day old Ministry and the Political Officer was appointed as the interim administrator till the appointment of the Dewan, John Lall, on August 11, 1949.⁸⁸ The sudden change in the attitude of the government of India was perhaps due to the increasing activities of the Chinese government in Tibet.

In July 1949, a delegation of the State Congress, headed by its President Tashi Tshering, went to Delhi and held discussions with the central leaders. "The

delegation was informed that the government of India's sole wish was to ensure a stable government in the State of Sikkim and that under no condition could India tolerate chaos and disorder."⁸⁹ The absence of well-defined agreement between India and Sikkim along with India's intention to work closely with the government of Sikkim also figured in the discussion.⁹⁰ It was in this background that an all party convention, including Sikkim State Congress, Sikkim National Party, faction of Praja Sammelan and the Maharaja himself, was held in March 1950 in Delhi which ultimately resulted in the signing of the Indo-Sikkimese Treaty. However, the negotiation failed to satisfy the demands of the Sikkim State Congress and the Prime Minister Nehru, though sympathetic towards their aspirations, told them not to demand for accession of Sikkim with India.⁹¹ The disappointed State Congress leaders once again visited Delhi and met the Prime Minister and the Foreign Secretary. The burden of their complaint was that too little was done, and that there was too much philandering which was stalling the realization of a responsible government in Sikkim.⁹²

On the basis of the convention of 1950⁹³ an Advisory Committee, under the Presidentship of the Dewan, was formed with the representatives of the major political parties like Tashi Tshering, Kashi Raj Pradhan, Captain Dimik Singh Lepcha from Sikkim State Congress, and Gyaltshen Tshering and Sonam Tshering from the National Party, as constituent members. The faction of Praja Sammelan declined to join the Committee alleging that the Committee did not represent all regions and all communities.

The Indo-Sikkim Treaty was signed between the Indian Political Officer, Harishwar Dayal and the Maharaja, Tashi Namgyal, at Gangtok (Shuklakhang Monastery) on December 5, 1950. Disappointed Sikkim State Congress members boycotted the State banquet hosted to celebrate the occasion. With the signing of the Agreement of December 1950 the idea of accession of Sikkim with India was put off for sometime though the Sikkim State Congress maintained that by keeping the administration in their hand the Government of India had accepted their demand in principle.⁹⁴ The party also promised to voice continuously for the establishment of democratic system of governance in Sikkim.⁹⁵ Meanwhile, the

Advisory Committee was preparing to hold election for Panchayat and State Council. The vexing problem before the Committee was to decide over the distribution of seats among the three ethnic communities, i.e. Nepalis, Bhutias and Lepchas. The Panchayat election which was held in December, 1950 was boycotted by the National Party on the ground that it failed to provide proper safeguards to the interest of the "indigenous population", i.e. the Bhutias and Lepchas.⁹⁶ By raising the issue of indigenous population, the National Party was perhaps expressing its dissatisfaction over the Panchayat System, which was alien and un-indigenous, as against the traditional Bhutia system of rural administration called Dzumsa. They neither wanted Indian system of village management to be introduced in Sikkim nor did they like Nepalis to hold official posts which were possible through the Panchayat election. Hence, leaders of the National Party contended that the Nepalis were later immigrants while the Bhutias and Lepchas, by virtue of their having already settled in Sikkim when the Nepalis were unknown, were the indigenous population of Sikkim.⁹⁷ The position taken by the National Party is indicative of the fact that how it from the very beginning attempted to ethnicize political issues like decentralization of rural self-government.

Considering the importance of holding elections for both the Panchayats and State Council, both the political parties were required to put on an extra effort in order to arrive at consensus regarding ethnic representation, but every time they failed.⁹⁸ In fact, the Sikkim State Congress had suggested for a three-member Council taking one representative each from the three ethnic communities⁹⁹ to which the National Party had reservation. Eventually, the Parity formula, as an interim solution to the problem of ethnic representation in the State Council, was worked out. According to the formula seats in the Council was to be shared equally between the (minority) Bhutia-Lepcha on the one hand, and (majority) Nepalis on the other.¹⁰⁰ Tashi Tshering refused to ratify the agreement signed by the two State Congress representatives and unsuccessfully tried to renegotiate on the issue.¹⁰³ Proclamations were issued in January, 1952 and March, 1953 detailing the composition, procedures, powers and functions of the Sikkim State

Council and the Executive Council. In a seventeen member State Council the Bhutia-Lepcha as a combined group had six seats and Nepalis had six seats. The remaining five seats were to be nominated by the Maharaja in his discretion.¹⁰¹ An interesting feature of the Proclamation was the method of election under which the Nepali candidates were to be directly elected by the voters during the elections while the Bhutia-Lepcha candidates were required to be elected first by the Bhutia-Lepcha voters in a primary election. The Bhutia-Lepcha voters were to elect four candidates each from the Gangtok and the North Central Constituencies and two candidates each from the Namchi and the Pemayangtse constituencies. The candidates so elected would then contest the final election. In the final election also, all the Bhutia-Lepcha voters, registered in the respective constituencies, were to cast vote.¹⁰² Through such election rules it was always projected that Bhutia-Lepcha were different from that of the Nepalis and deserved preferential treatment. As the system of voting was designed on ethnic priorities, the voting pattern, including the result, was reflective of ethnic bias and preferences. Without such arrangement the National Party could not have been so successful in electoral politics. In a country with low literacy and extreme all round backwardness the combined forces of the National Party, the ruling house, the landlords and the Lamas succeeded in garnering support in favour of the party's slogan that supporting them meant to support the indigenous Bhutia-Lepcha and for independent Sikkim.¹⁰³ The National Party always emphasized its identity as the Bhutia-Lepcha party and to that effect it wanted the Bhutia-Lepcha to understand that "about two-thirds of Sikkim's present population is now found to be of Nepali origin... that there was danger of their ultimate extinction, that their language would be swamped and submerged in the swelling Nepalis flood."¹⁰⁴

The elections were held on different dates namely May 1, 8, 15 and 22, 1953, for Gangtok, North-Central, Namchi and Pemayangtse constituencies respectively. The Sikkim State Congress won all the six Nepali seats whereas the National Party secured all six Bhutia-Lepcha seats. The performance of the two major parties in elections indicated the nature of polarization of communities.

Interestingly, due to the nature of voting system, all the Bhutia-Lepcha candidates contesting from Sikkim State Congress, including Tashi Tshering and L.D.Kazi, were defeated in the primary election itself. The Scheduled Caste League and Rajya Praja Sammelan did not win any seat. Kazi Lhendup Dorji replaced Tashi Tshering as the President of Sikkim State Congress.¹⁰⁶

A 17 member State Council was formed in August 1953. The Executive Council was composed of three members namely Kashi Raj Pradhan (SSC) and Sonam Tshering (SNP) with the Dewan as Durbar's nominated member¹⁰⁷ The Lepchas had no representation in the Executive Council. The tenure of the State Council was initially fixed at three years but it was extended to till December, 1956 by a separate Proclamation.¹⁰⁸

In view of the second Council election, a Proclamation was issued in 1957.¹⁰⁹ No changes were made in territorial demarcation and other requirements prescribed in 1953 proclamation. The State Congress contested election for establishing a representative government with the Chogyal as a constitutional head and for removal of communal pattern of election system introduced in 1953.¹¹⁰ However, the proclamation of December 1, 1957, was not implemented. Rather after having obtained the consent of all the parties, the Dewan, N.K.Rustomji, modified the proclamation of 1953 and a fresh notification was issued on March 16, 1958.¹¹¹ The new proclamation enlarged the strength of the State Council from earlier 17 to 20 in which six seats were reserved for the Nepalis and six for the Bhutia-Lepcha. The number of nominated members was also raised to 6. One seat was reserved for the Sangha to be elected by an electoral college constituted of the Lamas of monasteries of Sikkim and one General seat to be elected by the whole electors of Sikkim serving as a single constituency. On the one hand Sangha seat was meant to revive the role of the Lama community in the political affairs of Sikkim, the 'General' seat, on the other, was not meant for the plainsmen settled in Sikkim.

The voting procedure laid down under clause 2 (i) (b) of the 1958 Proclamation was one of complication and communal. It stated that "the candidate securing the highest number of votes of the community which he represents will

ordinarily be required to have secured also at least 15 per cent of the total votes of the other community for which seats have been reserved to entitle him to be returned. If, however, he fails to secure 15 per cent of the votes of the other community, the candidates securing the next highest votes of their own community and who have also succeeded in securing 15 per cent of the votes of the other community will be eligible to be elected, provided the difference between the number of votes of their own community secured by them and the candidate with highest number of votes, does not exceed 15 per cent of the total votes secured by the latter. If the difference is in excess of 15 per cent, latter will be regarded as returned, notwithstanding that he shall not have secured 15 per cent of the votes of the other community.”¹¹² The example given below of Gangtok constituency explains the peculiarity of the voting system. The candidate securing the highest number of votes was not necessarily the winning candidate.

Table 3.2: Distribution of votes in Gangtok Constituency - 1958

(1 NEPALI, 2 BL SEATS)

Name of the candidate Candidates	V o t e s P o l l e d			Total Votes	Remarks
	Nepali	B – L	Others		
1.Narendra Narshing (N)	2,102	295	89	2,486	Elected
2. Sonam Tshering (BL)	326	956	51	1,333	Elected
3. Kazang Wangdi (BL)	418	358	23	799	Elected
4. Thendup Lepcha (BL)	2000	162	48	2,210	
5. Chengpa Bhutia (BL)	1,944	173	57	2,174	
6. Haridas Pradhan (N)	324	450	38	812	
7. Kazi Narbu Dadul (BL)	156	294	83	533	
8. Karma Lama (BL)	126	323	09	498	
9. Dubo Bhutia (BL)	97	256	36	389	
10. Reshmi Prasad Alley (N)	416	332	24	772	

Source: Sikkim Darbar Gazette, Vol. VIII, No. 7, Oct. 1958 and other documents.

In the above constituency, by securing 15 per cent votes of the other communities and the highest votes of his own community, Narendra Narshing and Sonam Tshering were elected. Similarly, Kezang Wangdi who secured third highest vote of his own community and 15 per cent votes of other community was

also elected in spite of the fact that Thendup Lepcha and Chengpa Bhutia secured the 2nd and 3rd highest number of votes secured by individual candidates.

In spite of the confusing and communal voting system, the State Congress won 8 of the 14 elected seats including one B-L and the General seat. The National Party won 5 B-L and 1 Sangha seats. These two parties which were once established to facilitate democratic processes began to be recognized as parties of the two distinct communities despite the fact that the candidates of both communities contested election from both parties. For instance, Hari Das Pradhan, a National Party candidate and a Nepali secured 450 B-L votes whereas of his own community he secured only 324 votes. Similarly, Thendup Lepcha, a State Congress candidate from Lepcha community secured 2000 Nepali votes while he secured only 162 of his own community. In the General constituency Chuksum Bhutia, a Sikkim State Congress candidate, secured 7,444 Nepali votes and 1,168 B-L votes whereas Lakshmi Prasad Pradhan, a National Party candidate, secured only 1,068 Nepali votes and 1,364 B-L votes.¹¹³ It seems that the Nepali candidates belonging to National Party received greater percentage of Bhutia-Lepcha votes, while got little support from their own community. Similar was the fate of most of the Lepcha-Bhutia candidates belonging to Sikkim State Congress. Another noticeable feature of this election was that though 6 seats were reserved for the Bhutia-Lepcha, none of the Lepcha candidate won election as they failed to secure requisite 15 percent votes of their own B-L voters. The system of elections and the domination of the Bhutias in the National Party gradually alienated the Lepchas from the political limelight. Similarly, neither the Sikkim State Congress, which had clear majority, was allowed to form the Executive Council nor Mr. C.D. Rai was given executive post.

The political developments continue to dissatisfy the leaders of various political parties of Sikkim. C. D. Rai of Sikkim State Congress (Progressive), Kazi Lhendup Dorji (Swatantra Dal) and Sonam Tshering (National Party of Sonam Tshering faction) criticized the growing undemocratic activities of the Durbar. They, along with D.B.Tiwari of Praja Sammelan and P.B.Khati of Scheduled Caste League, formed a new political party, called Sikkim National

Congress, on May 20, 1960, at Singtam. The party demanded for responsible government and a joint electorate system. The National Congress had four seats in the State Council by virtue of amalgamation of four parties but had no representative in the Executive Council. The party sharply criticized the composition of the Executive Council and threatened to start Satyagraha movement.¹¹⁴ On the advice of the political officer, the National Congress leaders like C.D.Rai, Kazi Lhendup Dorji and Sonam Tshering visited Delhi and apprised the Prime Minister with their grievances.

The election to the Third State Council was due in 1961 but political situation was not suitable for holding election due to the promulgation of the Sikkim Subject Act of July 1961 and the decision to enhance the strength of the Sikkim Guard by the Chogyal. The Sikkim National Congress criticized the Sikkim Subject Regulation of 1961 as anti-Nepali for separating the Tsongs (Limboos) from the Nepali community.

The political parties, other than the Sikkim National Party, were unanimous in their criticism against the Darbar. They also criticized the government of India for approving it and for practicing double standard.¹¹⁵ In a joint conference held at Gangtok on the 26th July, 1961 they requested the Maharaja to withhold enforcement of such an important regulation pending determination of public opinion.¹¹³ C.D. Rai of Sikkim National Congress demanded amendment to the Proclamation before the Council when the issue was placed for discussion.¹¹⁷ The National Congress also criticized the move of the Darbar to increase the strength of the Sikkim guards and expressed apprehension that the force would be used to stifle political opposition.¹¹⁸ However, in anticipation to public backlash, the proclamation was amended on 16th January, 1962¹¹⁹ and all references to communities were removed. It was during this time that the Dalai Lama fled from Tibet with some 60,000 followers. The Chogyal was desirous of providing refuge to some 5,000 Tibetans in Sikkim against the desire of the Bhutia-Lepcha community of Sikkim. The Chogyal, in fact, intended to strengthen the number of the Bhutia-Lepcha population to counter the Nepalis.¹²⁰ The 1961 census, accounted on the basis of the mother tongue recorded 6,690 Tibetans, 36,577

Sikkimese Bhutias and 10,762 unspecified Bhutias. This is suggestive of the fact that the Chogyal was misleading the people of Sikkim with the figures of the growing Tibetan settlers for a large number of unspecified Bhutias were actually the Tibetans.

Owing to the Indo-Sino conflict in 1962, the election to the State Council was put off sine die. The Sikkim State Congress and Sikkim National Congress demanded creation of more elected seats, reduction of nominated members and introduction of joint electorate etc.¹²¹ Despite the Indo-Pak war, the Darbar promulgated Panchayat Act in 1965 in order to hold Panchayat election together with the election of the State Council. Both the State Congress and the National Congress criticized the decision of the Darbar for introducing property or payment of land revenue as necessary qualification for the voters or candidates contesting the Panchayat election.¹²² They also criticized introduction of two new seats, one each for the Scheduled Caste and the Tsongs in the State Council. L.B.Basnet, the Joint Secretary of Sikkim National Congress, was arrested in the afternoon of 10 September, 1966 for reportedly saying “.....the Sikkim Darbar assiduously applied itself to sowing the seeds of discord among the three communities.....”¹²³ Kashi Raj Pradhan too was reported to have said, “attempts to remove communalism from Sikkim politics have been in vain, casteism has been introduced instead This trend, if not checked, will lead Sikkim one day to communal abyss.”¹²⁴ The Sikkim State Congress accused the Darbar by saying “out of the 18 elected seats 17 are communal, caste and class electorates.”¹²⁵ The Chogyal, however, justified the reservation of seats for the Tsongs and Scheduled Castes for being aboriginals and people with a distinct identity.¹²⁶

The Council election was held in scheduled time, i.e. March, 1967. Now the State Council had 24 seats of which 14 seats, including the Nepali and B-L seats, were to be elected from four territorial constituencies, three seats (Tsongs, General and Scheduled Caste) were to be returned by general constituencies and one (Sangha) by the electoral college of the monasteries. The remaining six seats were to be nominated by the Chogyal.¹²⁷

The Sikkim National Congress won 8 seats out of 18 seats, the National Party secured 5 seats and the State Congress secured only 2 seats. The other three seats went in favour of their respective candidate as they did not affiliate with any political party.¹²⁸ However, the ambiguous and complicated method of election introduced in 1958 once again created confusion in the East constituency regarding the election of Nahkul Pradhan (SSC candidate) and Chandralall Sharma (SNC candidate).

Just before the election Ruth Lepcha, a Sikkimese Lepcha woman married to A. Halim, an Indian Muslim, formed a new political party called 'Sikkim Independent Front' in 1966 with objectives to protect the socio-economic and political interests of the indigenous Lepchas. The party fielded six candidates comprising of 1 Nepali and 5 Lepchas for the 1967 Council election but their nomination papers were rejected for no specific reason. Ruth Lepcha, along with her husband, was arrested on March 23, 1967, under the Sikkim Security Act.¹²⁹ Her husband was deported on January 3, 1968, according to Rule No. 10 (1) of the Sikkim Public Security Rules, 1962. According to the complaint filed by the Chief Secretary against Ruth Lepcha, she was alleged to have said:

- a) "The present ruler of Sikkim is not its real ruler... The Chogyal is a Bhutia, the real rulers of Sikkim were Lepchas;
- b) "The present Chogyal, being a non-Lepcha, has no right to rule over Sikkim;
- c) "The Lepchas are being suppressed in Sikkim. The Sikkim Darbar is intending to rehabilitate 5,000 Tibetan refugees in Sikkim. This move of the Sikkim Darbar is to harm the Lepchas."¹³⁰

After her arrest she miraculously escaped and reached the Indian House for safety. The Indian Political Officer, N.B.Menon, however, handed her over to the Sikkim authorities and she was charged for additional offence, i.e. running away from legal custody. On August 15, 1968, she was sentenced to two years' rigorous imprisonment by the Chief Magistrate of Sikkim, a retired Indian Magistrate serving the Sikkim Government. The judgement order reads, "From the evidence of these witnesses it is clear that the accused was attempting to induce the ideas

that the Chogyal and his government was (sic) a partisan one favouring one community against another and was obviously asking them not to obey the Chogyal and his government. And, she fully knew that by her telling these (things) to the simple villagers like these witnesses, a sense of discontentment would be created in them and stir up opposition to the Chogyal and the Government established by law in Sikkim and would incite them to insurrection and rebellion which is the object of sedition as contemplated in section 124A of the Indian Penal Code as applied to Sikkim. Further, from the evidence of these witnesses it is clear that the accused's criticism was not directed towards any individual officer of the governmental machinery but was directed towards the Chogyal and his government and as such towards the very foundation of the State."¹³¹

The charges, however, were neither made public nor were she tried under the Sikkim Public Security Rules, 1962 apparently in an attempt to show that she was not the subject of Sikkim after her marriage with an Indian man. But, the Sikkim Subject Regulation of 1961 (as amended in 1962) had no such provision that Sikkimese women would lose subject hood if married to a non-Sikkimese. In the meanwhile the government issued a proclamation stating "A Sikkimese woman marrying a non-Sikkimese shall automatically lose her Sikkim Subjecthood."¹³² Thus, by issuing a new proclamation she was declared a non-Sikkimese and was banished from Sikkim stating "It is necessary that Ruth Halim shall leave Sikkim, and the Government hereby orders that the said Mrs. Halim (Ruth Lepcha) shall remove herself from Sikkim and shall not thereafter enter Sikkim."¹³³ Ruth Karthak (Lepcha) hurriedly left Sikkim for Kalimpong, leaving behind her landed property and house. She hoped for a change in the order and could go back to the land of her birth and serve her people, i.e. Lepchas of Sikkim.¹³⁴ This recorded event was suggestive of the fact that the Lepchas under the Bhutia rules were subjected to various forms of dominations and their attempts for freedom were generally meted out with punitive actions.

Besides Ruth Karthak's anti-Chogyal activities, the political scenario of Sikkim was infested with intra-party squabbles. There was conflict between

Kashi Raj Pradhan and Nahkul Pradhan in Sikkim State Congress, between B.B.Gurung and L.B.Basnet in the Sikkim National Congress and between Netuk Lama and Namgyal Tshering Bhutia in the Sikkim National Party. Removal from the party and formation of new party, at least a faction of the old, by the one who was removed became common during this period. On the whole, the aspiration and the trust of the people had been mercilessly sacrificed at the altar of leaders' self-centric political ambitions. Referring to this political uncertainties V.H. Coelho observes, "The domestic political situation is, again, not very encouraging. Political life in Sikkim is almost stagnant. The Political parties have failed to enthuse the people..... The simple fact is that the political structure needs change and revitalization."¹³⁵

In this political background the fourth Council election was held in April, 1970 on two different dates, i.e. April 9 & 14, 1970. The National Party won 8 seats including the seat won by Netuk Lama faction, State Congress secured 4 seats, the National Congress won 5 seats, and the Tsong seat went in favour of an independent candidate. In fact, people's verdict was not clearly in favour of any political party in particular because of growing factionalism, voters' distrust upon their leaders and division of votes due to formation of new parties like Sikkim Janata Parishad led by L.B.Basnet. A six-member Executive Council was formed by taking 2 from the Sikkim National Party, 3 from the Sikkim State Congress and 1 from Sikkim National Congress.

After the death of Sir Tashi Namgyal on December 2, 1963, the anti-Indian sentiment found resonance. Chogyal P.T.Namgyal's decision to approve national anthem of Sikkim to be played on important state functions, demands for revision of Indo-Sikkim Treaty of 1950, publication of article by Gyalmo (Hope Cook) claiming Sikkim's sovereignty over Darjeeling,¹³⁶ growing anti-Indian sentiments at the instance of the 'Study Forum' and Sikkim United Front led by K.C.Pradhan - all these activities heightened political tension in Gangtok. However, the Sidlon (Administrative Officer) I.S.Chopra, tactfully silenced anti-Indian voices by winning the confidence of the Chogyal on the pretext of revising the Indo-Sikkim treaty of 1950. The Sikkim National Congress became suspicious of the relation

between Mr. Chopra and the Chogyal, and demanded disclosure of the content of the ongoing confidential exchanges between the two though it was forbidden under clause 15 (ii) of the 1953 Proclamation of the Chogyal. In the meantime, Kazi Lhendup Dorjee was dismissed from the Executive Council on May 28, 1972, following the release of the Bulletin No. 2 on 26th January 1972 entitled "Sikkim at the Crossroads" accusing the Chogyal for being absolutist and denouncing the treatment of the Darbar towards its subjects.¹³⁷ While quoting from Kerensky's address to the Duma in 1917, the Bulletin warned the Chogyal "if you will not listen to the voice of warning, you will find yourself face to face with facts, not warnings".¹³⁸ Kazi and his wife left for Europe while the publicity secretary of the Sikkim National Congress, D.B.Gurung, was given royal reprieve upon his pleading that he had no knowledge of the English language and must not be held responsible for the Bulletin published in English. Kazi was in a state of quandary after returning from Europe in August, 1972 as the Fifth Council election was due in January, 1973 and he was ineligible to contest the election because of release of the Bulletin No. 2. However, Athing-la (T.D.Densapa), with whom Kazi was related by marriage, persuaded the Chogyal that though troublesome Kazi was a safer bet than any Nepalis and no other Bhutia-Lepcha leader could command Nepalis loyalty than him.¹³⁹ Bajpai was also known to have advised the Chogyal "not to use a sledgehammer to crush a fly".¹⁴⁰ The apology of L.D.Kazi and his adopted son, N.B.Khatiwada, was accepted by the Chogyal in October 21, 1972.

The public resentment against the Chogyal and the government of India continued. The Nepalis accused government of India for introducing a system which was anti-democratic in principle and communal in intent. The election rules of 1953 and 1958 envisaging communal voting method was the brain child of N.K.Rustomji, the then Dewan of Sikkim and the friend of the Chogyal, P.T.Namgyal. Rustomji, who was considered Parsi Lama, had been instrumental in keeping the ethnic communities, i.e. Nepalis and Bhutia-Lepcha, politically divided. The Sikkim National Congress also came to know that the Proclamation of 1953 was drafted by the Indian officials and the Chogyal was merely asked to

sign.¹⁴¹ The Nepalis also accused the Chogyal for harbouring communalism by discriminating them in respect to employment, settlement, purchase of land, distribution of stipends and scholarship. ‘Nepalis were eased out of jobs wherever possible and a hate-Nepali attitude was nurtured among the Bhutia students’.¹⁴²

During the middle of 1972 there was a rumour that the Nepalis would be driven out of Sikkim. “Some highly placed Bhutia officials began to talk in terms of hastening the ouster of the Nepalis by adopting measures perfected by General Idi Amin of Uganda. There were rumours that the Bhutias were busy collecting sizable arsenal; the Bhutanese in Bhutan were being contacted; Khampas and other Tibetan refugees were being secretly armed; the Bhutias of Lachen and Lachung in North Sikkim, among whom communalism was nurtured by ignorance, isolation and propaganda, were being armed with bows and arrows and some modern weapons.”¹⁴³ Apparently, the Nepalis apprehended state sponsored persecution and the ethnic tension between the Nepalis and Bhutias deteriorated further.

In October 26, 1972, the Sikkim Janata Congress was formed by merging the State Congress (Nahkul Pradhan faction) and the Janata Party (Kashi Raj Pradhan faction). The Janata Congress declared that Sikkim was not an Indian State but a separate country where the Janata was supreme.¹⁴⁴ The party also accused the Darbar for the injustice meted out to the Nepalis in Sikkim.¹⁴⁵ The party demanded for joint electorate system, a democratic form of government with Chogyal as the constitutional head and abolition of the parity formula. In order to garner support of the Nepalis, K.C. Pradhan supported aggressive action and advocated militant resurgence.¹⁴⁶ He regaled that “our national language is a version of Tibetan. The State religion is Tibetan Buddhism. There is no such thing as Sikkimese”.¹⁴⁷ Speaking on the “Parity Formula”, he claimed, “If we have parity then let it be taken to its logical conclusion. Sikkim should also have a Nepali king”.¹⁴⁸

In this background of utter political uncertainty, the Fifth Council election was held on two different dates – January 10, 1973, for the South and West constituencies and January 23, 1973, for the remaining constituencies.¹⁴⁹ There

were three important political parties in the election fray namely the Sikkim National Party, the Sikkim National Congress and the Sikkim Janata Congress, with almost identical political agenda. The treaty of 1950 and relations with India were not the election issues this time.¹⁵⁰ Shankar Bajpai had quoted to have compared Sikkim's national election with the local self-government elections elsewhere emphasizing on issues like roads, drinking water, irrigation etc. that would normally concern a small tehsil in India.¹⁵¹ The National Party secured all the 7 B-L seats and two Nepali seats. The Sikkim National Congress secured 5 seats including one General and one Tsong seat. The Janata Congress won only 2 Nepali seats. The election result was suggestive of the fact that the election propaganda was unlikely to affect the election result due mainly to the prevailing system of communal representation and reservation of seats in the State Council. However, the allegation of rigging against the National Party candidate from Rabong led to ethnic disturbance between the Sikkim National Party and Sikkim National Congress candidates who, by coincident, happened to be a Bhutia and a Nepali by birth.

On the following day the Sikkim National Congress and Sikkim Janata Congress submitted a joint petition to the Chogyal demanding arrest of those officials involved in the election rigging at Rabong. Darbar's immediate reaction in the issue was to buy time. The two parties held a conference at Gangtok and demanded full fledged democracy, a written constitution, fundamental rights, universal adult franchise and abolition of Parity Formula.¹⁵² A Joint Action Committee of the two parties was formed with L.D.Kazi as its Chairman, to pressurize the Darbar to concede to their demands but the Darbar did not budge.

The supporters of both the parties started gathering in Gangtok in batches since 3 April, 1973. The birthday celebration of the Chogyal, P.T. Namgyal, scheduled on April 4, was deferred by a day. The talk between the Joint Action Committee and the representatives of the Sikkim government failed. On the next day, more supporters of both the parties arrived in Gangtok and the police, in order to disperse the crowd, resorted to lathi charge and fired tear gas shots. Reportedly, many innocent people and milkmen were beaten up by the police who

happened to dress in the Nepali attire.¹⁵³ Basnet writes, "Anyone wearing the Nepali dress, or just the Nepali cap, or just carrying a 'Khukuri' was beaten up and hauled off to a camp prepared for detaining demonstrators. Some 500 Tibetan refugees were hastily issued with lathis and asked to help the police. The refugees took their task seriously and joined their forces with the police in the lathi-charges."¹⁵⁴ In the evening the crown prince, Tenzing Namgyal, wounded three women bystanders with his revolver at Ranipool.¹⁵⁵ As the day ended reportedly at least 60 people were injured among which some were serious. The renewal of violence on April 5, 1973, left 150 injured and 6 dead.¹⁵⁶ Karma Topden was reported to have expressed his concern before the Chogyal saying, "it's the first time in Sikkim that we have had to fire on our people."¹⁵⁷ The Joint Action Committee apprised the Prime Minister of India, Mrs. Indira Gandhi, about the incident stating "the arming with lethal weapons and free use of Tibetan refugees and parading them within the areas under curfew to suppress the people's peaceful movement is indeed a matter of gravest concern to the safety and security of the Sikkimese masses."¹⁵⁸

While the political situation was deteriorating and the people's movement gaining magnitude in Sikkim, the government in New Delhi was on the look out for an opportune moment to bring the administration of Sikkim under its complete supervision and control. The Indian intelligence persuaded the Chogyal to sign on the draft, prepared in advance, requesting the government of India to intervene and restore law and order. The army took over police function until relieved by the central Reserve Police Force (CRPF). On April 7, the Political Officer once again persuaded the Chogyal to make a plea to the government of India for taking over the administration of Sikkim until some workable formula was evolved. The draft was endorsed by all the 20 members present, including Chogyal's trusted Jigdal Densapa.

B.S.Das took over the charge as the chief administrator of Sikkim on April 9, 1973. Kewal Singh, the Foreign Secretary to the government of India, held talks with the representatives of the Joint Action Committee, the Sikkim National Party and the Chogyal. The J.A.C. submitted a list of 14 demands before the

Foreign Secretary which included a new citizenship rules, an elected advisory council to assist the Indian administrator, eviction of all Tibetans, agrarian reforms, an inquiry into the distribution of the Indian financial aid, investigation of police conduct during the people's movement, release of political prisoners, summary dismissal of Dutta Cowdhury, investigation on the Ranipool shooting incident, a written constitution, fundamental rights, a full-fledged democracy, one man one vote system and abolition of 'Parity Formula', abrogation of the Indo-Sikkim Treaty of 1950 and signing of a new treaty strengthening the friendship between the people of the two countries."¹⁵⁹ The demands were popular in nature and no demand was made for the merger of Sikkim with India. The agitation was subsequently called off and tripartite agreement between the government of India, the Chogyal and the political parties of Sikkim was signed at Gangtok on May 8, 1973. The agreement drastically reduced the powers of the Chogyal though he remained as the head of the government. The amenable monarch at the head of the government was more amicable for New Delhi for its future strategy.

In February 1974 the Assembly election was announced by the Chogyal. The total strength of the Assembly was decided to be 32 of which 15 seats were reserved for the Bhutia-Lepchas and 15 for the Nepalis. The Sangha and Schedule Caste had one seat each. The Tsongs (Limboos) were denied reservation of seat in the Assembly. The magic formula of one man one vote continued and public meeting on and preceding day of the poll was banned. After scrutiny about 81 candidates contested the election.

In spite of internal feuds within the leaders of the Sikkim Congress, formed by merging the Sikkim Janata Party and Sikkim National Congress on April 18, 1973, the party won 31 seats (16 Nepalis, 5 Bhutia, 9 Lepcha and 1 Sangha) in 1974 election. The Sikkim National Party won one seat. Table no. 3.3 gives party position in the 1974 Assembly election.

Table 3.3: Party Position in 1974 Assembly Elections

Name of the party	No. of elected candidate
1. Sikkim Congress	31 (Including 3 unopposed seat)
2. Sikkim National Party	01
3. Independents	00

Source: Sikkim Darbar gazette, Ex. Gazette, No. 55, dated 30.04.1974 and Ex. Gazette No. 29, dated 05.03.1974.

The newly constituted Sikkim Assembly met on May 10, 1974. On May 11, 1974, the Assembly unanimously adopted a resolution for examining modalities for further strengthening of relationship with the government of India and to take immediate steps for Sikkim's participation in the political and economic institutions of India.¹⁶⁰ Regarding the Chogyal, the resolution stated that the "role and functions of the Chogyal cannot be more than those of the constitutional head of the government of Sikkim."¹⁶¹ The Chief Minister, Kazi Lhendup Dorjee, warned the Chogyal that "in democracy....the people constitute the prime and vital factor that matters. Without the people there can be no government, no state, and no ruler. The voice of the people, therefore, is to be heard, honoured and respected." The Assembly also requested the Indian government to depute a constitutional expert to give a legal and constitutional framework to the objectives of its resolution. The resolution of the Assembly was a clear indication towards the merger of Sikkim with India, sooner than later.

In response to Kazi's invitation, the Government of India sent G.R. Rajagopal, a retired secretary in the Indian Law Ministry, to draft the constitution for providing a democratic set up for Sikkim. The draft constitutional Bill was ready by June 1974. During his visit to New Delhi, the Chogyal assured the Prime Minister, Mrs. Indira Gandhi, and the Foreign Minister, Shri Swaran Singh, of full cooperation to the members of the Assembly in the preparation of the new constitution. The Chogyal, however, not only failed to cooperate with the Assembly but his supporters also tried to prevent the legislators from entering the Assembly building.¹⁶² The Assembly assumed its discussion at 10' clock at night and unanimously adopted the resolution endorsing the Government of Sikkim Bill, 1974. The new Bill provided for a popularly elected Assembly along with

assurance to adequately represent the various sections of the populations. No single section of the population was allowed to acquire a dominating position in the affairs of Sikkim mainly by reason of its ethnic origin.¹⁶³ The Chogyal very strongly believed that the draft constitution violated the Indo-Sikkimese Treaty of 1960 under which Sikkim had its separate identity and international personage as a protectorate of India.¹⁶⁴ Reportedly, while in New Delhi he was advised by the Indian Prime Minister and the Foreign Minister to return to Gangtok and give his assent to the Constitution Bill and to respect the urge and aspirations of his people.¹⁶⁵

On June 28, 1974, the Assembly once again unanimously adopted the Bill and the copy of the resolution along with the ultimatum to put the Bill into effect within 48 hours was sent to the Chogyal. In case of the failure, the letter warned, that the Government of India would take steps for its enactment under the provisions of the May 8, 1973 Agreement.¹⁶⁶ Meanwhile, the Assembly also requested the government of India to ensure representation of the people of Sikkim in the Indian Parliament and Supreme Court of India to have the appellate jurisdiction over the High Court of Sikkim. The Assembly also proposed for a change in the position and privileges of the Chogyal to suit his new position instead of "as hitherto enjoyed by him."¹⁶⁷

The Chogyal returned to Gangtok on July 1, and expressed desire to address the members and convey his view on the Bill. The members of the Sikkim Congress, on the contrary, decided to boycott the session unless the Chogyal gave his assent to the Bill. Eventually the Chogyal agreed to give assent to the Bill and the Assembly was reconvened on July 3, 1974. However, he did not attend the Assembly session but his message was read in the Assembly. The Bill which was passed by 30 out of 32 members was assented to by the Chogyal on July 4, 1974. The Chogyal was of the opinion that article 30 of Chapter VI of the Bill would affect the separate identity of Sikkim and he seemed to be right. The said article of the Sikkim Bill states, "For the speedy development of Sikkim in the social, economic and political fields the Government of Sikkim may;

- (a) Request the Government of India to include the planned development of Sikkim within the ambit of the Planning Commission of India, while that Commission is preparing Plan for the economic and social development of India and to appropriately associate officials from Sikkim in such work;
- (b) Request the government of India to provide facilities for students from Sikkim in institutions of higher learning and for the employment of people from Sikkim in the public services of India (including All India Services), at par with those available to citizens of India;
- (c) Seek participation and representation for the people of Sikkim in the political institutions of India.¹⁶⁸

Sikkim as a protectorate of India was receiving economic and administrative assistance from the latter but seeking participation and representation in the political institution of India was definitely a step towards merger. According to the provisions of the Government of Sikkim Act, 1974, a five-member ministry led by the Chief Minister L.D.Kazi was formed on July 23, 1974. Ethnic consideration was given due importance in the formation of the ministry. There were two Nepalis (Krishna Chandra Pradhan and Bhuwani Prasad Dahal), two Lepchas (Rinzing Tongden Lepcha and L.D. Kazi) and one Bhutia (Dorji Tshering Bhutia) in the ministry. For the first time the representation of the Bhutias in the Ministry was restricted to just one.

After the formation of the popular government, the Chief Minister Kazi made two formal requests to the government of India viz. to take steps as may be legally or constitutionally necessary to give effect to the government of Sikkim Act, 1974, and to provide representation for the people of Sikkim in Indian Parliament. Dorji Tshering Bhutia, Minister in charge of Public Health Department, believed that representation in Indian parliament would ensure a forum for the Sikkimese to raise their voice when something happened to the Sikkimese people.¹⁶⁹ After having a careful and detail study of the requests of the Government of Sikkim, the Union Cabinet took the crucial decision to accord Sikkim the status of an "Associate State" of India on 29th August, 1974. The

Constitution (Thirty-fifth Amendment) Bill, 1974 was introduced in the Parliament on 3rd September, 1974 to that extent. The Bill inserted article 2A which stated that Sikkim, which comprises the territories specified in the Tenth Schedule, shall be associated with the Union on the terms and conditions set out in that schedule.¹⁷⁰ The passing of the 35th Constitution Amendment Bill was the logical conclusion of the various events and developments that took place in Sikkim since 1950. In view of Chogyal's endeavour to internationalize the issue, the Sikkim Assembly, on 10th April, 1975, unanimously adopted a resolution abolishing the institution of the Chogyal and declaring Sikkim as a constituent unit of India. The State assembly also conducted a special opinion poll on 14th April, 1975 and, according to the verdict of the poll, the Government of India decided to accord the status of a full fledged state of India to Sikkim. On 23rd April, the Lok Sabha passed the Constitution (Thirty-sixth Amendment) Bill, 1975 providing the status of a 22nd state of India to Sikkim. The President of India, Fakhruddin Ali Ahmed, gave his assent to the Bill on 16th May 1975 ending the 332-year-old Namgyal dynasty in Sikkim. A special provision for the state of Sikkim was inserted under article 371F of the Indian constitution.¹⁷¹

The evolution of political and social history of Sikkim during the 19th and 20th centuries clearly indicate that unequal, more specifically, differential treatment of subjects was an accepted policy of the royal government of Sikkim. The basis of differential treatment was race, religion and culture, though often it was masked by terms like hereditary subjects and non-hereditary subjects. The categorization of the population into non-hereditary and hereditary subjects effectively was a racial-cultural categorization which placed the Bhutias-Lepchas under the category of hereditary subjects while the Nepalis and others were considered as non-hereditary subjects though many Nepali groups (tribes and castes) were living in Sikkim even before the immigration of the Bhutia rulers and hence should have included in the fold of hereditary subjects. The position of the Tsongs (Limboos) who constituted a substantial part of the pre-Bhutia population of Sikkim was peculiar. Sometimes they were clubbed with the Bhutias and Lepchas as in the Sikkim Subject Regulation of 1961 or as in the popular

expression 'Lho-Men-Tsong Sum', meaning Bhutia-Lepcha-Limboo. And sometimes, the Tsongs had to pay a higher rate of land revenue along with the Nepalis and denied protection under the Revenue Order No. 1 of 1917. The State policy towards the Tsongs was ambiguous and as a result of which sometimes they were considered as original inhabitants and sometimes discriminated against because of cultural-linguistic reasons/differences with the ruling dynasty or elites.

In this context it is also to be noted that the Bhutia dominated monarchy was also pursuing a policy of differential taxation which clearly discriminated against the Nepalis who had to pay a higher rate of land revenue and House tax while lesser amount was imposed on the Lepcha-Bhutia subjects because of their cultural, racial and religious affinities with the ruling dynasty and elites. Similar discrimination was prevailed with regards to distribution of rewards and high government positions. Further, any mobilization of Nepalis and Tsongs was either forcibly suppressed or the leadership of such mobilization was eliminated through covert means in order to contain any challenge to the prevailing Bhutia domination. Even the Lepcha leadership whether Bholek in the 19th century or Ruth Karthak of late 20th century had to face state suppression if it challenged the domination of the Bhutia elites. The consequence of such differential policies was that the society was effectively divided on racial-cultural or ethnic lines. The vast multitude of Nepali subjects could not identify themselves with the monarchy and the government while the Bhutias considered the government as their own. Hence the differential policies initiated a social cleavage that sowed and buttressed the seeds of cultural or ethnic antagonism between the Nepalis on the one hand and Bhutias on the other. The natural consequence of such social cleavage was that the Nepalis had remained in the forefront of democratic movement demanding reforms and changes in governmental structures or were sympathetic to the British government and, later, to the government of India (demanding accession with India). While the Bhutias rallied behind the monarchy and independent status of Sikkim. Thus, the political society was ethnically divided on the basis of cultural-religious differences and such division was indirect fallout of culturally biased differential state policy and regulation.

Such ethnic and cultural orientation, as mentioned in the preceding paragraphs, also affected the composition of political parties, mode of political mobilization and the political process as a whole in the later half of the 20th century particularly after the birth of the Sikkim National Party. The Sikkim State Congress was in favour of political reforms leading to democratic system of governance and accession of Sikkim with India. Though popular the demands had been they were clearly against the interest of the ruling elite and the Bhutia-Lepcha aristocracy. The Sikkim National Party, the brainchild of the Chogyal, naturally chose to counter the demands of the Sikkim State Congress by highlighting the racial and cultural differences between the Nepalis and the Bhutia-Lepcha subjects. Through aggressive campaigning and political propaganda the National Party identified itself as the party of the Bhutia-Lepcha population while the Sikkim State Congress was dubbed as the party representing the interest of the Nepali community though many Lepchas were in the leading position in the State Congress than in the National Party. The ethnic division on party line had given way to ethnic tension whenever Sikkim went to polls on the one hand and political parties could never rise above ethnic issues on the other. The National Party continue to refer Nepalis in humiliating terms as migrants or non-indigenous and the latter, as a means of protection, rallied in support of the Sikkim State Congress or National Congress, as they were echoing the aspirations of the Nepalis, popular government and became sympathizers of the Indian administrator and remained in closer political ties with the government of India.

Political developments and state behaviour in Sikkim during the pre-merger days clearly indicates that the modern state system often works deliberately in favour of a particular community and attempts at limiting the space of another community. Sometimes the state-system may exclude a community completely. In Sikkim, the government of Chogyal defined the "Sikkimese notion" in such a manner as to exclude the Nepalis including those Nepali tribes who were in Sikkim even before the immigration of Bhutia dynasty. Land revenue systems, parity formula, definition of Sikkim Subjects Regulation etc, all are reflective of the exclusionist policies of the government. The Sikkim situation only confirms Andreas Wimmer's contention that modern institutions are systematically tied to ethnic and national forms of exclusion.¹⁷²

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provide a clear date of insertion of the clause. However, L.B.Basnet expressed a view that the notification of this nature was issued in relation of Ms. Ruth Karthak case. He writes, "In the meanwhile a Sikkim Government Proclamation was issued that said 'A Sikkimese woman marrying a non-Sikkimese shall automatically lose her Sikkim Subject-hood'. This fiat, by one stroke of the pen, divested Ruth Karthak Lepchani of such rights of a citizen or subject as she would otherwise have been able to exercise." Basnet: Sikkim: A Short Political History, S.Chand and Co. Pvt. Ltd., New Delhi, 1984, P. 148.

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