Chapter-IV

ROLE OF THE OPPOSITION I: PROBLEMS AND ISSUES RELATING TO (i) BOUNDARY BETWEEN MEGHALAYA AND ASSAM AND (ii) LAW AND ORDER AND THE PROBLEM OF INFLUX

In a parliamentary democracy both the Government and the Opposition equally play a vital role for the successful administration of the nation. The legislature is a distinctive feature of representative democracy whose main function is legislation meaning, "the carrying out or making of laws." The Government is responsible to the elected representative legislature wherein the Opposition play a vital role in checking any arbitrariness on the part of the Government while carrying out or making laws.\(^1\) In the legislature, the role of the Opposition is very significant as it can pursue a Government with sustained criticism and keep before the voters, between general elections, the option that will eventually confront them.\(^2\) According to Jennings, 'the one permits the other to govern because the second permits the first to oppose and together they lead their parties in the operation of the constitutional machinery'.\(^3\) The members of the legislatures as the elected representatives of the people are entrusted with the task of ventilating the grievances as well as offering opinions of the people on various issues, scrutinise the functioning of the Government on the floor of the legislature and also to enact laws.\(^4\)

The presence of a strong and effective Opposition is an essential ingredient for the effective functioning of a parliamentary democracy. Since the system admits of dissents, conflicts are bound to arise between the Ruling and the Opposition parties.

The role of the Opposition is described variably to criticise the Government, to take
the initiative to oppose but not to oppose for the sake of opposition and not to obstruct
so as to bring into contempt democracy and the parliamentary system of Government,
which briefly stated means to be a responsible opposition.\(^5\) In the legislature the main
function of the Opposition is to expose the Government's omissions and commissions
and generally oppose those measures which are contrary to public interest,\(^6\) and will
reflect the point of view of their supporters in the legislature. The Government should
be prepared to listen and to consider opposition arguments and representations.\(^7\) An
effective opposition is an Opposition which can perform two basic functions in the set
up of parliamentary democracy. First it provides constructive criticisms and corrective
measures to the policies and programmes of the party in power. Secondly, it is able
to form an alternative Government when the party in power goes out of office as a
result of loss of mandate of the electorate or due to constitutional deadlock.\(^8\)

The Opposition gives expression to public opinion and reflects the current
public reaction to the policy of the Government. It is, therefore, termed as the
mouthpiece which the Constitution provides for the expression of public opinion and
which the ruling party must not disregard however large their majority is.\(^9\) Though the
influence of the Opposition over the formulation of Government policy is not
negligible, yet it cannot influence the Government once the Government has firmly

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decided on a course of action. The Opposition is not likely to be able to force a change unless with the aid of the governing party's own backbenchers. Thus apart from the influence of Opposition on the evolution of the Government policy the constructive amendment of legislation, and the defence of rights of minorities and citizens, an Opposition will also on occasion be able to frustrate a decision of the Government. The success of the move of the Opposition depends on whether it enjoy the support of the public and whether it can succeed in enlisting some sympathy from the Government's own backbenches. But whether the Opposition succeeds or not in its efforts to force the Government to mend or abandon the controversial policy, yet it has been able to perform a vital role in focussing public opinion or attention upon an issue which ministers might be glad to leave unemphasised.\(^\text{10}\) If the Opposition is genuinely convinced that the Government has no mandate for controversial measures and that they are not urgent, it considered itself to have a moral justification for sustained opposition.\(^\text{11}\)

The Opposition, therefore, highlights the weaknesses in the administration and compels the Government to make improvement. The Opposition proposes alternative measures differing from those of the party in power. It ventilates public grievances through various parliamentary methods such as questions, half-an-hour discussions, call attentions, adjournment motions and secures discussion particularly on questions that agitate the general public and tries to press the Government to solve them.\(^\text{12}\) The debate which ensues in the Legislative Assembly gives an opportunity to the Government to explain and defend their proposals and to the Opposition an

\(^{10}\) Butt, Ronald: *Opp. cit.*, p.323.


opportunity to air their grievances or to criticise the general policy of the
Government.\textsuperscript{13}

In the Meghalaya Legislative Assembly from its inception in 1972, the
Opposition, though not strong numerically, had generated considerable effort as a
viable opposition to the ruling party. During the three successive terms undertaken to
be studied in this chapter, that is, 1972-1978; 1978-1983; 1983-1988; an attempt has
been made to study the role of the Opposition in articulating the problems and issues
confronting the newly created State of Meghalaya, and how successive Opposition
had played their role whether constructively or otherwise. This chapter attempts to
study the problems and issues which were brought up by the Opposition in the
successive Legislative Assemblies (1972-1988), and whether these were successful or
otherwise.

Meghalaya being a new State is beset and confronted with many issues and
problems. Though the role of the Opposition is new to the elected representatives of
the Meghalaya Legislative Assembly but they made attempts to play an effective role
as members of the Opposition during the period 1972-1978. In the latter two
successive Legislative Assemblies from 1983-1988, there was tremendous
improvement in the performance of members of the Opposition as they voraciously
participated in the proceedings of the House. The Assembly witnessed intense debate
and discussion on several issues connected with new legislation being raised by the
Government. A wide range of issues on several subjects were raised for debate, some
initiated by the Government and some by the Opposition, but it will not be possible to
incorporate all the issues and problems articulated in the Assembly by the Opposition
into the present study.

The present study has attempted to confine the role of the Opposition in the Meghalaya Legislative Assembly to four specific areas of issues and problems. The time or the period to be studied has also been confined to the first three Legislative Assemblies from 1972-1988.

In trying to study and understand the role of the Opposition party(s) which alternate between the national as well as the regional parties in the ensuring period 1972-1988, Chapter IV of this study attempts to trace and analyse the role of the Opposition party(s) with regard to the specific issues and problems mentioned which had dominated the proceedings of the House. This chapter is divided into two sections. Each section covers the particular issue to be studied and is spread over the three successive periods already mentioned Section I deal with the issue of boundary dispute between Assam and Meghalaya. It is concerned with tracing and analysing the performance alternately of the Congress and the regional parties as Opposition with regard to their articulation of this particular issue during the intervening period of the three successive Legislative Assembly(s) from 1972-1988. Section II deals with the second issue taken up which is the Law and Order problem, especially in the state capital, Shillong, and the Problem of Influx covering the period 1972-1988.

This work has been undertaken to study and analyse the role of the Opposition in the Meghalaya Legislative Assembly with regard to the following issues that were raised in the Assembly generating intense and heated discussion in the House:

1. Boundary problems between Meghalaya and Assam.
2. Law and Order situations/problems especially in the State capital, Shillong and Problem of Influx.

The first issue relating to boundary dispute between Assam and Meghalaya can be considered a core issue as it had originated from the inception of the State and
continually appear in the succeeding years. This issue was first raised during the session of the Provisional Assembly but because no long term solution was arrived at, the problem was again raised in the First Assembly 1972 and since then continually appear in the House generating intense debate in the Assembly between members of the ruling party and the Opposition. This is a contentious issue which time and again dominated the proceedings of the House and was raised by members whose constituencies were clearly affected by this problem.

The second issue dealt with in this chapter is with regard to the law and order problem especially in Shillong, the state capital, being a cosmopolitan city inhabited by different communities and the Problem of Influx. This can be considered ongoing issue and whenever any problem has arisen in Shillong, it has dominated the proceedings of the House.

Section-I

Boundary Dispute between Meghalaya and Assam: 1972-1988*

The boundary dispute between Meghalaya and Assam is a long standing issue between the two north eastern states as Meghalaya was formerly a part of Assam. This border extends on three sides involving the three Districts of Ri Bhoi, West Khasi Hills and Jaintia Hills, and two Districts in Assam that is Kamrup and Mikir Hills. The study attempts to analyse the boundary disputes between Meghalaya and Assam with reference to the Block I and Block II areas.

Historically, the Block I and II were originally part of the former Jaintia Kingdom before the arrival of the British to this area. With the advent of the British annexation of Jaintia Kingdom, it caused a division of the Jaintia Hills and Jaintia

* The period of study is confined to the above period mentioned, due mainly to the comprehensiveness of the subject matter.
plains. Jaintia Hills was attached to District Nowgong of Assam whereas the Jaintia plains was attached to District Sylhet (now in Bangladesh) for administrative purposes. The Jaintia Hills was turned into Jowai Subdivision. The Assam Government took out Block I and II from Jowai Subdivision in 1951 and merged these areas to United Mikir and North Cachar Hills (present Karbi Anglong). Block I comprised of 143 villages whereas Block II comprised 213 villages. Meghalaya became a full fledged State in 1972 and accepted the boundary on the basis of the new Districts of Karbi Anglong and North Cachar Hills. The United Khasi-Jaintia and Garo Hills Districts of Meghalaya shared contiguous areas with Kamrup, Mikir Hills (now Karbi Anglong) and Goalpara Districts of Assam. The people residing in these areas were mostly tribes from Meghalaya and had for long favoured inclusion with Meghalaya giving rise to tension and problems between the two States. The contiguous areas in Ri Bhoi District were transferred to Kamrup District; Block I and II of Jaintia Hills to Mikir Hills (Karbi Anglong) District and areas in Garo Hills to Goalpara District. When Meghalaya was in the process of attaining statehood, these areas showed intention of being included in the new State. Therefore, a plan was drawn up regarding the areas to be included in the proposed Hill State. A decision was reached whereby the Autonomous Districts of the composite State of Assam will form part of the proposed Hill State including the contiguous areas inhabited by the Khasis, Jaintias and Garos, at the meeting in Haflong convened by the APHLC and attended by all leaders from the Hill Districts of Assam. This plan never materialises as the Government of India did not concede to this demand. Instead it gave the Mikir Hills and North Cachar Hills Districts the option to join or not to join the proposed Hill

State. They opted to remain with Assam citing certain differentiating factors with the other constituent Hill Districts. This later resulted in the boundary problems between Assam and Meghalaya, when people from these areas refused to accept the jurisdiction of their respective District Councils, and refused to pay taxes. The leaders from these areas had sent representation to the Government of Assam asking it to reconsider the desirability of re-transferring these areas back to Khasi, Jaintia and Garo Hills Districts. A Boundary Commission was set up but nothing concrete was achieved. So when the demand for Hill State was made, originally it was envisaged to include all the Hill Districts of Assam, and this problem was kept in abeyance as the people from these areas were convinced that they would be a part of the new State.\footnote{Lyngdoh, R.S.: \textit{Government and Politics in Meghalaya}, Sanchar Publishing House, New Delhi, 1996, pp.424-427.} This plan never materialises as there was no consensus among the Hill Districts on inclusion with Meghalaya. The areas which suffer from boundary problems with Assam are:

a) The contiguous areas of Khasi Hills District in particular Ri Bhoi District which shared a common boundary with Kamrup District of Assam.

b) The Jaintia Hills District in particular the Block I and II areas sharing a common boundary with Mikir Hills (today Karbi Anglong) District.

c) The Garo Hills District which has a porous border with Goalpara District of Assam.

But there was no clear cut demarcated boundary between Meghalaya and Assam. As a result, this has been a contentious and vexed issue which had created problems for successive Government in Meghalaya since 1972. This had appeared and dominated the political scene in Meghalaya time and again as successive Governments both in Assam and Meghalaya have not been able to resolve the
boundary problems. In this chapter an attempt is made to study and analyse the appearance and domination of this issue in the political realm of the State and its impact on politics. It covers the way the issue is raised in the Meghalaya Legislative Assembly by the parties or individual members; whether it made any serious impact on the political parties of the State and the members of the House. It also analyses the role played by political parties especially the party or parties in the Opposition in bringing this issue to the Assembly, the debate that ensued and the outcome of the discussion, if any, and will also try to see why successive Governments have not been able to come out with any concrete and permanent solution to this issue. The study attempts also to gauge whether attempts made by members of the House who represent these areas or those adjacent, to bring to the attention of the House, the problems faced by these people with the people from Assam and the incursion and intrusion by Assam, had any impact on the ruling party or Government to make serious attempts to resolve this problem.

The term of the Legislative Assembly is 5(five) years and the Governor of Meghalaya summons, prorogues and dissolve the Assembly. There were altogether 53 sessions of the first three consecutive Assemblies during the period under study, that is, March 1972 to March 1988; these include 22 sessions in the First Assembly 1972-1978; 17 sessions in the Second Assembly 1978-1983 and 14 sessions in the Third Assembly 1983-1988. Usually, the Assembly sessions were held during the months of March and May and sometimes extend to June to discuss the budget and in the months of August, September and December to transact other business. The maximum number of session in a year was four and the minimum was two.

The Legislature performs three-fold functions which includes:

a) Legislation.
b) Exercising financial control.

c) Critically examine the policy.

This chapter emphasises more on the last function that is critically examine the policy pursued by the Government with regard to the Boundary issue by members of the Opposition. The Opposition adopted various techniques to influence the Government. It rendered advice to the Government, criticize the wrong decisions and scrutinize the information generated by the Government. It ventilate public grievances and try to persuade the Government to redress them.\textsuperscript{16}

The First Legislative Assembly to the new State was inaugurated on March 1972. This Assembly commences with the address by the first Governor of Meghalaya, Shri L.P Singh. After every General Elections the newly created Legislative Assembly commences with an address from the Governor of State [Art.176(1)].\textsuperscript{*} This address is a resume of work done by the Government as also what the Government intended to do during the current year. A motion of thanks is moved and seconded by another member. This occasion provides for a general debate commonly known as the debate on the Governor's Address. This is the first chance for the Opposition to make itself felt. This is done either by general criticisms or by moving amendments to certain specific proposals in it.

The Opposition made use of criticisms and amendments to modify the issues given in the Governor's Address. Being a newly formed State, the boundary of the State was a subject that was bound to be brought up before the elected members of the State. From the beginning of the first session of the House the contentious boundary


\textsuperscript{*} At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year, the Governor shall address the Assembly as required by Article 176(1) of the Constitution.
issue had made its entry into State politics creating different stands between members of the Ruling and the Opposition parties especially members whose constituencies were affected by this dispute. This escalated into a big issue as there was no clear cut boundary between Meghalaya and Assam, as also because the areas was jointly claimed by both Meghalaya and Assam. These areas were previously a part of Meghalaya and majority of the inhabitants were tribes (Pnar) from Meghalaya but were tagged to the Karbi-Anglong District of Assam when it was created. In the first session in 1972, a discussion on the boundary issue was brought up when members asked questions seeking clarification from the Government regarding the statement made on paragraph 6 of the Governor’s Address relating to the stated transfer of Block I and II from Mikir Hills to Jaintia Hills. Debating on this, the Independent member (M.N. Majaw) from Mawhati constituency through his speech criticised the action of the Government of Meghalaya with regard to the settlement of the boundary issue with Assam, implying that considering the urgency and serious nature of the matter, the Government of Meghalaya had only two meetings with its counterpart in Assam, thereby proving its lack of commitment in solving the dispute. Subsequently, member of the HSPDP (H. Hadem) took up this issue supporting the stand of the Independent member, when people from these areas sought refuge in Meghalaya claiming harassment from the people of Assam. The members of the Opposition though in minority, sought to press the Government to institute an Enquiry Committee to study this problem and come up with a solution, and to initiate a dialogue with the Government of Assam regarding re-transfer of Block I and II to Jaintia Hills. The Opposition were very vocal in their criticisms and questions raised on this issue, especially those members whose constituencies were affected by problem created in these areas. Their demand was for immediate solution to the problem as it was
considered to be vital for the new State. The Government on its part gave strong assurances about its commitment to a permanent solution of this problem. But nothing concrete emerged and the matter was kept pending.\textsuperscript{17}

In 1973, this issue was again raised in the Assembly as no solution had been reached the previous year in the First Assembly. The Opposition as well as some members whose party supported the Government expressed dissatisfaction with the Government for not being able to solve this problem and that encroachment of boundary by Assam continued as there was no well demarcated boundaries. In this session, the debate centred mostly on those contentious issue relating to the contiguous areas of Khasi and Jaintia Hills with brief reference to some unpleasant situation in Garo Hills by some MLAs from Garo Hills. During the debate of the Governor's Address many of the ruling party members supported and praised the policy of the Government as reflected in the Governor's Address which stated that the Government was making earnest efforts to amicably reached a settlement through mutual consultation between Meghalaya and Assam. The lone voice of dissent in the House was made by the Independent member (M.N. Majaw) whose constituency and adjoining area was greatly affected by this dispute. He vehemently raised his objection to this statement showing facts which contradicts the Government. According to these facts, he stated that the boundary between Meghalaya and Assam was already considered, settled and defined when the ruling party (APHLC) had accepted both the Assam Re-organisation Meghalaya Act 1969 and the North-Eastern Areas Re-organisation Act 1971 and thereby leaving no scope for mutual consultation between the two states as given in the Governor’s Address, unless an amendment is moved in Parliament. He further added that the Government of Meghalaya should

\textsuperscript{17} Debates on the Governor’s Address, Meghalaya Legislative Assembly Proceeding, 1972.
have moved the Government of India to re-define the boundaries between Jaintia Hills and Garo Hills of Meghalaya with the State of Assam.\textsuperscript{18}

Another development on this issues in 1973 was related to the encroachment by Assam into the contiguous areas of Meghalaya and the threat and harassment from the people of Assam, as well as the police force of Assam dominated the proceedings of the House, since the Opposition did not allow the Government to escape discussing this development which affect the people of these areas. The Opposition defined maps clearly showing the demarcation of boundaries to resolve all problems relating to boundaries. Further, members of the Opposition pressed the Government to seek clarification by studying the documents to clarify to which State the boundary pillars belong, and on this the Opposition had moved a Cut motion. This Cut motion was later withdrawn following the Opposition’s acceptance of the answer and assurance given by the minister concerned. The members of the Opposition had initially raised its voice against the Government with regard to its policies. Later, they capitulated and were won over by the Government’s assurances when they withdrew the Cut motion. The efforts of the Opposition did not sustain leaving this problem unresolved.\textsuperscript{19}

The Government clarified its stand with regard to the boundary problem in the 1974 session. This stand, however, drew the attention of the House to another district of Meghalaya that is the Garo Hills district which faces encroachment and harassment at the hands of the Assam police. The move was initiated by the leader of the HSPDP (H.S. Lyngdoh) who drew the attention of the House to the discussion on the resolution of the Garo National Council (G.N.C.) of Goalpara and Kamrup units

\textsuperscript{18} Debates on the Governor’s Address, Meghalaya Legislative Assembly Proceeding, 1973.
\textsuperscript{19} Proceedings of the Meghalaya Legislative Assembly, 1973.
expressing the determination of the Garo people in these areas to merge with their counterparts in Meghalaya. This debate was also taken up by members from Garo Hills demanding clarification of the statement in the Governor's Address. In this session, this issue continually dominated proceedings of the House as heated exchange of words were heard from members of the Opposition with regard to the series of incidents occurring in those areas adjoining these disputed areas. But what generated vehement criticisms was the revelation made by the APHLC member (P.R. Kyndiah) on the State of affairs pertaining to the boundary problem. What was most disturbing was his statement on the acceptance of the APHLC Government of the North Eastern Areas Reorganisation Act 1971 which already defined the boundary of Meghalaya. This evoked heated exchanges in the House as members of the Opposition expressed shock at this revelation by a member of the ruling party. They, therefore, questioned the sincerity of the Government to resolve the boundary dispute. Members of the Opposition further pressed the Government to appoint an officer, to sort out old records containing details of demarcation of boundaries from the Secretariat of Assam, to help identify the boundary between Meghalaya and Assam. This was taken up by members of the HSPDP as well as Independent members. This session unlike the previous sessions, witnessed a vocal and vociferous Opposition, and for the first time, the boundary problem in Garo Hills was brought to the House. Revelations by the ruling party member evoked strong response and severe criticisms from the Opposition who made a strong stand and demanded immediate action from the Government to resolve the issue.20

In 1975 session a motion was moved by the Opposition to discuss the necessity of retransfer of Block I and II to Jaintia Hills. This was actively supported

by the Independent members especially those from Jaintia Hills whose constituency shared common affinity with the people in the disputed areas. The members accused the Government of not being sincere in its efforts to resolve this issue. Two Independent members (M.N. Majaw and Lewis Bareh) asked for a unanimous resolution from the House, to add strength to the demands and arguments of the Government of Meghalaya’s stand with the Government of Assam, presenting a unified stand on the issue of re-transfer of Block I and II to Jaintia Hills. The Government was not yet ready to endorse it as it stated that steps had already been taken to speedily expedite the issue. The resolution was put to vote and as the Government was not ready to endorse it, the resolution was lost. This led to the Opposition questioning the seriousness of the Government to tackle the problem as people in these areas were daily facing harassment and encroachment of Assam into areas of Meghalaya. The Opposition severely castigate the ruling party (APHLC) for what they termed blindly accepting the Autonomous State without clear cut boundaries with its former State. They lambasted the Government for not conducting any proper survey on the boundaries of the State. In this session, the Opposition were more vociferous in their criticisms of the Government and these were through motions and resolutions. Inspite of their efforts, they were unable to persuade the Government to resolve the long standing issue at the earliest. The Government proved its superiority by not endorsing the resolution which was lost. This goes to show that the Government viewed the Opposition as weak as they were numerically not strong, and therefore, their efforts were not taken seriously.  

In 1976, in the Governor’s Address, mention was made of the Government’s resolve to solve the boundary dispute peacefully with mutual cooperation of both the

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Governments of Assam and Meghalaya. Members of the Opposition especially Independent members while welcoming the move of the Government of Meghalaya in taking the first step to resolve the boundary dispute, at the same time sought information about the progress made in the discussion between the two Governments. General discussion and debate ensued later when a motion was moved against what the Opposition termed demarcation defined in the Notification of 1876 as it was not properly plotted out on the ground, and problems are, therefore, bound to arise now and then. Some members were in favour of Notification 1826 whereas others favoured Notification 1876. The HSPDP member who moved the motion sought clarification from the Chief Minister of his statement which states that these areas "were under dispute," whereas the Minister of Law states otherwise. The member of the APHLC sought clarification and information on the progress made in the discussion between the two states. In 1976, the numerical strength of the Opposition had risen as members of the APHLC who did not join the ruling INC(Congress) Government sat in the Opposition. However, this increase in strength did not add to the voice of the Opposition with regard to the boundary issue, as this can be seen from the proceedings of the House, where most of the questions and interest on this issue were raised by Independent and HSPDP members. This proved the revelation made by its member on the APHLC's acceptance of the Autonomous State without discussing its boundaries, to be true, as none of the members of the APHLC who were in Opposition raised any question on this issue. This session saw the Government, clarifying its stand with regard to resolution of this pending issue by initiating a dialogue with Assam. This stand taken by the Government did not seem to satisfy the
Opposition especially members of constituencies contiguous to these disputed areas, as they sought information on the progress and development made on these talks. In the 1977 session, this issue no longer occupy centre stage as in previous session. It generated low key discussion when the debate on the Governor’s Address was made. The reason being the Opposition were awaiting the results of the dialogue for an amicable solution of the problem between the two States by both the Government concerned.

With regards to the boundary issue and problems, it was continuous during the first term of the Legislative Assembly 1972-1978. This issue generated intense debate and criticisms from members of the Opposition. The role of the Opposition during these intervening years was very vocal especially those members whose constituencies were affected by these problems. Members of the Opposition were always ready to scrutinize the policy of the Government through the Governor’s Address and raised questions regarding the moves of the Government with regard to border dispute and problems which arise from this. The Opposition viewed this as a sensitive issue and hardly any session pass without this issue being taken up. So though the Opposition were numerically weak and unable to defeat the decision of the Government, yet were always vocal and vociferously initiated discussion on this subject pressing the Government to clarify its decisions and steps taken to solve this problem. But most of the members who raised this issue and problems associated with it were those members whose constituencies adjoins these areas, and are, therefore, affected by the situations and incidents which took place in these areas. Since Meghalaya was a new State this issue was bound to have an important impact on the representatives of the State as these areas were viewed as being significant areas of

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22 Meghalaya Legislative Assembly Debates 1976.
the erstwhile United Khasi-Jaintia and Garo Hills Districts. The Opposition, therefore, continually raised the border dispute and pressed the Government to amicably solve the problems related to boundary. Though the Opposition were vociferous in their criticisms of what they termed the ‘lackadaisical attitude’ of the Government towards a permanent solution to the boundary issue, these criticisms remained mere criticisms without resulting in any concrete solution and any move by the Opposition to bring about time bound decision by the Government such as resolution was defeated as they lacked numerical strength especially in the initial years of the Assembly of 1972-1978. Members of the Opposition whose constituency stands affected by any developments or problems in the disputed areas were unable to achieve their aim which is retransferring of Block I and II to Meghalaya, as they were the lone/sole voice of Opposition in the sea of a House dominated by members of the ruling party. Through questions seeking clarification of statements made in the Governor’s Address; information on the progress and development of the Government’s initiatives towards solving this problem and through strong criticisms of any wrong decision or policy of the Government, the Opposition managed to make this issue alive and occupy centre stage in the House in the intervening years of the First Assembly 1972-1978 with the intention of pressing the Government to ensure clear cut boundaries or demarcation with the neighbouring State of Assam so as to prevent further encroachment and harassment by people and police of Assam into areas of Meghalaya. From this study, it showed that there was lack of a unified and coordinated stand of the Opposition against the Government, as only the Independent member was very vocal with regard to this issue and there was no unified Opposition from the other party during the First Assembly, except in certain cases. From this, it can be seen that boundary problem between Meghalaya and Assam was confined
mostly to the Block I and II areas and this problem hardly arise with regard to the Garo Hills District, as only once was any discussion on this District made in the House during the First Assembly. The demand of the Opposition on this issue which are demarcation of boundaries; to stop encroachment from the other side (Assam); to get back those areas which had been tagged to Assam (Block I and II) and to ensure that harassment of people in the border areas is stopped remained unresolved even towards the end of the First Assembly. These issues remained pending with the Opposition hoping a solution would be reached in the next Assembly.

**Second Legislative Assembly 1978-1983**

The Second Assembly was constituted in 1978 after the General Elections. In this session 1978-1983, frequent political changes took place in the State, and coalition Governments emerged in Meghalaya. The year 1978-79 witnessed frequent changes of Government when the regional political parties were in the ruling party and the Congress(I) or INC was the main Opposition. But when the Congress(I) formed the Government, it ushered in political stability which was intact till the 1983 General Elections. In the initial years when the Congress(I) was the opposition party, the Opposition was strong, but when the regional parties were in the opposition, the strength of the Opposition dwindled, engineered by defections of members of the Opposition to the ruling party.

The boundary issue was an issue which was unresolved during the first Assembly and was brought into the Second Assembly in 1978 being referred in the Governor’s Address during the stint of the regional parties in power led by the APHLC in 1978. The Opposition consisted of the Congress(I), the HSPDP and some Independents called the United Meghalaya Parliamentary Democratic Front.
The members of the Opposition, while debating on the Governor's Address raised several questions on the defects and loopholes in the Address. The member of the UMPDF, Albinstone Sangma, Congress(I), raised question on the absence of any reference towards the boundary issue between Garo Hills District and Assam, that is, Goalpara District. Being a representative from this area, he stated that this area faces the same situation and problem as Block I and II and deserved the same level of attention. Another member from the Garo Hills drew the attention of the House to the encroachment problem where he stated that the Assam police had uprooted the pillars erected in these areas and encroached further into Meghalaya. He urged the Government to take immediate necessary action as this was a serious problem that could have a drastic effect on the State. Another member (Snomick Kalwing, HSPDP) questioned as to the reason for the absence of any mention of the dispute between Khasi Hills District and Dispur District where the Assam Government had encroached into large areas of Meghalaya. So during the discussion on this debate, members of the Opposition had raised questions on all the areas that share the boundary dispute with Assam. The Block I and II dispute again received special attention when the HSPDP members (H. Hadem) moved a motion to discuss the prevailing situation in the border areas of Jaintia Hills and Mikir Hills (now Karbi Anglong). The member insisted on a permanent solution to what he termed had been a long pending issue since the time of the composite State of Assam. Giving details on how these areas were tagged to Assam, he stated that despite the agreement between the Governments of the two States to maintain status quo, encroachment was still going on from the Assam side. This motion received the attention and support of the Opposition. The Government in reply refuted this allegation. A heated discussion ensued but the motion was defeated. The Opposition further drew the attention of the
House to a move made by the Minister for Revenue (M.N. Majaw) in removing the boundary pillars from the disputed areas. This move generated strong criticisms from the Opposition, as they felt that this move could jeopardise the settlement of the issue. Again, the Opposition questioned the Government’s lack of information on the boundary issue between Garo Hills District and Goalpara District of Assam. Another development regarding this situation in Garo Hills was questions raised on what the Government’s intention was with regard to those areas where the boundary pillars had been washed off, as it was felt that this would create problems when demarcation of boundaries is taken up. In the 1978 session this issue received considerable attention and the Government was made to reply to several questions with regard to developments on this issue. The Opposition generated strong criticisms on the Government’s handling of this problem as they felt that there was no permanent solution in sight. Garo Hills District received focus as members raised question on the lack of serious attention and neglect by the Government towards the same problem faced by this District. Regarding the Block I and II areas also came into focus with a motion being moved by the Opposition. Though this motion was defeated but it showed the level of seriousness that this issue generated in the Opposition camp.23

In the session of 1979, the boundary issue was raised in the first sitting as a result of developments of harassment which took place on January at Langpih. These developments generated strong criticisms from the Opposition towards what it termed on the part of the Government, in protecting the inhabitants of this area and lack of reaction to the Assam Government for these incidents. The UMPDF member (H. Hadem, HSPDP) moved an adjournment motion to discuss the prevailing situation.

23 Meghalaya Legislative Assembly Debates 1978.
Heated discussion and exchanges between the Opposition and the ruling party took place whereby the Opposition strongly condemned the action of the Assam police in harassing the people of Langpih. Reacting to the Government’s reply the Opposition demanded to know what steps the Government was going to take ‘to prevent such atrocities and high handedness of the Assam police, also making suggestions for the creation of police outposts in these areas to prevent any more untoward incidents. One member of the Opposition (G. Mylliemngap) differed on this suggestion as he maintained that creation of border outposts all along the Meghalaya-Assam border was not feasible, but should be done only in those vulnerable and sensitive areas. The members of the Opposition were unanimous in their motion and pressurised the Government to consider the matter seriously and initiate steps to solve this problem at the earliest. Following the incidents of harassment by the Assam police, the Opposition took up this issue at the earliest, criticising the inaction of the Government to the happenings. They raised demands for the Government to take steps to solve this problem.24

In the 1980-1981 sessions there was respite for the Government from the Opposition’s attack on the boundary issue since there were no untoward incidents in these areas.

In 1982, a discussion ensued after the Governor’s Address. Initially, the Governor’s Address was welcomed by the members of the House. One member (Snownik Kalwing, HSPDP) made reference to the Government’s initiative through the Chief Minister to initiate peaceful settlement of boundary dispute with Assam and in successfully prevailing upon Assam not to prevent conduct of elections in an area

in West Khasi Hills District. He then drew the attention of the Government to an incident of harassment of the inhabitants of the border areas at the hands of the Assam police and asked the Government to take necessary steps to prevent such incidents in future and to involve C.E.Ms of all District Councils, officials of local administration and local chiefs to come together and to chalk out a plan of action to solve this ongoing problem. He further demanded that the Government should bring this matter to the attention of the Central Government. Other Opposition members who took part in this discussion questioned the Government’s inability to resolve this long pending issue. Criticising the Government’s passive attitude they stated that this unresolved issue would lead to drastic consequences for the State in the future. Urging the Government to constitute a body or wing consisting of members from all parties and solve the matter at the earliest. This session also witnessed the focus being given to the Garo Hills District when the PDIC member (M.N. Majaw) drew the attention of the House towards the letter of the Governor of Assam with regard to the question of readjustment of boundary between Garo Hills and Goalpara Districts of Assam. He strongly criticised the Government especially the Chief Minister (Capt. Sangma) for his inability to resolve the issue, in the process causing hardships to people in these areas, as this was a problem generated during the Hill State Movement when Capt. Sangma was the President, and had stated in the Haflong Conference that the contiguous areas would be included in the new State of Meghalaya. This motion was taken up by other members of the Opposition from Garo Hills who supported it and agreed with the member’s statement regarding the Chief Minister. The members further stated that in 1973, Capt. Sangma then Chief Minister had assured the House that this issue would be resolved at the earliest. Still no solution was in sight. This was vehemently refuted by the Chief Minister stating that the issue of contiguous areas
cannot be linked with the merger issue. This ensued in heated exchange between members of the Opposition and the ruling party. The PDIC member (M.N. Majaw) persisted in his arguments. The Opposition also alleged that the Government of Meghalaya was weak as it was prevailed upon to accept the 1876 Notification which favours claims of Assam whereas the 1826 Notification favouring the claims of Meghalaya was disregarded. Another related issue being discussed was the problem of incursion by Assam 10 miles into Meghalaya. The APHLC member (S.D.D. Nichols Roy) was not satisfied with the statement of the Finance Minister to his reply, and further sought the Government to furnish correct and exact information on the steps taken to stop incursion by Assam into Meghalaya. The Opposition also raised questions on whether a Commission had been instituted for enquiring in an incident in 1974 in Garo Hills involving an incident of firing on silent protestors resulting in death and casualties. This matter was even raised in Parliament and the Central Government had assured the people of Meghalaya to institute an enquiry into this unfortunate incident.25

In the Second Assembly 1978-1983, the boundary issue was taken up during 1978, 1979 and 1982 evoking heated exchanges in the House. The issues mostly taken up in this term was the problem of encroachment which members of the Opposition viewed with apprehension as this would have an adverse impact on the future of the State. The border problem in Garo Hills District received considerable attention with members from Khasi Hills taking a broad view of problems in the State when this issue was brought before the House.

Third Legislative Assembly 1983-1988

The Third Legislative Assembly was instituted after the 1983 General Elections. The Congress (former INC) emerged as the single largest party, but declined to form the Government leaving the field for the regional parties to come together and formed a coalition Government. This remained in power for a month before being toppled by the Congress. In the initial period the Congress and some Independents formed the Opposition, later the Opposition comprised of members of the three main regional parties. This Opposition was not a unified Opposition but a fragmented Opposition with all parties retaining their identity. It was, therefore, a group of Opposition parties with the exception in the later part of the Assembly when the HPU was the main Opposition party.

The Third Legislative Assembly 1983 witnessed heated exchanges and debate between the ruling and the Opposition. Discussions and questions were raised by the Opposition on the decision of the Government to institute a Joint Survey team between Meghalaya and Assam to conduct survey on the inter-state boundary. This raised serious doubts with the Opposition as they deemed this would create disastrous consequences on Meghalaya. The Opposition questioned the Government’s move at this juncture as it had sought the opinion of jurists of the country on this issue. Further members of the Opposition, criticised the Government’s inability to reply to the questions asked, instead seeking for move time. But even after the Government’s reply that survey would be conducted only on those areas where there was conflicting claims by both parties, the Opposition remained unsatisfied. Terming this a very important and serious issue, the Opposition sought further clarification and information on development of this issue. What further aggravated and raised doubts on the minds of the Opposition with regard to the Joint Survey was the action of
encroachment of Assam into areas of Meghalaya which contradicts and violates the agreement reached between the two Chief Ministers (Meghalaya and Assam) to maintain status quo which Meghalaya had abide by. The Opposition sought to make this matter known to both sides before any survey is conducted and not to make any move without clarifying this stand. One member of the Opposition made a proposal for a sitting of at least 2 to 3 hours to further and openly discuss this issue so as to arrive at conclusion on whether to go ahead to institute this team or not. The Government was not in favour of this sitting. However, the Speaker/Chairman of the House after careful consideration ruled in favour of the Opposition and further insisted on a camera discussion on this. In this instant the Opposition secured a victory and were able to compel the Government and members of the ruling party to comply to their demands and an intense discussion on this ensued thereafter.26

In the 1984 session, the same developments, that is, the refusal of the Opposition to endorse the Government’s move to institute a Joint Survey Committee took place. A member of the Opposition (H.E. Poshna, APHL C) strongly criticised the ‘lackadaisical attitude’ of the Government with regard to this issue. They reiterated again that instituting a Joint Survey team for demarcation was not feasible as long as the issue of encroachment remains. The Opposition were also strongly against the members of the proposed Committee which would consist of officers who they felt, had no thorough knowledge of the areas of Meghalaya which only the local people knew and so Meghalaya cannot depend on these officers whom one member of the Opposition (H.E. Poshna) termed “here today, elsewhere tomorrow”, and, therefore, advised and urged the Government not to sell out the interest of the State.

26 Proceedings of the Meghalaya Legislative Assembly 1983.
Pressurizing the Government to immediately take steps to stop further encroachment by Assam, the Opposition urged that this matter be immediately taken up with the Government of Assam. They urged the Government to ensure that it has the full knowledge constitutionally as to where Meghalaya stand with regard to several areas under the erstwhile *Syiemship* and also the matter of re-transfer of Block I and II. Heated exchanges again erupted when the Government informed the House that the Committee had been instituted involving traditional chiefs also to authenticate areas of Meghalaya. This was strongly criticised by the Opposition who demanded a secret session of the House to be convened owing to the sensitive nature of the matter. In this session, the boundary issue occupy centre stage in the House. Another development on this, was brought up by P.R. Kyndiah on the Garo Hills District. He highlighted the aspirations of the people of the contiguous areas of Kamrup Districts (Assam) and Garo Hills District (Meghalaya). The same member then sought information on the salient features of the report of the finding of the officials of the Joint Survey Committee. Replying on this the Government assured the House that the report was under consideration and would be made available to all members before any decision is made and leaders of the Opposition would be taken into confidence. Still not satisfied, he again sought more clarification on this but the Government refused to divulge more information citing confidentiality of the subject. Changing tactics the Opposition then sought knowledge on whether according to the findings of the officials, the areas of differences had been identified by Assam. The Government gave the same reply. The Opposition did not let the matter drop and sought to know the time limit set to study the report. The initiator of the zero discussion (P.R. Kyndiah, APHLC) stated that the Opposition understood the delicate and sensitive nature of the matter and realise that confidentiality was necessary, but felt that the
Government was withholding information from the House with this attitude. He further drew the attention of the House to the reply of the Minister for Revenue that a meeting of the Lyngdohs and Sirdars had been convened and termed that certain information was made available to them but not to the House. He, therefore, made suggestion for a secret meeting to discuss this matter. In this session, the boundary issue completely dominated proceedings of the House and on several occasions the Opposition never allowed the Government to shirk from replying to questions put up by the Opposition. Though numerically weak, the Opposition was able to make its wishes prevailed when they managed to secure the secret meeting they demanded to, discuss this issue.  

During the Debate on the Governor's Address in the 1985 session, members of the Opposition raised question on the problem of encroachment which was occurring on a continual basis. The members criticised the Governor's Address terming there was nothing new on the subject but it was just rephrased and reparagraphed, indicating that the Government's lackadaisical attitude, in comparison to the aggressive attitude of Assam which encourages encroachment in these areas. The most severe criticism levelled against the Government was made by HSPDP member (B. Pakem) who called the present ministry, "a compromise ministry" because of its attitude towards the boundary problem. Simultaneously, the member lauded the efforts of the Government for its single achievement on this subject so far as and that is where the Chief Ministers of both States had agreed that the boundary dispute will be settled on the basis of the constitutional boundary, all along demanded by the Opposition. Another achievement relates to Block I and II where for the first time the

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issue was reopened after a long hiatus, and Assam had agreed to discuss it. Another sitting of the House that generated intense discussion was when the HSPDP member (H. Hadem) moved a cut motion on undue delay in the settlement of this boundary problem. Members of the Opposition strongly criticised the Government for making this issue to remain pending for 10 to 12 years without finding any lasting solution. Stating that this undue delay had led to encroachment problem which had taken gigantic proportions and in these situations the people in these areas had to face undue sufferings and hardships. The Opposition further stated that in the case of amicable solution not feasible, the Government ought to request the Central Government to intervene and take necessary action to finalise the matter once and for all at the earliest. The Chief Minister replying stated his Government was satisfied with the discussion but it should not be prolonged. He, therefore, requested the mover to withdraw his motion since progress had been made. The mover refused to comply stating it was the only way to express his grievances with regard to the Government’s handling of the situation especially in the Mikir Hills (now Karbi Anglong). Another development which raises this issue to the forefront was when the Government proposed to constitute the Chandrachud Committee to study the boundary problems between the States. Members of the Opposition raised several questions against the Government’s decision, stating that several questions would arise when this Committee was constituted. The leader of the HSPDP (H.S. Lyngdoh) moved a cut motion to discuss this issue. This motion received the support of the entire Opposition in questioning the legal bindingness of the Committee. Many of the members of the Opposition in supporting the cut motion, criticised the appointment of the Chandrachud Committee, since it does not possess adequate knowledge of the situation and this will further complicate matters. They, therefore, urged the
Government to stop the work of the Committee in this regard which was envisaged would culminate in the solution of this problem. The Opposition countermanded this, instead urging the Government to adopt a cautious approach as constituting this Committee may hamper the interest of the State. The Opposition were not able to stop the functioning of this Committee, but had ensured that this action of the Government did not escape scrutiny from members of the House.  

In the session of 1986, the Opposition introduced two cut motions on the issue, but because of similarity they were clubbed together. This issue was raised because the Government asked for supplementary grants to continue the work of the Committee as the allotted fund was insufficient. The Government also sought for extension of the time limit for the work of the Committee to be completed. The demand for supplementary grant and extension of time was not favoured by members of the Opposition and this generated intense criticisms. This armed the Opposition with a strong basis for opposing the Committee and pointing the defects and loopholes of the Committee. Questions against the Committee's use of the term "constitutional interpretation of the erstwhile Khasi State" were raised as reference to the people of Garo origin who reside in Kamrup and Goalpara districts of Assam found no mention in this statement. Members of the Opposition were against granting of extension of time as it was felt this would lead to further encroachment of areas in Meghalaya and harassment of the inhabitants of these areas. This motion was unanimously supported by the Opposition with one member (H. Hadem, HSPDP) urging the House to ensure that the Committee should give an interim report by this time otherwise the Committee must be wound up. He further stated that the demand for supplementary grants was a delaying tactic of the Government that consumes both

28 Meghalaya Legislative Assembly Debates 1985.
money and time thereby allowing the Assam Government to further encroach into Meghalaya. This statement was echoed by others who deemed that the Committee was not enhancing its performance. This allegation was strongly refuted by the ruling party as the reasons given by the Opposition were not convincing, instead urging that the demand be granted to expedite the work at the earliest. The ruling party further in defence of the Committee highlighted the performance of the Committee amid the difficulties it faces. In its defence the Government alleged that the Opposition themselves were not in favour of finding a solution to this problem as they continually hamper the policy of the Government by their opposition and criticisms. In countering this allegation, the Opposition stated the neglect of the Government in taking them into confidence prior to the appointment of the Chandrachud Committee. In defiance of this the Opposition staged a walk out to oppose the policy of the Government. In this session the Opposition made use of several measures to indicate their displeasure of the policy of the Government but their moves were not able to prevail upon the Government to withdraw their policy(s).

During the last session of the Third Assembly in 1987, before the Fourth General Elections to the State in 1988, the boundary issue was taken up from the beginning of the session when the Governor address the House. When the debate on the Governor’s Address was taken up, members raised questions on the Government’s decision to abide by the report of the Committee, which was not reciprocated by the Government of Assam. Encroachment and harassment was still continuing in the disputed areas. Members of the Opposition drew the attention of the House to a section in the news stating the displeasure of the Government of Assam to removal of

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boundary pillars by P.H.E. workers in the disputed areas, which they supported. Other members belonging to the ruling party decried this move, stating it will create more problems. This ensued in heated exchanges between the two sides.\(^{30}\)

In the Third Assembly members of the Opposition were vocal and strongly criticised the Government’s action in the appointment of the Joint Survey Team and the Chandrachud Committee. These two policies united the Opposition and they were unanimous in their criticisms and supported any motions moved by members from their benches. As a result of this unified action, the Government was forced to give statements informing the House of the actions taken, and also at times due to the persistent attitude of the Opposition, the minister concerned or even the Chief Minister had to give assurances to the House that the matter would be looked into and later on to inform the House of the action it had taken with regard to this matter.

Most of the debates and discussions emanated from the Governor’s Address wherein the Opposition often seeks to find faults with or pick holes in the Address, where Government issued statements claiming or stressing on amicable solution of boundary dispute with Assam which the Assam Government frequently contradicts with its actions. The use of the term “amicable solution” was often at the receiving end of strong criticisms from the Opposition. They stated that the Government was simply adopting a passive attitude unlike the aggressive policy of the Assam Government who was encroaching into areas of Meghalaya. The sincerity of the Government for final solution was always doubted by the opposite benches because of the policy it adopted.

\(^{30}\) Debates on the Governor’s Address 1987; Meghalaya Assembly Debates 1987.
Question Hour

The Opposition used the Question Hour to seek information on the development and progress made in the process to finding solution to the boundary issue. Questions were asked for the purpose of ventilation of public grievances. The ventilation of such issues on the floor of the House revealed that the Opposition was alert and active and has the ability to have daily contact with the public at large. During the period under study 1972-1988, a number of questions were raised by the Opposition on this issue, thereby showing the seriousness with which the Opposition regarded the boundary problems of the State. The Government was compelled through intense questioning, to give assurances or promises to consider the matter and later on it had to inform the House of the action it had taken with regard to the matter concerned. During 1972-1978 session questions asked on this issue include 10 both starred and unstarred questions showing the seriousness this issue was viewed by the members of the House, as it was also the First Assembly of the new State. In the second session 1978-1983 only 4 questions were raised on this issue as it was taken up for discussion only in 1978; 1979 and 1982. In the Third Assembly session from 1983-1988, the Opposition raised a number of questions on boundary issue as it was actively taken up by the Opposition in this session. In this session the number of questions raised by the Opposition on boundary issue was 6 in number. During the three consecutive Assemblies (under study) there were 20 questions related to the boundary issue. Table-1 shows the number of questions raised by different members of the Opposition and Independent members in the three sessions of the Meghalaya Legislative Assembly.
Table-4.1: Showing the number of questions raised in the Meghalaya Legislative Assembly

<table>
<thead>
<tr>
<th>Sessions</th>
<th>Number of Questions asked</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Assembly 1972-1978</td>
<td>10</td>
</tr>
<tr>
<td>Second Assembly 1978-1983</td>
<td>4</td>
</tr>
<tr>
<td>Third Assembly 1983-1988</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
</tr>
</tbody>
</table>

Through questions the Opposition made the Government conscious that it was functioning under a close public scrutiny and that it could not take the House for granted even though it may be in majority. On many occasions, the Government had failed to give adequate information asked by the Opposition and give assurances to do so later. There had also been instances when the Government tried to conceal the information sought by the Opposition. Despite this, the Opposition tried to force an unwilling minister to reveal the truth by putting supplementary questions. The Question Hour had thus been adequately utilised by members of the Legislative Assembly from 1972-1988 on matters related to boundary problems with Assam. However, though the questions asked caused a stir in Government circles, yet it can be said that all questions were asked from the political point of view and from vested interests and sometimes even to get a statement of general policy from the minister concerned.

Zero Hour

Zero House is taken up immediately after the question hour and before the list of business of the day is entered upon. The members, therefore, got an opportunity of raising various matters concerning their constituencies at the earliest. While raising such a point in the House, it is not permissible for a member to deviate from or add to
what he has stated in his written notice. During the three consecutive Legislative Assemblies, on the boundary problem the matter came up for Zero Hour Discussion once in 1984 in the Third Assembly Session. The Zero Hour discussion was moved by the APHLC member (P.R. Kyndiah) to draw the attention of the Government to the demand of the Garos living in the areas contiguous to Goalpara and Kamrup Districts of Assam for inclusion of their areas into Meghalaya. The Government raised points for inadmissibility of this discussion and through sheer majority its will prevailed and no discussion followed on this matter.

**Privilege Motion**

Privileges are the special rights enjoyed by the House, its members and Committees as referred to in Article 194 of the Constitution.

Breach of privilege means the disregard of any of the rights, privileges and immunities either of members of the legislature, individuals or of the House in its collective capacity. In practice, the term breach of privilege is also applied to contempt. Contempt is generally defined as an act of commission which restrict or impede the legislature in the performance of its functions or which obstruct or impede any member or officer of the House in the discharge of his duty. In order to constitute a breach of privilege, a matter must related to the character of conduct of a member in his capacity as a member of the House and must be based on matters arising in the actual transaction of business connected with the House. A motion on a matter of privilege arising during the sitting of the House is entitled immediate precedence over

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all other business. The Speaker may also refer any question of privilege to the Committee of privileges for examination, investigation and report.

In the Meghalaya Legislative Assembly, three privilege motions were raised during the period chosen for study. All three privilege motions were raised in 1973. The other two privilege motions deals with other matter not related to the boundary issue. One privilege motion concerning the boundary issue was raised by the member of the HSPDP (F.K. Mawlot) against the Minister for Agriculture (E. Bareh) for gross breach of privilege and contempt of the House for giving wrong information thus misleading the House on the issue of boundary. This motion, however, did not receive the support of the entire Opposition and was defeated.

Adjournment Motion

The moving of an adjournment motion is a powerful weapon in the hands of the Opposition. The purpose of an adjournment motion is to draw the attention of the House to a definite matter of urgent public importance and to seek discussion on the subject forthwith by adjourning the business before the House. This gives an opportunity to a member to raise an issue to discuss it on the floor of the House.

During the period 1972-1988, five notices of adjournment motions were moved in the Assembly. Of these, two notices were admitted and discussion took place while three notices were disallowed. Of the five notices on adjournment motions only two notices were concerned with the boundary problem.

Regarding the boundary problem, the Opposition moved two adjournment motions. The adjournment motion in 1979 was moved by the UMPDF member (H. Hadem) to discuss the atrocities committed by the Assam police in Rambrai. This motion was strongly opposed by the Government and it was disallowed. The will of
the Government prevailed over the Opposition as no discussion took place regarding the incident. Another motion was moved in 1982 by the PDIC member (M.N. Majaw) on the problem of encroachment by Assam into Meghalaya. This motion was admitted and discussion by members of the House on this issue followed. The Opposition sought to initiate a discussion on this issue with success and an intense debate ensued displaying the importance with which the Opposition treated this matter.

The Opposition fully utilised the opportunities of moving adjournment motions on this issue. But of the two motions submitted, only one was admitted by the Speaker in the Second Assembly (1978-1983). The attitude of the Government was also not favourable towards the motions raised by the Opposition. However, most of the motions were tabled with a view to redressing the public grievances and calling the Government to public accountability. They served well enough to draw the attention of the House and the public to the existing grievances and highlighted the performance of the Government or non-performance.

**Call Attention Notices**

A member wishing to call the attention of the minister to any matter of urgent public importance on a day, may give a notice in writing to the Secretary at least two clear days in advance. A copy of notice should be given to the minister concerned also. The purpose of endorsing the copy of the notice to the minister is to give him advance intimation and also to enable him to appraise the Speaker, if necessary, of the facts of the matter placed therein, in order to assist him in deciding the admissibility of the notice.
Rule 54 of the Meghalaya Legislative Assembly states that:

a) a member may, with the previous permission of the Speaker, call the attention of a minister to any matter of urgent public importance and of recent occurrence and the minister may make a brief statement or ask for time to make a statement at a later hour or date;

b) there shall be no debate on such statement at the time it is made;

c) not more than one such matter shall be raised at the same sitting;

d) in the event of more than one matter being presented for the same day priority shall be given to the matter which is in the opinion of the Speaker, more urgent and important;

e) the proposed matter shall be raised after the question and before the lists of business is entered upon and not other time during the sitting of the House;

On the boundary issue, during the 1972-1978 sessions there were 7(seven) Calling Attention Notices raised by the Opposition. Of these 1(one) was submitted in the 1973 session; 1(one) in the 1974 session; 3(three) in the 1975 session and 2(two) in 1976 session.

Table-4.2(i) shows the name of the member(s) and number of Calling Attention Notices raised by the Opposition in the First Legislative Assembly. There was no multi member notices. All these notices appear in the name of a single individual member.
Table-4.2(i): List of Calling Attention Notices raised by Opposition Members in the First Assembly, 1972-1978.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of the Member</th>
<th>Name of the Elected Constituency</th>
<th>Name of the Party</th>
<th>No. of Single Member Calling Attention Notices</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>D.D. Lapang</td>
<td>Nongpoh</td>
<td>Independent</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>S.D. Khongwir</td>
<td>Mawlai</td>
<td>HSPDP</td>
<td>1</td>
</tr>
<tr>
<td>3</td>
<td>H.E. Poshna</td>
<td>Nongtalang</td>
<td>Independent</td>
<td>1</td>
</tr>
<tr>
<td>4</td>
<td>H. Hadem</td>
<td>Mynso-Raliang</td>
<td>Independent</td>
<td>1</td>
</tr>
<tr>
<td>5</td>
<td>G. Mylliemngap</td>
<td>Sohryngkham</td>
<td>Independent</td>
<td>1</td>
</tr>
</tbody>
</table>

Single Member Notices Calling Attention

1. The Independent member (D.D. Lapang) tabled three Calling Attention Notices: one in 1973; one in 1974 and one in 1975 — all the three notices seek to draw the attention of the Government towards the boundary disputes and problems.

2. The HSPDP member (S.D. Khongwir) raised one Calling Attention Notice. It was tabled in 1975 seeking to discuss the boundary dispute between Meghalaya and Assam.

3. The Independent member (H.E Poshna) raised one Calling Attention Notice in 1975 drawing the attention of an incident in the Jaintia-Mikir border.

4. One Notice was tabled by Independent member (H. Hadem) again on boundary issue in the 1976 session.

5. The Independent member (G. Mylliemngap) drew the attention of the House to the issue of boundary problem during the 1976 session of the Assembly.

Nearly all the Calling Attention Notices were tabled by the Independent members except for two members who belonged to the HSPDP.
Table-4.2(ii): List of Calling Attention Notices raised by Opposition Members in the First Assembly, 1978-1983.

<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of the Member</th>
<th>Name of the Elected Constituency</th>
<th>Name of the Party</th>
<th>No. of Single Member Calling Attention Notices</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>G. Mylliemngap</td>
<td>Sohryngkham</td>
<td>APHLC</td>
<td>1</td>
</tr>
</tbody>
</table>

During the Second Assembly 1978-1983, there were two Calling Attention Notices raised by the Opposition but only one notice concerned the boundary issue. The notices were submitted in 1978 and the other in 1979.

1. The APHLC member (G. Mylliemngap) raised one notice to discuss the problem of encroachment in the border areas.

During the Third Assembly 1983-1988 only 2(two) Calling Attention Notices were submitted both in 1987.


<table>
<thead>
<tr>
<th>Sl.No.</th>
<th>Name of the Member</th>
<th>Name of the Elected Constituency</th>
<th>Name of the Party</th>
<th>No. of Single Member Calling Attention Notices</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>W. Syiemlōng</td>
<td>Nongspung</td>
<td>HSPDP</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>H.S. Lyngdoh</td>
<td>Paraŋng</td>
<td>HSPDP</td>
<td>2</td>
</tr>
</tbody>
</table>

Table-4.2(iii) shows the number of Calling Attention Notices raised by the HSPDP in the Third Assembly. All the 3(three) notices were raised in the last session 1987 of the Third Assembly.

1. W. Syiemlōng tabled his notice in 1987 session seeking to discuss the recent incidents in the contentious Block I and II of Mikir Hills in Assam.

2. H.S. Lyngdoh raised two notices: one was on the recovery of boundary pillars and the other also on the boundary issue.
Though the Opposition was alert about the day-to-day happenings in the country, the Government had sometimes failed to make statements on the appointed day, since it failed to collect adequate information. The Opposition members compelled the Government to promise an enquiry on a particular incident. In short, the Opposition never misses one opportunity in securing day-to-day information from the Government.

Motions on Policy and General Interest

The discussion on a matter of general public interest and policy or situation or statement or any other matter also provides ample opportunities to the Opposition to enlighten itself. The notice of the motion is required to be given in writing to the Secretary.

The members of the Opposition sponsored motions to discuss matters of general public interest. During the First Assembly 1972-1978, the Opposition moved motions in successive sessions seeking to discuss the boundary problems arising in the State's boundary with Assam. In 1973, the motion to discuss the boundary dispute between Meghalaya and Assam was raised by HSPDP member (R. Lyngdoh). The discussion was closed following the adjournment of the House. Another motion in 1974 session was moved by another HSPDP member (F.K. Mawlot). In 1975, the Independent member (H. Hadem) moved a motion to discuss the boundary issue on retransfer of areas in Block I and II of Mikir Hills District of Assam to Jaintia Hills District of Meghalaya. The other motion raised by HSPDP member (S.D. Khongwir) sought clarification from the Government on its stand towards the encroachment problem in the border (inter-state) areas. The motion was closed after the Government clarified its position. The last motion during the First Assembly was moved by the
Independent member (H. Hadem) in 1977 to discuss the prevailing situation in the disputed areas between Jaintia Hills and Mikir Hills of Meghalaya and Assam, respectively. The discussion was closed following clarification from the minister concerned.

In the Second Assembly 1978-1983, two motions were moved regarding the boundary problem. In 1979, the motion was moved by HSPDP member (S.D. Khongwir) and another in 1982 by PDIC member (M.N. Majaw). Both these motions relates to the incidents of encroachment which occurred in the inter-state boundary between Meghalaya and Assam. In both these discussions, the Chief Ministers concerned had to give clarification and the discussion was closed.

During the Third Assembly 1983-1988, two motions were moved seeking discussion on the problem of boundary between Meghalaya and Assam. The motion moved by APHLC members, B.B. Lyngdoh and J.S. Khonglah, in 1984 sought to discuss the boundary problems especially the function of the Joint Survey Committee. In 1985 another motion on the same issue was moved by the HSPDP member (H.S. Lyngdoh).

These motions were intensely debated in the House, forcing the Government to clarify the points raised by the Opposition to satisfy their demands. Therefore, during the discussion on matters of general public interest, particularly with regard to the boundary problems and issues, the Opposition especially the HSPDP showed that they were active and alert towards any developments on these vital issues of the State. The Government was, therefore, compelled to take steps to meet some of the demands and to pacify the Opposition in order to ensure smooth conduct of business in the House.
Resolutions

A resolution may be in the form of a declaration of opinion, or a recommendation may be in the form so as to record either approval or disapproval by the House of an Act or policy of the Government or to convey a message, command, urge or request an action or call attention to a matter or situation for consideration by the Government in such other form as the Speaker may consider appropriate.

Regarding the issue of boundary problems only one resolution was moved by the Opposition in the period 1972-1988. This resolution was moved by the PDIC member (M.N. Majaw) in 1975 during the First Assembly. This resolution witnessed intense debate in the House but this resolution was never adopted. During the debate almost the entire Opposition were united to ensure that the resolution was adopted. Their efforts proved futile and the Government’s will or resolution always prevailed.

No Confidence Motion

The No Confidence Motion is the extreme form of the Opposition attack on the Government policy. Rule 31 of the Meghalaya Legislative Assembly states that a motion may be made to express want of confidence in the Council of ministers to disapprove the policy of the Council of Ministers in a particular respect.

During 1972-1988 6(six) No Confidence Motions were tabled by the Opposition but were unsuccessful. Of the 6(six) only 2(two) No Confidence Motions against the Government were moved by the Opposition on the boundary problems.

1. The No confidence Motion tabled in 1975 session against the APHLC Government by the PDIC member (M.N. Majaw) was the second No Confidence Motion against this Government after the creation of the new State. One of the
major grounds on which this motion was tabled was the Government’s lack of seriousness in solving the boundary problem.

2. The second No Confidence Motion on the boundary issue was the last motion of the period 1972-1988. This motion was tabled by four members of the HPU, a newly formed party resulting from the amalgamation of the APHLC and PDIC. The four HPU members (K. Singh, W. Syiem†ong, B.M. Lanong and B.B. Lyngdoh) moved a No Confidence Motion in 1987 against the Congress Government led by Capt. W.A. Sangma. The main ground for this motion being tabled was the policy of the Government with regard to the settlement of the boundary with Assam. Another reason was the constitution of the Chandrachud Committee to study and investigate the boundary problems.

Both the motions were lost as the Government had absolute majority in the House. The lost of these two motions, however, revealed the weakness of the Opposition in making a united voice and the ensuing debate brought the House and the State face to face with the crude reality that virtually one party rule existed and exposed the weakness and fragmented nature of the Opposition. But at the same time, it can be said that though it was a know fact that the No Confidence Motion would be defeated by force of majority, the Opposition never miss the opportunity to embarrass the Treasury benches and to alert the public about the misuse of power by the Government. The Opposition succeeded in highlighting the mistakes and what it termed lack of sincerity of the Government towards this issue.

Walkouts

The walkouts from the House or the Legislation is an expression of protest and resentment against the indifferent attitude and decision of the Government. During the
period 1972-1988, only one walkout was staged by the Opposition against the decision or policy of the government with regard to the boundary issue. This walkout occurred in 1986 by the entire Opposition against the move of the Government to refer the boundary issue to the Chandrachud Committee. Though the entire Opposition staged a walkout in protest against this decision of the Government, its efforts was not successful in stopping the constitution of the Chandrachud Committee as this was instituted by the Government to study and investigate the boundary problem between Meghalaya and Assam.

In the Budget session, when the Annual Budget was presented, there were two stages:

i. General discussion, and

ii. Voting of demand for grants.

In both the stages, the boundary issue was mentioned and discussed in the House. During the general discussion, the boundary problem was brought up for discussion in two sessions. In the 1978 session of the Meghalaya Legislative Assembly, the boundary issue was introduced by the APHLC member (S.P. Swer) and the UMPDP member (B. Choudhury) to discuss the prevailing situation in the border areas. The other discussion on this issue was brought up during the 1982 session. This matter was initiated by the HPU member (S.D.D. Nichols Roy) who drew the attention of the Government to what the Opposition viewed as a mild statement with reference to the inter-state boundary of Assam by the Finance Minister. He drew the attention of the House to the incident on encroachment by Assam into Meghalaya especially in the Khanduli area of Meghalaya and urged the Government to take immediate steps to stop this encroachment.
The Opposition amply used the second stage of the Budget session to show its disapproval of the policy of the Government. Cut motions with regard to the boundary problems were tabled only during the Second Legislative Assembly. The first Cut Motion was tabled by UMPDF members (M.N. Deb and D.N. Joshi). The aim of this motion was to initiate discussion on the boundary of East and West Garo in the matter of demarcation of boundaries between East and West Garo Hills District with the adjoining districts of the State of Assam. This motion was later withdrawn by the movers after receiving assurances from the Government to look into the matter.

During the Third Assembly 1983-1988, the Opposition voiced its disapproval of the policy of the Government by tabling seven Cut Motions in the 1985 sessions. Two of the motions were moved by HPU members and HSPDP member (HSPDP). The Cut Motions sought to deny the supplementary demand for grants for the constitution and the maintenance of the Chandrachud Committee. The Cut Motions sought to deny the supplementary demand under No.1 Assam-Meghalaya Boundary Committee and the demand is for Rs.8,87,000/- The Cut Motion of H.S. Lyngdoh sought to criticise the delay in settling the boundary dispute between Assam and Meghalaya Cut Motion No.1 moved by B.B. Lyngdoh sought to raise the question of Legal Binding and Recommendation of the Committee No.2, raised question on discussions on matters connected with the Assam Meghalaya Boundary Committee. No.3 relates to the same discussions as the above. No.4 sought to ventilate the grievances of the people. No.7 sought to criticise the appointment of the Chandrachud Committee. Some of these motions were later withdrawn after those members who moved these motions were satisfied with the answers from the Government. Those that were put to votes were lost. The Government, therefore, succeeded in ensuing
that its demand for grant for the working of the Chandrachud Committee was passed through though the Opposition offered stiff resistance.

In 1986 session, Cut Motions were moved by the members of the Opposition against the Chandrachud Committee. When the Government submitted the Supplementary Demand No.2 for grant of Rs.5,60,000/- move to the Committee for completion of the work already taken up, two Cut Motions were moved by the HPU member (B. Pakem) and HSPDP member (H.S. Lyngdoh). Due to their identical nature they were clubbed together. The Cut Motion was submitted to initiate discussion and criticise the performance of the Committee which the Opposition felt was being conducted at a slow pace. The Cut Motion to reduce the demand to Rs.100/- initiated by the Opposition was put to vote but the cut motion was lost and the demand was passed. But inspite of their inability to ensure that their motions were passed, the Opposition had utilised these Cut Motions to criticise the policies of the Government and thus ensure that the public are made aware of this issue which is considered of vital importance to the new State.


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<tr>
<th>Sl.No.</th>
<th>Sessions</th>
<th>Name of the Party</th>
<th>No. of Notices submitted</th>
<th>No. of Cut Motions admitted</th>
<th>Status</th>
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<td>1</td>
<td>1972-1978</td>
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<td>2</td>
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<td>3</td>
<td>1983-1988</td>
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The members of the Opposition made use of several devices at their disposal to secure information on any action taken by the Government; exposing the Government’s weakness and what the Opposition termed the ‘passivist attitude’ on this issue in its relation with the Assam Government. The Opposition also prevailed
on the Government to redress the public grievances in those areas where encroachment occurred by drawing the attention of the Government as well as the general public to these incidents through discussion and debates in the House. In cases where after intense debate the Government failed to give a satisfactory answer to the questions asked, the Opposition made use of supplementary questions and motions to extract assurances from the Government to supply at a later date. There were instances where the Government had failed to supply the necessary information before the House, the Opposition had forced the Government to issue statement and to agree for a discussion on the issue. Through these discussions, the Opposition were also able to force the Government to accept their demands and suggestions in certain cases. Any adverse action of the Government was met with severe criticisms. The Government was also criticised for what the Opposition termed the 'lackadaisical attitude' of the Government with regard to this subject. Those members whose constituencies were particularly affected by any incidents and situations in the contiguous areas were particularly alive to any new developments and usually raised questions and moved motions to ensure discussions on this issue ensued and were always pressurising the Government for early solution of the problem. The Government on the other hand was made aware that it was functioning under close scrutiny and in certain instances, the Government tried to conceal information under the very facile answer given "it is not in the public interest to answer this question". Despite this, the Opposition made use of supplementary questions to elicit the truth. The ventilation of such issues on the floor of the House revealed the active role of the Opposition and its ability to have daily contact with the public. The Opposition at times adopted a united stance to ensure a discussion on the issue is set and took place
at a fixed date. With regard to this issue there were times when the Opposition took a
united stance and others they were not unanimous but left to individual members.  

Section-II

Law and Order Problem Especially in the State Capital, Shillong and Problem of Influx

Public order is within the extensive jurisdiction of the State. The maintenance of law and order is accorded top priority by the Government, since without this, the effective administration of the State cannot take place. Each year, in the Governor’s address, this subject finds specific or simply general reference. The instrument by which the State maintains law and order is the police. Police too is a state subject, but there is the Central Reserve Police (CRP) which is also engaged in the maintenance of law and order in the State. These forces are stationed in different parts of the country and is maintained by the Central Government. Subject to the availability, contingents of the force are made available to the State Government for the maintenance of law and order for whatever period they are required. 

Shillong, the present capital of Meghalaya came into being during the British rule. Prior to the advent of the British, Shillong and for that matter the Khasi, Jaintia and Garo Hills were unexplored. This, however, did not mean that there was no contact with the plains people. As geographically, the link with the people of the plains — Sylhet (and Bengali) in the South and Assam in the West, was a regular feature and trade interests usually brought the border areas into direct contact with the plains. The fertile plains also lured the tribal chiefs into acquiring lands there. And through these mutual interests, the transfusion and exchange of culture with the

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33 Rao,V.V. et al., A Century of Government and Politics in North East India, p.215.
people of the plains was natural outcome. In the beginning of the 19th Century the British sought an entry into these Himalayan foothills. Their reason was political coupled with the desire to exploit these areas for their mineral wealth. The Khasi and Jaintia Hills would be the connecting link between Sylhet and Assam. From 1830 to 1864, the centre of British administration was Cherrapunjee. In 1874, the British discovered Shillong and because of the unfavourable conditions of Cherrapunjee, the seat of British administration was shifted to Shillong and it became the capital of Assam. With the advent of the British into these hills, also saw the entry of a substantial number of people (non tribals) from the plains of India to Shillong. They were the Bengalees who were attached to the British administration centred at Calcutta (Kolkatta). Also the Nepalese who were attached to the British army. The non tribals who came to Shillong took land on lease from the British who had already acquired lands from the tribals, which resulted in the settlement of the non-tribals in the capital city. Till 1900 there was a steady rise in the non-tribal population. Initially, Shillong had by then become a cosmopolitan city inhabited by different communities where there was peaceful co-existence. This close affinity between tribals and non-tribals was generated as each identified with the other against the British designs and domination. There was also as yet no business conflicts as the major businesses was with the British, but wherever the British sowed the seeds of divide and rule. This, however, did not lead into any open clash between tribals and non-tribals as both the communities remained aloof from any nationalist movement.

It was in 1938 during the Assam Ministry headed by Gopinath Bordoloi that the first law and order problem in Shillong took place. The Bordoloi ministry was

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formed after the breakdown of the Suadullah Ministry. The British helped the creation of bitter conflict amongst the nationalists. A meeting was called by the ex-minister, Rev. Nicols Roy and Gopinath Bordoloi at Mawkhar to condemn the new ministry. This led to clashes between supporters of the two groups, and a fight between members of the Congress mainly non-tribals and members of the group led by Rev. Nichols Roy. The clashes continued until the police restored peace in the area. Thus Shillong had witnessed the first open tribal-non tribal clash.\textsuperscript{35}

With the formation of Meghalaya in 1972, after the Indo-Pak War 1971, the new State was beset with the problem of influx of refugees from across the border.\textsuperscript{36} This created apprehensions in the minds of the people that they would be completely swarmed by foreign nationals. In addition, the new State offered new and attractive opportunities for people from outside who migrated to Shillong from other States. This put a stress on the fragile atmosphere, later culminating in serious law and order problem in the years 1978-79. The sense of apprehension of being swarmed by whom they consider outsiders manifested in social tensions which gripped the State capital. So from the time of the Provisional Legislative Assembly 1970-71 till date there were occasional flare up of social tensions which led to law and order problems in the State. This necessitated action by the police to contain the situation through promulgation of Section 144 Cr.Pc.\textsuperscript{37} The State especially the Capital, Shillong, witnessed large scale violence in 1979-1980 as a result of social tension between tribals and non-tribals leading to huge and irreparable loss of lives and property.\textsuperscript{38}

\textsuperscript{35} Ibid., pp.9-19.
\textsuperscript{36} Meghalaya Legislative Assembly Debates 1972.
\textsuperscript{37} Ibid., 1970-1971.
\textsuperscript{38} Ibid., 1979-1980.
This Section II deals with the situation created by law and order problems in the State capital, Shillong from 1970-1988. The break down of law and order affect the entire functioning of the Government machinery as well as the State. Meghalaya witnessed serious law and order problem situations which had generated heated exchanges in the Legislative Assembly between members of the ruling party and the Opposition. In this Section a study has been made of the law and order problems in the State capital, Shillong which had affected normal procedure of the House. Serious law and order problems took place in 1970-1980 generated by social tensions in the city resulting from antagonism and animosity between two communities (tribal and non-tribal). Besides these major problems, there were minor law and order problems but were resolved immediately and the city returned to normalcy.

After its inception the new State of Meghalaya first experience with this law and order problem arose during the Autonomous State, when this was a subject still with the State of Assam. Both the subjects of public order and police were retained by the Assam Government even after resistance from members of the Provisional Assembly of the Autonomous State to this move. This proved to be one of the reasons for the demand of a full-fledged State which culminated in the formation of Meghalaya on January 1972. An incident which led to law and order problem in the State occurred on 23rd June, 1971 between CRPF personnel and the local people. It was a trivial and insignificant matter which took place during a routine checking later escalating and leading to firing by the police on crowd which resulted in casualties on both sides. This incident was brought before the House on the 24th and 25th June, 1971 by members of the Opposition. The Opposition moved an adjournment motion to initiate discussion on this urgent matter considered of public importance. In the debate the Opposition criticised and decried the Government's inept handling of the
situation, and also criticised the involvement of CRPF personnel terming this as hight-handedness of the police. The Opposition pressed the Government to answer the questions raised by members of the Opposition as well as the ruling party. The Chief Minister (Capt. Sangma) made a statement under Rule 55 of the Rules of Procedure of the Assembly on 25th June, 1971. He stated that a serious clash took place between the police and some unruly elements in Shillong town on 23rd June, 1971, giving details of the incidents. A member of the ruling party APHLC (P.R. Kyndiah) moved a motion on the basis of Rule 50 for a discussion on the subject. Thereafter intense discussion on this incident followed with members from both sides denouncing the actions of the police personnel, and urging for withdrawal of the CRPF from Shillong. Some of the members also stated that unless the Government of Meghalaya has total control over police and law and order in the whole State, such troubles cannot be avoided. This led to a demand for full-fledged State of Meghalaya which was realized on January 21st, 1972. 39

First Legislative Assembly 1972-1978

In the period 1972-1978 of the First Assembly of Meghalaya, the question of law and order problems in the State as well as its capital, Shillong arose only once in 1973. This incident was similar to the 1971 incident as it involved clashes between police personnel and the public. The incident occurred on 23rd February, 1973. It was a skirmish which later escalated when an irate mob gathered in front of the Garikhana (Lumdiengjiri) Beat House. The situation was

39 Debates in the Provisional Legislative Assembly of Meghalaya 1971.
contained with the promulgation of Section 144 Cr.Pc. As the incident involved law and order situations, it was viewed with serious concern by members of the Legislative Assembly. The matter was brought up for discussion in the House by the HPDP member (S.D. Khongwir) who called the attention of the Chief Minister under Rule 54 of the Rules of Procedure and Conduct of Business of the Assembly, to a news item published in the Democratic Review dated 26th February, 1973 on the incident which occurred on 23rd February, 1973. The same member seek further clarification from the Chief Minister. In his reply, the Chief Minister gave a statement based on the report received from the concerned department, allowing no more room for further discussion on the subject. Since the situation was fast returning to normalcy, other members of the Opposition did not support the member to actively pursue the matter and the discussion was closed following the statement given. This indicated that there was no unanimity even amongst the Opposition, and there was no consistency from the Opposition to pursue the matter to its conclusions, as they had to accede to the will of the ruling party. This, however, showed that the Opposition succeeded in ventilating public grievances whose constituents they represented, and ensured that the Government gave an account of its actions on the floor of the House. The Government had to clarify the necessity for the presence of the CRPF personnel whose presence and action on these areas was questioned. The members who represented constituencies in Shillong city viewed such incidents with serious concern as tensions causing law and order problems could have adverse effect on the functioning of the administration in particular in a new State. These members voiced
concern over the presence and functioning of the CRPF personnel in the State. The Government being in the majority ensured that its actions and decisions prevailed.  

Second Legislative Assembly 1978-1983

The Second Legislative Assembly was instituted in 1978 after the Second General Election 1978 to the State of Meghalaya. In this session there was serious breakdown of law and order in the state and as a result, Meghalaya and Shillong in particular witnessed large scale violence and escalation of tension between two communities. The subject of law and order occupied centre stage during this term as then communal violence rocked the State. The year 1978-80 particularly witnessed large scale communal tensions and violence which lasted for several months before normalcy could be returned to the State. This violence was the result of social tension generated by aberrations between two communities during the festivities of 22\textsuperscript{nd} October, 1979. As soon as the House convened for the Winter Session in December, the subject of law and order problems was immediately taken up owing to the urgency and serious nature of the matter. The Opposition under the leadership of APHLC member (P.R. Kyndiah) moved a special motion to initiate discussion what is considered a burning issue. Heated arguments and counter arguments were exchanged between members of the ruling party who supported the actions of the Government, and members of the Opposition who oppose them. The Opposition voraciously criticised the Government's handling of the volatile situation, which they termed as inadequate and inept, which led to further escalation of the situation. The Opposition were severe in their criticism of the highhandedness of the police in particular, the

\footnote{Proceedings of the Meghalaya Legislative Assembly 1972-1978.}
CRPF whom some members alleged were colluding with one community against the other.* They also denounced the failure of the intelligence network to provide information on the serious nature of the tension which escalated after the hartal called on 25th October, 1979, which continued even to December. Members of the Opposition as well as some from the ruling party urged the Government to withdraw the CRPF from the city and to provide relief and compensation to those families who were affected by these incidents. Members of the ruling party defended the actions of the Government while participating in the discussion, the members expressed their apprehension of the volatile situation and urged the Government to find an immediate solution to regain normalcy in the State. Serious allegations were also leveled against some members of the ruling party who belonged to a certain community as colliding with those who initiated this tension, by the members of the Opposition. There was linkage of this incident with the general problem of influx, as the Opposition argued that these tensions stemmed from apprehension caused by influx of outsiders as given by one member of the Opposition. Others attributed this incident to be the work of anti-social elements and that it was the duty of the Government to stop them and prevent lawlessness in the city and undue harassment to the public. So during the winter session of 1979 the Opposition succeeded in convincing the House to convene a special session by tabling a special motion to discuss the deteriorating law and order situation in the capital, Shillong. the Opposition unanimously demanded the Government to give a statement clarifying its stand and decision to ensure normalcy is returned to the city. The Government through the Chief Minister (B.B. Lyngdoh) issued a statement giving detailed information on the incidents and the sequences of events and also clarify the necessary action taken by the Government to help the city

* The motion was ruled out of order by the Speaker and therefore not admitted.
return back to normalcy as this subject affects the functioning of the State administration.41

In the 1980 session the subject of law and order occupy centre stage as a result of the events in 1979. This issue was brought to the House through the Governor’s Address. During the debate on this Address the Opposition moved an amendment for initiating discussion on the statement of the Governor that stated that law and order in the city had deteriorated since 1979. In the discussion members of the Opposition raised questions on whose responsibility these incidents occurred, and the reason for their occurrence. They also criticised the Government for not having an in depth study and analysis of the problem and the solution to this problem, but the Opposition accused the Government of using repressive measures on the local population both the implementation of the Meghalaya Preventive Detention Ordinance 1979. The question of influx problem was raised and linked with the law and order problem since many members felt that the presence of large number of foreign nationals in the State was bound to affect the social structure which resulted in social tensions. The Chief Minister (B.B. Lyngdoh) then gave a statement to the House defending the promulgation of the MPDO 1979 as the only device to contain the escalation of violence in Shillong. He also stated that the city was limping back to normalcy. Another incident which brought the question of law and order problem into focus was the what the public considered to be the highhanded attitude and excesses of the police in particular, the CRPF in handling the situation. The Leader of the Opposition submitted to the House information regarding incident which involve highhanded attitude of the police while arresting students who had staged a demonstration outside

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the Assembly premises. Other members of the Opposition followed up in the discussion, strongly condemning the actions of the CRPF and demanding immediate withdrawal of the forces from the State. This time the Opposition secured an assurance from the Government that the matter raised by the Leader of the Opposition would be inquired into. The Opposition pressured for the inquiry to be immediately taken up but the Chief Minister was not ready to commit on this. The Opposition were, therefore, assured on the previous assurances only.  

Two adjournment motions were moved by the Opposition on issue of law and order problem. In 1979, leader of the Opposition, P.R. Kyndiah, moved a motion to discuss the prevailing situation in the State. This was ruled out of order by the Speaker and not admitted for discussion.

The Opposition fully utilised the opportunities of moving adjournment motions on this issue. But these motions were not admitted. The attitude of the Government had also not been favourable towards the Opposition's motions since it always tried to minimise the importance of the subject even though the subject of an adjournment motion was of public importance.

The Opposition also initiated discussion, immediately after Question Hour by raising the issue during the Zero Hour discussion. On the question of law and order problem, this matter was raised only once for Zero Hour discussion and was moved by the Independent member (M.N. Majaw) during the 1982 session. This discussion was initiated to draw the attention of the House on the need for the Government to withdraw all cases against students which arose out of the disturbances of 1979.

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42 Proceedings of the Meghalaya Legislative Assembly 1980.
However, the Government raised points for inadmissibility of this discussion and it was lost.

Call Attention Notices is another device used by the Opposition to draw the attention of the House to a particular issue and to initiate discussion on it. The Opposition made good use of this device to initiate discussion on the law and order situation in the State particularly in the years when this created a problem for the State. In the year from 1972-1988, two Call Attention Notices were tabled in the House on the law and order situation in the State:

1. In 1973, the HSPDP member (S.D. Khongwir) raised two Calling Attention Notices, of which, one notice was to discuss the law and order situation in Meghalaya and Shillong, in particular.

2. The UMPDF member (B.K. Roy) who was elected from the newly created constituency (Pynthorumkhrah) in the 1979 session tabled one notice seeking to discuss the prevailing law and order situation in the capital, Shillong. This same issue was raised by another UMPDF member (B. Choudhury).

Through these notices tabled in the House, the members of the Opposition ensured that this issue was taken up in the House for discussion and to secure information from the Government on developments of this issue which was very vital for the State.

The Opposition also give notice of resolutions which relate to the law and order situation/problem as it relates to matters of public interest. Of the four resolutions moved by the Opposition and one by the Government during the First Assembly in 1972-1978, only one resolution dealt with matters concerning law and order in the State. In the Second Assembly 1978-1983, one resolution was moved by the Opposition and it concerns the prevailing law and order situation in the State.
Three resolutions were moved in the Third Assembly 1983-1988 and one only concerns the issue discussed in this section:

1. A resolution on the issue of law and order was moved by the PDIC member (M.N. Majaw) in the 1973 session of the First Assembly.

2. One resolution was submitted in 1980 by the PDIC member (M.N. Majaw). In this resolution details were given of the atrocities committed by the CRP and the resolution sought unanimity from the House to be passed to ensure the withdrawal of the said forces from the State. The resolution was, however, not adopted.

3. A resolution on problem of influx which had an influence on law and order situation was moved in 1985 by the HSPDP member (G. Lyngdoh). After the discussion, the resolution was later withdrawn.

It can be seen that the Independent member, later the PDIC member (M.N. Majaw) and the HSPDP viewed the subject of law and order with serious concern by the number of resolutions tabled in the House by these members. Despite the unanimity of the Opposition in supporting these resolutions, the Government was successful in having these resolutions withdrawn or not admitted as they commands absolute majority in the House during the period 1972-1988.

Another device to be made use of by the Opposition against policy(s) of the Government with regard to the problem of law and order whenever the situation arises especially in the capital, Shillong, was the No Confidence Motion. Six(6) No confidence Motions against the Government were tabled by the Opposition between 1972-1988. the last two No Confidence Motions were tabled by the Opposition citing breakdown of law and order in the State especially in Shillong, the capital city.
a) The first No Confidence Motion was tabled by the APHLC member (E.K. Mawlong) of group led by B.B. Lyngdoh citing breakdown of law and order in Shillong after the riots in the capital. The motion generated heated discussion in the House though it was not carried through as the motion was lost since the ruling party commands absolute majority in the House.

b) The second No Confidence Motion tabled on grounds of law and order problem was in 1985 when B.G. Momin of the APHLC tabled a No Confidence Motion against the Congress(I) led Government. Citing law and order problem as the main ground for lost of confidence of the House (Opposition) and their constituents in the Government, the Opposition demanded the resignation of the Council of Ministers for their failure to control the situation as a result of the violence in the State especially in the city, Shillong. Similar to its predecessor the motion was defeated and the Government remained in power.

These motions revealed the weakness of the Opposition and their failure to present a united voice and the ensuing debate brought the House face to face with the crude reality that virtually one party rule existed in Meghalaya and that the Opposition face a strong ruling party. Though it was known that these motions would be defeated by force of majority of the ruling party, the Opposition never missed any opportunity to embarrass the ruling party and at the same time alert the public about any misuse of power by the Government, if any. The Opposition at times were successful in exposing any weakness or mistakes of the Government.

**Special Motion**

With regard to motions, the Opposition at times make use of the Special Motion to initiate discussion of urgent public importance, whenever report is made on
the matter. Such a motion will get precedence over motions under Rule 131. The Speaker shall fix
the time and date for the discussion on such a motion.

In the Meghalaya Legislative Assembly a Special Motion was tabled once during the period under study (1972-1988). This motion was tabled in connection with the statement of the Chief Minister during the 1979 session. The Statement made was with regard to the law and order situation in Shillong, after the violence that had erupted in the capital city. The Special Motion for discussion was moved by the APHLC member (P.R. Kyndiah) as this matter was considered to be of urgent public importance, taking precedence over other matters.

The riots and violence in 1977-78, that the State witnessed warranted the Opposition to criticise the actions of the Government in the Budget Session of 1978 for not being able to contain the situation. The UMPDF member (B. Choudhary) criticised the Government for the deteriorating law and order situation in Shillong and urged the Government to take necessary action immediately to restore normalcy in the State and to remove the panic and tension prevailing among the people.

The voting of the demand for grants affords the Opposition to offer opposition to any move of the Government and ensure that any demand of the Government receives intense scrutiny from the Opposition. Regarding the issue of law and order problem, the Opposition made use of the voting of demand for grants to oppose the demand of the Government once only in the 1980 session of the Legislative Assembly. In this session two cut motions were brought in the House. The first cut motion was moved by the PDIC member (M.N. Majaw) on the question of total provision of Rs.25,00,000/- under Grant No.16.225-Police, Sub head (d) payment towards charges for requisition of CRP (outside Battalion) be reduced by Rs.17,00,000/- i.e. the amount of the whole grant of Rs.5,12,06,000/- be reduced to
Rs.17,00,000/-. This motion aims at highlighting the excesses and brutal treatment of the CRP personnel on the public. The motion was negatively lost when put to vote. Another Cut Motion in the name of APHLC member (J. Pohrmen) was termed to be similar to the first motion by the Speaker and was not admitted.43

The problem of influx sometimes lead to law and order problem especially when taken up by non-governmental organisations. Law and order problem is an issue that can occur any time. Any unfortunate or minor incident can trigger law and order problem especially in Shillong, the State capital which is inhabited by different communities.

Even after the formation of Meghalaya as a State there has always been an under-current of tension between the indigenous tribal population and the outsiders (those who are non-tribals) and also those from across the border (Bangladesh) who had migrated to this State after the 1971 Indo-Pak War. These two issues have been taken up simultaneously as both had an impact on each other.

The Opposition, however, have shown that inspite of the comfortable majority of the ruling party and inspite of their fragmentation nature could seriously embarrass the Government and disrupt the process of orderly parliamentary procedure.