Chapter V

THE RULING PARTY: ITS BEHAVIOUR INSIDE THE HOUSE

The ruling party provides the machinery of administration of the State. It is true that only a small proportion of the total population of the State comprise the ruling party and out of it again a still smaller number of members form the Government. Yet it is the logical development of representative democracy and a characteristic of the arts of modern Government. The policies of administration in such a Government are both formulated and executed by the machinery of the ruling party.

The success or otherwise of the governmental machinery is completely dependent on the principles and policies adopted by the party in power. The behaviour of the individual members or of a group has a lot to do with the position, prestige and effectiveness of the Assembly and the Government. The Leader of the House is elected by the party in power and usually he is called upon to assume charge of office as the Chief Minister. In Assam the Chief Minister all along has been the Leader of the House right from the beginning of the democratic form of Government under the Constitution of India, i.e., beginning with Gopinath Bordoloi, the first Chief Minister of the State, Bishnuram Medhi, the second Chief Minister was elected Leader of the House by the Assam Congress Legislature Party. He reportedly incurred the displeasure of the Central Government in the first Oil Refinery issue of 1956. The Centre thought that the interests of Assam would be better protected in the hands of Bimala Prasad Chaliha who was not till then a member of the Assam Assembly. Bishnu Ram Medhi was, therefore, asked by the Centre to tender his
resignation as Chief Minister. He obeyed and proposed the name of Bimala Prasad Chaliha as his successor, who subsequently got himself elected to the House from Badarpur Constituency in the District of Cachar. Bishnu Ram Medhi was appointed Governor of Madras and was thus removed to a distant place to keep him away from the State politics of Assam. The Assam Congress Legislature Party did not oppose the nomination of Bimala Prasad Chaliha; he proved to be a very popular Chief Minister till his resignation in November, 1970 on ground of ill-health. Mahendra Mohan Choudhury, the then Deputy Leader of the House ran the administration during the absence of B.P. Chaliha. But the Centre intervened in Assam politics and suggested that Bijoy Chandra Bhagawati be chosen as the Leader of the Congress Party and Chief Minister of Assam. Unlike the nomination of B.P. Chaliha, the nomination of B.C. Bhagawati was not accepted by the Assam Congress Legislature Party. The Party elected Mahendra Mohan Choudhury as the Leader of the House, who also became a very popular Chief Minister. He appeared to be a bit more independent in his views for which the Party High Command desired his replacement by Sarat Chandra Sinha. Mahendra Mohan Choudhury was loyal to the party and hence, he relented to the wish of the Centre and resigned in January, 1972. He proposed the name of Sarat Chandra Sinha as his successor. Mahendra Mohan Choudhury was appointed Governor of Punjab where the grip of the Central leadership is rather strong. It appears that the Central leadership took the sensible step of avoiding bitterness in the wake of change in leadership. This explains the appointment of two erstwhile Chief Ministers of Assam as Governors of Madras and Punjab removing them thereby from the field of Assam State politics.
Since the inception of responsible form of Government under the Constitution, Assam has been governed by a single political party, viz., the Congress Party and throughout the period of our survey, this party continued to function as the ruling party. In this chapter an attempt is made to show how the ruling party during the period of our survey acted inside the House and behaved with the Opposition under the following heads, viz., responsiveness, attitude towards the Opposition, and intra-party relationship.

(1) Responsiveness: The responsiveness of the ruling party is found during the question hour and in the discussion on the motions like the cut motions and adjournment motions. Members make enquiries about the administrative policies and the Government respond and reply to the points raised by the members inside the House. The history of responsiveness of the Government towards the members of the House dates back to the time of the Morley-Minto Reforms Act, 1909 under which 'Responsive' form of Government was claimed to have been established. Under the Act the Government made verbal responses only and did practically nothing to meet the demands of the members of the House. The members had no power to ensure the discharge of obligations by the Government. The Government at that time was not a responsible form of Government. Hence the notion of 'responsiveness'. The present responsible form of Government differs from the Government formed under the Act of 1909. In the dyarchical form of Government under the Government of India Act 1919, the Ministers were appointed by the Governor. They had no joint responsibility among themselves and so the Ministers could not exercise authority in the true sense of the
term. The Ministers were not supported by any well-organised political party. However, during the operation of dyarchy not a single censure motion was passed against the Ministers in Assam. Under the Government of India Act, 1935, the Government of Assam was also 'responsive' and not responsible. Now, under the Constitution of India, a full-fledged responsible form of Government thriving on the support of the elected representatives of the people, is called upon to discharge its duties in response to the demands of the House. It also seeks co-operation from different sections of the House on matters of administration. The following section gives a general view of the ruling party's responsiveness regarding certain matters inside the House during 1962-72:

(i) Replies to questions: Under the rules of the House unless the Speaker otherwise directs, the first hour of every meeting is devoted to the asking of questions for replies from the Government on matters of administration. Its purpose is primarily to elicit information and incidentally to indicate a course of action on matters of public importance. The Government provides answers to the questions put by the members. Some questions are known as the Starred Questions which are answered orally and some others are known as Unstarred Questions, answers to which are printed or typed along with the questions. To all the questions not less than fifteen clear days' notice is given. The following table shows the number of questions put during the period of our review:

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1. Rule 30-47, Assam Legislative Assembly, 1969, pp. 21-31
Table No. 1

<table>
<thead>
<tr>
<th>Year</th>
<th>Starred Questions</th>
<th>Unstarred Questions</th>
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<tr>
<td>1962</td>
<td>383</td>
<td>930</td>
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<td>1971</td>
<td>999</td>
<td>151</td>
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<td>1972</td>
<td>808</td>
<td>105</td>
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Source: Assam Legislative Assembly Debates, 1962-72

A question relating to a matter of urgent public importance may be asked with notice shorter than fifteen clear days and if the Speaker is of opinion that the question is of an urgent character he may in consultation with the Minister concerned fix a day for the reply to such a question. Such questions are known as Short Notice Questions. When the answers needed elucidation, a half-an-hour discussion could be raised on matters arising out of answers to questions. The Government replies to the points raised through such discussion.

However, it was found out that the failure of the Ministers to be responsive fully was responsible for many unhappy scenes in

2. Rule 48, ibid., 1969, p. 31
3. Rule 49, ibid., 1969, p. 33
the House, resulting from evasive replies to the questions put. For instance to a question "Whether it is a fact that they (subsidised dispensaries) are without Doctors" the reply of Baidyanath Mookherjee (Minister, Medical) was 'May be'. The questioner naturally was not satisfied. Captain W.A. Sangma (A.P.H.I.C.) stated that the answer should have been 'I want notice' instead of 'May be' and asked the Minister to give the information after an enquiry. The Minister did not like a number of supplementaries to an Unstarred Question. This created a noisy scene in the House. The Speaker, however, succeeded in restoring order. He gave a ruling that in future the Government should not give such evasive replies. The Minister concerned gave an assurance to give the required information after an enquiry and on 14 March 1964 he fulfilled his assurance by giving a detailed answer to the question on dispensaries.

The following is another example of evasive replies:

Joy Bhadra Hagjer (Congress) asked:

Unstarred Question No. 142

Will the Minister in charge P.W.D. (F.C. & I.) be pleased to state -

(a) Whether the road from Nablaidisa to Hazadisa has been constructed by the Cachar E & D Department?

(b) What is the length of the road?

4. Unstarred Question No. 13 Re: subsidised dispensaries of Tezpur asked by Mohi Kanta Das (Cong) replied by Baidyanath Mookherjee (Minister, Health), A.L.A.D., 9.3.64, pp. 8-9
5. A.L.A.D., 14.3.64, p. 24
(c) The cost of construction separately for bridges and earth work of the road?

(d) Whether it is a fact that the road was originally constructed by the S.D.O., North Cachar Hills under a Test Relief Scheme?

(e) The amount spent by the S.D.O. for this?

Moinul Haque Choudhury (Minister, P.V.D.) replied:

142. (a) Yes

(b) A little over 2.5 miles

(c) Earth work - Rs 20,771/-

(d) Not known

(e) Not known

The member who put the question and the Leader of the Opposition, Lakshmi Prasad Goswami (P.S.P.) were, however, not satisfied. The ruling of the Chair that 'Government have no information' was no reply at all, was followed by thumping from the Opposition benches.

On another occasion, an evasive reply given by a minister created a noisy scene in the House. The question asked by Shamsul Huda (R.C.P.I.) related to food shortage resulting reportedly in subsequent starvation deaths in the Mangaldai Sub-Division. The Minister could not give a definite reply to it although he admitted

6. Starred Question No. 1 Re: Food Shortage asked by Shamsul Huda (R.C.P.I.) replied by Ramesh Chandra Barooah, Minister, A.T.A.D., 27.8.68, pp. 3-15
the prevalence of scarcity. Many supplementaries were put to the question by the members and on that basis it was known that the quality of rice supplied by the mills was not good. The Deputy Speaker who was in the chair suggested to the Minister to make an enquiry so that effective measures could be taken to prevent the recurrence of such matters in the mills and in the open market. Dulal Chandra Barua (Ind) suggested the formation of a committee with three members of the House to go into the matter. B.P. Chaliha (Chief Minister) appreciated the strong feelings expressed by the members with regard to the quality of foodstuff. He wanted to discuss the existing procedure of functioning by the Food Corporation of India as well as the Supply Department with some members at the first instance and said that after it was done, he would welcome the suggestions of the members. The statement of the Chief Minister put a quietus to the otherwise tense atmosphere.

Phani Bora (C.P.I.) wanted to know the total expenditure in connection with the travelling allowance of the officers to the Police Krishi Farm in Nowgong. The member wanted to know whether such projects were really productive or not. Kamakhya Prasad Tripathy (Minister, Finance) replied that a Bill for Rs 5,524.50 had been submitted by the Department of Agriculture for the same. The very purpose of the question was frustrated because of the evasive reply.

One interesting incident took place in the House when it was found that different answers were given to the same question at

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7. Starred Question No. 129 Re: Police Krishi Farm in Nowgong District, A.L.A.D., 19.3.68, pp. 5-8
different times. It was as follows:

Debendra Nath Sarma (Cong) asked:

*216 - Will the Minister in charge of Public Works Department (Road and Buildings) be pleased to refer to the reply given to Starred Question No. 181 on the 27th August, 1963 and state -

(a) Whether any M.L.A.s' Sub-Committee was appointed by the Assam Road Communication Board in every year 1962 and 1963.

(b) If so, names of the members of that Sub-Committee?

Girindra Nath Gogoi (Minister of State P.W.D. R & B) replied:

216. (a) No

(b) Does not arise in view of reply to (a) above.

The member pointed to the reply to Starred Question No. 181 of 27 August 1963 in which the Minister replied that the construction of the over bridge was not recommended by the M.L.A.s' Sub-Committee, whereas in reply to the Starred Question No. 216 the Minister stated that no M.L.A.s' Sub-Committee was appointed. It became difficult on the part of the Minister to reconcile the two replies on the same question. However, at the intervention of the Chair the matter came to an end. In this case also it was found that the Minister did not do full justice to the question and the very purpose of asking questions was frustrated. Very often disturbances took place in the House due to rather inappropriate questions affecting thereby,

8. Starred Question No. 216, A.L.A.D., 3.4.64, pp. 6-7
the dignity of the House. The Ministers often appealed to the Chair to limit the number of supplementaries especially to the Unstarred Questions as they thought that they were subjected to cross-examination through the supplementaries. The Ministers were sometimes found to have lost patience during the question hour.

On 6 April 1964 Dandiram Dutta (Cong) put a question (Unstarred Question No. 244) regarding non-availability of Treasury Chalan in the Mangaldai Court. He wanted to know about the steps taken by the Government to supply such forms. Baidyanath Wookherjee (Minister, Printing and Stationery) replied that 'for some time' chalans were not available at Mangaldai. The Sub-Divisional Officer had been supplied with his requirements with a view to ensuring adequate supply of chalans. Dulal Chandra Barua (Ind) objected to the expression of the Minister 'for some time' as a vague reply. He said that the Minister replied without knowing the actual facts. The Minister in turn said that it was a 'wild imagination' of the member. The member took exception to the statement of the Minister. He was supported by Lakshmi Prasad Goswami (P.S.P.). The Minister appealed to the Chair to consider his suggestions that supplementary questions should not be put in the form of cross-examination. The Deputy Speaker who was in the Chair said that members had the right to put supplementaries. If the Minister was not in a position to reply, he could ask for notice. The Minister appeared to be impatient and noise followed. As usual, it was left to the Speaker to restore order in the House.

10. Unstarred Question No. 244, A.L.A.D., 3.4.64, pp. 34-35
The Opposition brought a motion of breach of privilege under Rule 158 of the House against Sarat Chandra Goswami (Minister of State for Education) and Biswadev Sarma (Minister, Industries) for their alleged failure to give correct replies to a question.\footnote{Starred Question No. 9 Re: Non-payment of Building grant to M.E. Schools, A.L.A.D., 15.5.71, pp. 3-4} The Opposition alleged that by giving incorrect replies the Ministers not only committed breach of privilege but also misled the House. On 15 March 1971 Pitsing Konwar (Ind) asked the following question:

\begin{itemize}
\item[(a)] Whether the Government is aware of the fact that the M.E. Schools are not receiving building grants as yet though they have been finally listed for the same?
\item[(b)] What are the reasons for non-payment of the grant earmarked for the listed M.E. Schools?
\item[(c)] Whether the Government be pleased to make arrangement for payment of the same at an early date?
\end{itemize}

Sarat Chandra Goswami (Minister) replied:

\begin{itemize}
\item[(a) and (b)] There was a proposal to sanction a non-recurring building grant to the M.E. Schools in 1969-70 but the proposal could not be finalised and sanctioned during the year.
\item[(c)] It is proposed to sanction a non-recurring building grant to M.E. Schools during the current year.
\end{itemize}

The answer of the Minister was challenged by Atul Chandra Goswami (P.S.P.) on the ground that some schools had been given
grants. Some other members also raised voices challenging the statement of the Minister and asked for the list of the schools. At this stage Biswadev Sarma (Minister, Industries) stated that the replies of the State Minister of Education were absolutely correct. He wanted that the particular inaccuracy, if any, should be pointed out before the Minister was charged with having made an inaccurate statement. Dulal Chandra Barua (Ind) alleged that both the Ministers were responsible for making inaccurate statements and doling out falsehood. He demanded that action be taken against both of them under the rules of the House. He was supported by Atul Chandra Goswami (S.S.P.), Bhupen Hazarika (Ind), Giasuddin Ahmed (Ind) and Hiralal Patwarl (Ind). Their point of emphasis was that they sought certain information from the Minister concerned who deliberately gave wrong information. To substantiate their statement the members submitted a copy of the list containing names of schools receiving Government grants and requested the Speaker to take action then and there. However they did not submit any written complaint of breach of privilege under Rule 159. Altaf Hussain Mazumdar (Minister, P.W.D. R & B) intervened by saying that under Rule 159 of the House without a written complaint notice of breach of privilege could not be entertained. He was interrupted by the Opposition. The Speaker assured the House that he would look into the matter and give the ruling on the points raised. Accordingly he called for the relevant report and the files and found that in the list there were seven schools against which the words 'building grant' were written. It also appeared to him that a proposal was submitted by the D.P.I. to

12. Dulal Chandra Barua mentioned Rules 158, 159, 162, 164, 166 of Assam Legislative Assembly, 1969, pp. 92-95
the Government for according sanction for a sum of Rs 2,00,000.00 for giving non-recurring building grant to the M.E. Schools and the M.E. Madrassas during 1969-70. A list of M.E. Schools and M.E. Madrassas was selected by the Minister of State for Education in consultation with the M.L.A.s. The list was sent to all the Inspectors of Schools for their information in anticipation of the Government sanction and they were asked to disburse the amount as per the list supplied. However, the Government could not sanction the amount and accordingly the Inspectors of the Schools were informed telegraphically on 29 July 1970 not to disburse any non-recurring building grant to the M.E. Schools and the M.E. Madrassas. After the matter came up before the House, the Government made fresh enquiries and informed the Speaker that no non-recurring building grant was paid to any listed M.E. Schools and M.E. Madrassas including those submitted by Pitsing Konwar out of the proposed two lakhs of building grant. The Speaker held that the Minister concerned made the statement on the basis of information supplied to him by the office and that, there, no question of breach of privilege could arise. 13

Though the Ministers were responsive to the members, their replies like, 'May be', 14 'Government have no information', 15 'Information is being collected', 16 'I want notice' 17 frustrated in practice the purpose of putting questions. The practice of the

13. Decisions from the Chair, 1970-71, pp. 15-16
14. A.L.A.D., 9.3.64, pp. 8-9
15. A.L.A.D., 26.3.64, pp. 13-14
17. A.L.A.D., 6.9.65, p. 7
Ministers coming to the House without preparation and taking the
obits from the Officers' gallery was also resented by the Opposi-
tion. Evasive replies lowered their dignity and affected the
order and decorum of the House as well. The failure of the Ministers
to fulfil substantially the assurances given during the question
also shows that the responsiveness of the Ministers to the members
of the House was only partially effective.

(ii) Responsiveness of the Ministers could be examined
during discussion on cut motions which are moved to reduce the amount
of a demand in any of the following ways:

(a) A member giving notice of such a motion indicates in
precise terms the particulars of the policy which he proposes to
discuss. The discussion is confined to the specific points mentioned
in the notice and through them the members may advocate an alterna-
tive policy. Such cut motion is known as 'Disapproval of Policy cut'.

(b) In the cut motion known as the 'Economy Cut' the notice
indicates briefly and precisely the particular matter on which dis-
cussion is sought to be raised. In such a cut motion speeches are
confined to the discussion as to how economy can be effected.

(c) In the cut motion known as the 'Token Cut' discussions
are confined to the particular grievances specified in the motion.

Through the cut motions the administrative policies of the
Government are criticised by the Opposition. Suggestions are also

18. A.L.A.D., 29.3.68, p. 6
19. Details in the Committee on Government Assurances, Chapter VI.
20. Rule 145, Assam Legislative Assembly, 1969, pp. 82-83
given as to how economy can be effected. The Ministers concerned throughout the period of our survey, were found to be coming out with necessary information on the points raised through out motions. They admitted the value of the points raised because through the views of the members suggestions for administrative improvement are generally offered. For instance, Dev Kant Barooah (Minister, Education) while replying to a out motion on Demand for grant on Education admitted that he gained and learned much from the members through their views and experience, so much so that he would be able to do much for the improvement and advancement of education in Assam. On another occasion B.P. Chaliha (Chief Minister) assured the House that the Government would always give value to the criticism and suggestions of the Opposition and try to remove the deficiencies in administrative matters.

In the Voting on Grants also the members are entitled to point out the duties of the Government which is authorised to spend money. The Government is dutybound to explain why money is required to meet the needs of the tax payers. The party in power not only responded to the issues raised by the members but also wanted co-operation from the members on all matters of administration and specially on finance. It sought support from the Opposition in the House on matters of developmental activities during the period under review. At the end of the discussions the out motions were either put to vote or withdrawn. There is no instance in this period of

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21. A.L.A.D., 26.3.64, p. 82

22. Reply to out motion on grant No. 12, Major Head 23-Police, A.L.A.D., 26.3.66, pp. 76-86

23. A.L.A.D., 26.3.62, p. 197. Responses of the ruling party to the Adjournment motions and no-confidence motions are written in Chapter V Role of the Opposition.
any cut motion having been passed in the Assembly. Besides these instances the responsiveness of the Ministers was found in other matters also. They did not hesitate even to disclose about their personal income or payment of income tax which showed the straightforwardness and clarity of their mind.

On another occasion Dev Kanta Barooah (Minister) felt provoked over the remark of a member and took shelter under the strength of the ruling party. It happened when Dulal Chandra Barua (Ind) moving a cut motion expressed resentment over the fact that about Rs 90,000 had been demanded for meeting the travelling allowance of the Ministers and Parliamentary Secretaries in connection with the affairs of the State. While certain Ministers were found to be absent even during the budget session. The member demanded a clear picture about the ministerial tours. Dev Kanta Barooah (Minister) replied, "As we have a good majority who can do so". The member retorted that as the ruling party had a 'brute' majority in the House the Ministers were exercising dictatorship. Commotion followed and it was left to the Speaker to restore order in the House.

(2) Attitude towards the Opposition: The ruling party often criticised the Opposition for its activities inside and outside the

24. A.L.A.D., 19.3.64, p. 60. During the discussion on the budget of the year 1964 Rathindra Nath Sen (Ind) referred to the income of Moinul Haque Choudhury (Minister) before he became the Minister without mentioning his name. The Minister made a statement on his personal income and said that he was ready to face the bar of public opinion.

25. During the discussion on cut motion "19- General Administration" demanded by B.P. Chaliha (Chief Minister) on supplementary demands for grants - A.L.A.D., 20.3.65, pp. 945-946

26. ibid., p. 946
House. For instance, during the discussion on an Address of the Governor on 31 March 1962 Md Umaruddin (Cong) criticised the P.S.P. for certain doings of the party during the General Election of 1962. He alleged that one P.S.P. member realised subscription by issuing C.I. sheets in his constituency at Rs 10 per bundle and with that money he financed his election campaign. He asserted that the statement was true and he stood by it. The P.S.P. member, however, did not contradict the statement.

On one occasion Baidya Nath Mookherjee (Minister, Excise) criticised Dulal Chandra Barua (Ind) for his inability to substantiate the allegations that he brought against the Excise Department through a cut motion on Demand for Grant on State Excise Duties. The substance of the allegations of the member was that although the Excise Department had a huge staff it did not function properly. The Liquor Prohibition Act was indirectly encouraging 'the cottage industries of liquor' both in rural and urban areas, even at Gauhati the cottage industry of liquor was developing. The Mahals were settled with outsiders by taking substantial bribe. In Lakhimpur Mahals were settled with some outside parties known as Khan Party and Kohar Party. The Government gave settlement of Mahals with joint losses whom they considered as their financiers for election purposes. In Dhakuakhana of North Lakhimpur sub-division smuggling of opium was going on freely. A liquor shop was established on the gateway to the Engineering College at Jorhat near Bhogdoi river. The Minister contended that the member could not show the places

28. A.L.A.D., 26.3.63, p. 1161
where illicit liquor was kept and sold as alleged by him. The Minister also said that the entire department was ready to help the member in finding out the places. He referred to a memorandum submitted by the member which was found to be baseless. The Minister concluded his criticism against the member by saying that it seemed to him that the member made allegations for 'cheap popularity' and 'flourished on vagueness'. This remark was followed by an uproar in the House.

The ruling party had occasion to ridicule the Opposition a number of times. For instance, during the discussion on a no-confidence motion on 24 August 1963, Mohikanta Das (Cong) said that the Opposition was confusing by quarrelling among themselves. He referred to the fundamental difference on the policies and principles among the Opposition members which was the cause of their weakness. In support of his contention he pointed to the speech of Captain V.A. Sangma (A.P.H.L.C.) in which he denied his association with other members of the Opposition so far as the no-confidence motion was concerned. The member referred to the speeches of other members in which one spoke about his 'independent view', another 'about D.S.P. view', and still another about the 'hill State view' which showed that the Opposition members had nothing in common. The Congress member remarked that if the administration were run by such Opposition it would be nothing better than that of a 'clown'.

Sometimes ruling party members also indulged in the luxury of hurling unsubstantiated allegations at the Opposition. For instance,

30. ibid., p. 2106
Prabin Kumar Choudhury (Cong) opposing the motion of no-confidence on 5 March 1964 moved by Hoover Hynniewta (A.P.H.L.C.) alleged that in the by-election of 1962 at Nowgong where a Congress candidate defeated two Opposition candidates, one belonging to the C.P.I. and the other to the P.S.P., the P.S.P. issued a pamphlet stating that the Chief Minister would go on leave and that the deputy Leader of the House would come in his place. Lakshmi Prasad Goswami (P.S.P.) challenged this statement and asked for a copy of the pamphlet. The Congress member could not submit the said copy and had to withdraw his statement.31

Once the speech of a ruling party member was expunged by the Speaker as it did not conform to the rule, of the House.32

Under the rule, no allegation of a defamatory nature can be made by a member against any person unless the member has given previous intimation to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply. But without observing the rule, Mal Chandra Pegu (Cong) during the debate on an Address of the Governor on 7 April 1972 brought an allegation against Dulal Chandra Barua (Ind). The allegation in short was as follows: that Dulal Chandra Barua (Ind) in the General Election of 1972 in the constituency of Charaibabi indulged in alleged corruption; he allegedly took the help of an Executive Engineer, Robin Hazariaka, by name, who helped him in the election with vehicles. All the officers of the Government were behind the Opposition in that election. In the

31. A.L.A.D., 5.3.64, p. 39
32. Rule 279A, Assam Legislative Assembly, 1969, p. 145
Majuli constituency the contest was between him (Mai Chandra Pegu) and Mohidhar Pegu (Opposition). The D.I. of Schools engaged all the Primary School teachers to work against the Congress member. One of the school teachers was caught red-handed while he was trying to cast false vote and was taken away under the Police escort. In one of the polling booths noisy scenes took place as a lady voter refused to vote for the Opposition candidate. The teacher whose name was Bapu Kanta Mahanta asked the lady to vote for the Opposition candidate. The teacher had to be taken away under the police escort. The Opposition members pressed into service 20 to 30 Government jeeps. The member continued, “from where did they get so much money? What was the position of Dulal Barua when he was not an M.I.A? What is his condition now? Any member can go to his house and see the difference. The Opposition members earn Rs 200/300 - daily...

Mai Chandra Pegu was interrupted by Premadhar Bora (Ind) who demanded withdrawal of the statement. Sarat Chandra Sinha (Chief Minister) suggested the expunction of the statement of Pegu. The Deputy Speaker who was in the chair ordered for the expunction of that part of the statement which contained unsubstantiated allegations against Dulal Chandra Barua and Mohidhar Pegu. Dulal Chandra Barua (Ind) raising a point of order complained that the member committed breach of privilege in actual view of the House under Rule 152 of the House, hence mere expunction of the speech would not do. He was supported by Giasuddin Ahmed (Ind).

33. A.L.A.D., 7.4.72, p. 16
The next day, i.e., on 8 April 1972, Dulal Chandra Barua brought a notion of breach of privilege under Rule 150 of the House against Mai Chandra Pegu. Santi Ranjan Das Gupta (Cong) held that by ignoring the ruling of the Chair in which the speech of Pegu was expunged, Dulal Chandra Barua committed breach of privilege in the actual view of the House. Syed Ahmed Ali (Minister, Parliamentary Affairs) referred to Rule 29A under which the manuscript copy of the speech made by the member concerned is supplied to the member within five days of making the speech and the member concerned had to correct his speech and return the same within fifteen days. If the speech is not corrected and returned within this time it may be printed without correction and no objection regarding the correctness of the speech is entertained.

While the Minister was reading the rule some Opposition members were laughing which was objected to by the Minister. He regarded it as a breach of privilege. Mai Chandra Pegu denied that he made any such complaint.

On 17 July 1972 the Speaker ruled the privilege motion out of order on the ground that after expunction of the statement nothing objectionable remained that could be said to be of the nature of either a reflection or libel against a member about his conduct or character in his capacity of a member of the House. After the Speaker's ruling, the matter was not pursued.

Disorder took place in the House from time to time for certain remarks made by the Ministers against the Opposition members.

34. Decisions from the Chair 1972-73, pp. 23-24
For instance, during the discussion on a cut motion\(^\text{35}\) Baidya Nath Mookherjee (Minister, Medical) explained the reasons for the supplementary demand and said that except explaining he could not give the members the power of 'understanding' the explanations. Dulal Chandra Barua (Ind) took exception to the remark and demanded the relinquishment of the 'Gaddi' by the Minister if he could not make the members 'understand'. The Chair restored order in the House at this stage.

On 2 March 1965 during the discussion on the Address of the Governor Moinul Haque Choudhury (Minister, Panchayats, Co-operation) referred to the speech of Tarapada Bhattacharyya (Ind) in which he criticised the Government as a 'Sick Government'. The Minister said that he wished the member to be 'balanced' in his criticism. Dulal Chandra Barua (Ind) objected to the remark. Disorder followed and, as usual, the Speaker had to intervene.\(^\text{36}\)

Once an unprecedented disorder took place in the House for the violation of a convention by three members of the ruling party. The incident took place during the discussion of a resolution moved by Jogen Saikia (Cong) about the taking over of the tea industry by the State. Thirteen members from both sides of the House took part in the discussion. The Opposition congratulated Saikia for bringing the resolution at the proper time and held that the resolution should be unanimously adopted. Biswadev Sarma (Minister, Industries) requested the mover of the resolution to withdraw the resolution in

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\(^35\) Cut motion on Demand No. 1, Major Head 'State Excise Duty', A.L.A.D., 9.3.64, pp. 40-53

\(^36\) A.L.A.D., 2.3.65, p. 299
view of the appointment of a committee to examine matters regarding setting up of a Corporation in the State for taking over the gardens in a phased manner. In the meantime a decision was taken to set up an auction market at Gauhati which according to the Minister would bring relief to the industry and also the people.

The resolution was put to a division. After the door of the division lobby was closed three members of the ruling party entered the lobby. The Opposition demanded their expulsion and cancellation of their votes as they violated the rules and conventions of the House. Mahendra Mohan Choudhury (Minister, Revenue) suggested the cancellation of their votes under the rule of the House. The rule provides that when the Division clerks bring the Division lists to the Secretary's table, a member who has not up to that time recorded his vote may do so with the permission of the Speaker. As the members did not take permission from the Speaker the ultimate penalty that the Speaker could impose was to cancel their votes. Amidst pandemonium the Speaker ordered for the cancellation of the three votes of those members. The Speaker gave the ruling with a comment that the members acted in an irregular manner and expressed the hope that the members would act according to the procedure laid down in the rules of the House.

The ruling party during the period of our review had also occasions to appreciate the views of the Opposition and take note of their suggestions. For instance, Rathindra Nath Sen (Ind) through

37. Rule 292(f), Assam Legislative Assembly, 1969, p. 151
38. A.L.A.D., 2.6.70, pp. 31-84
a supplementary to a question suggested that the Chief Minister through a circular to all departments should stop transfers of the officers in the middle of the year and that transfers should always be effected in public interest. The Chief Minister appreciated the force of the suggestion of the member but said that no blanket ban on transfers at any time could be imposed.

A very important step was taken when the Govt. responded to a suggestion from the Opposition when it appointed a committee to go into the question of reforming the administration of the State in 1963. An Employment Review Committee also was constituted in 1969 on the suggestion of the Opposition with the purpose of reviewing the employment situation in the State.

The ruling party appreciated the role of the Opposition for its whole-hearted support to the Government in defending the country against the Chinese incursion. In the debate on the Address of the Governor on 21 February 1963 Prabin Kumar Choudhury (Cong) and Tila Kanta Bora (Cong) praised the Opposition who forgetting all their differences stood solidly behind the ruling party in the hour of national crisis.

The Education Minister, Dev Kanta Barooah during a budget discussion welcomed the comments of the Opposition on the achievements of the Education Department in matters of expansion. In that budget discussion 50 members from both sides of the House took part.

39. Starred Question No. 18, Re: Rule for transfer of officers, A.L.A.D., 31.7.69, pp. 9-10
41. A.L.A.D., 18.3.63, p. 698
in the deliberations. Similarly B.P. Chaliha (Chief Minister) in a debate on the Address of the Governor thanked the Opposition for pointing out the loop holes and deficiencies in different departments of the Government and regarded them as well intentioned criticism. He welcomed Lakshmi Prasad Goswami's (Leader of the Opposition) suggestion regarding observance of austerity by the Ministers in order to inspire the people to make sacrifice. The open-mindedness of B.P. Chaliha (Chief Minister) in admitting the deficiencies of the Government and his willingness to work according to the suggestions of the Opposition was certainly in good grace. He also admitted the influence of the ruling party on the administrative set-up and lack of discipline in the departments as pointed out by the Opposition and assured that efforts would be made to remove the defects.

(3) Intra-party relationship inside the House: During the period of our review intra-party conflict was found to have come to the forefront on different occasions in the House. An attempt is made here to show how the ruling party itself was a warring ground of the members of the party which affected not only the public image of the members of the ruling party but had also detracted from the decorum of the House.

The Government tables motions for Vote On Account to which amendments may be moved for the reduction of the whole grant

42. A.L.A.D., 7.3.63, p. 227
43. A.L.A.D., 28.3.63, p. 1216
44. ibid., p. 1220
45. Rule 150, Assam Legislative Assembly, 1969, p. 87
or for the reduction or omission of the items whereof the grant is composed. The ruling party members also took the opportunity on certain occasions to criticise the policies of the Government. For instance, Debendra Nath Sarma (Cong) speaking on the Vote on Account criticised the policy of the Government as being devoid of 'fruitful aims'. He criticised the Government for preaching one thing and practising another and doing nothing substantial for the welfare of the youths. Pointing to the education policy of the Government as an example, the member held that the existing education system had no scope for the development of the moral and spiritual faculties of the youths.

Md Umaruddin (Cong) on a debate on the Address of the Governor referred to corruption that became rampant in every branch of administration and requested the Government to take that matter into consideration. He suggested measures to fight corruption through an independent organisation like the judiciary. Though the ruling party members did not move amendments to the Address of the Governor because of party discipline they pointed out the various omissions which prevented the members from getting a complete picture of the affairs of the State.

The attitude of the Ministers showed that, leave alone the questions put by the Opposition, they generally gave the impression of being annoyed with questions put by the members of the ruling party itself and they felt unhappy when supplementarys were put to

46. A.L.A.D., 26.3.62, p. 207
47. A.L.A.D., 3.3.64, pp. 30-32
the questions. For instance, a question on Gauhati Medical College campus land was asked by Sarat Chandra Goswami (Cong). Baidya Nath Mookherjee (Minister, Medical) replied to it. Md Umaruddin (Cong) through a supplementary, which arose out of the main question, wanted to know the total length of the four roads. The Minister did not reply to it; he seemed to be angry and replied as follows: "It is also a part of the main question as to how many bricks will be required or how many stones will be necessary. But there must be some limit". Debendra Nath Sarma (Cong) wanted to know whether the Minister was bound to reply to a question directly. The Speaker also asked the Minister to give detailed information as an amount of Rs 9,50,600 was already sanctioned for the construction of the approach roads to the Medical College Campus. The Minister expressed his inability to give a 'direct' reply.

Such instances were not rare during the period of our review. Absence of proper and timely replies to the questions was also resented by the members of the ruling party. The observation of Moinul Haque Choudhury (Cong) on 10 September 1968 in this regard was as follows: The Unstarred Questions were not placed on the table of the House with replies in time for which supplementaries could not be put to them. Some departments sent the replies 'at the fag end of the session keeping to the last date with dishonest intention' so that no supplementaries could be put and there would be no difficulty for another six months. This practice was repeated in each session with the aim of keeping the Ministers and the

49. Unstarred Question No. 1, Re: Gauhati Medical College Campus land, A.L.A.D., 21.2.66, pp. 763-765
officers from being exposed in public. 50

To substantiate the allegation the member referred to the Unstarred Question No. 114(f) replied on that very day, i.e., 10 September 1968, of which only a portion was replied to. The question was about an officer of the Elementary Education Board who was responsible for the loss of public money. In the reply it was admitted that a former Secretary of the Board was responsible but to the Second Part of the question 'what action has been taken against him', no reply was given. The member complained that the purpose of putting the question was frustrated by such a reply. The Speaker drew the attention of the Government to the observation of the member so that replies to the questions were given in time and not on the last day of the session. The same member on another occasion criticised the Government for evasive and delayed replies. 51

Through a supplementary to the question (Starred Question No. 4), Moinul Haque Choudhury (Cong) asked about the policy of re-employment of the retired persons pursued by the Government, despite the repeated demands of the House to the contrary. He mentioned the re-employment of the retired engineers and teachers in spite of availability of a number of fresh unemployed engineers and teachers. Mahendra Mohan Choudhury (Minister, Revenue) could not reply to the question satisfactorily on the plea that the points raised concerned different departments of the Government. The member criticised the Minister for his inability to reply to the question as the Minister by virtue of his seat taken in the House was next to the Chief

50. A.L.A.D., 10.9.68, pp. 20-21

51. Starred Question No. 4 Re: Possession of land by the unemployed educated person, A.L.A.D., 20.2.69, p. 7
Minister. The altercation came to an end on the assurance of the Minister that he would reply to it if separate question were put.

Intra-party conflict in the House went to such an extent that once Moinul Haque Choudhury (Cong) suggested the formation of a committee to deal with the unreplied questions so that disciplinary action could be taken against the erring departments. He was supported by three members of the Opposition. The member held that if the Speaker did not take any action in that regard the members themselves, as the masters of the House, would take action. Sensing the gravity of the situation the Speaker held a discussion on that very day, i.e., 8 December 1970 with the leaders of different groups in the House. However, the subsequent position regarding the replies to the questions did not improve despite official assurances. Moinul Haque Choudhury (Cong) suggested that unreplied questions be kept pending till the next session after the prorogation of the House. Phani Bora (C.P.I.), Atul Chandra Goswami (S.S.P.), Sailen Vedhi (Ind) also expressed their support to this suggestion. The Speaker gave the assurance that he would be taking the matter very seriously against those departments which failed to comply with the direction to send replies, but, regarding the suggestions to hold over questions for the next session, he said that the existing rules did not permit such a practice. On the suggestion of Moinul Haque Choudhury (Cong), that the House could suspend the rules if it so desired, the Speaker put the matter to the House, to which some members responded in the affirmative and some in the negative. Then a question arose as to whether the rules could be amended by the House. K.P. Tripathy (Minister, Finance) contented that rules could be suspended only by

52. A.L.A.D., 8.12.70, p. 12
a consensus of the House. The Speaker referred to rule 263 of the House under which rules could not be suspended unless there was unanimity and a motion to that effect was adopted by the House. The discussion that followed on the point as to whether the House had the authority to suspend the rules generated much heat in the House. Giasuddin Ahmed (Ind) suggested the time limit to be fixed within which replies to the questions should be sent. The Speaker reiterated that without suspending the existing rules the pending questions could not be kept pending till the next session. The heat that was generated reached a climax when Moinul Haque Choudhury (Cong) expressed himself in favour of bringing a motion of breach of privilege under Rule 159 of the House. However, it was not left to the member to do so because he resigned from the House before the commencement of the next session of the Assembly.

Intra-party criticism was frequent inside the House during 1962-1972. It was evident from the use of unparliamentary words against each other by the members of the ruling party. The Chair had to order for the expunction of those words as well as the speeches of the members. In the debate on the budget on 11 March 1969 Moinul Haque Choudhury (Cong) complained through a point of order that during his absence in the House Debeswar Sarma (Cong) alleged that the 'Na-Asamiyas' would join Pakistan against Assam in case of an attack. Moinul Haque Choudhury regarded it as a 'senile' remark and requested the Speaker to expunge the impugned portion of the speech of Sarma in order to uphold the dignity of the House.

53. A.L.A.D., 15.12.70, pp. 18-28
54. Moinul Haque Choudhury (Cong) resigned on 16.3.71 in view of his election to the Lok Sabha of India.
55. A.L.A.D., 11.3.69, p. 26
The member warned that if the House did not give them protection he would take it as an insult to the entire Muslim community and go on their own to take up the issue. The next day, i.e., on 11 March 1969 the Chair expunged the portion of the speech of Sarma which he considered as undignified and against which complaint was raised by Moinul Haque Choudhury. Debeswar Sarma (Cong) accepted the ruling of the Chair with the remark that "pleasant or unpleasant truth is always truth." 56

The following instance also shows that some ruling party members did not use proper expressions against the Ministers in the course of discussion on the budget of 1969. 57 Debeswar Sarma (Cong) wanted to know about the steps taken by the Government of Assam, apart from submitting a few applications to the Government of India, to stop the increasing prices of oil produced in Assam, and asked, "Are they going on their knees to the Government of India?" He was interrupted by Biswadev Sarma (Minister, Industries) who took strong exception to the words used by the member. The member replied that whether the Minister liked or not it was a fact that inspite of producing oil Assam was suffering badly and so he used the appropriate language. The Chair put a stop to it by requesting the members to be moderate in choosing words.

Differences over some policy issues were responsible for the intra-party conflict in the ruling party. The rift in the Congress legislature party came to the fore in a meeting held on 18 March 1970 where serious allegations were made by some members

56. A.L.A.D., 11.3.69, p. 26
57. ibid., p. 22
against the Cabinet Ministers. They declared that they would not vote in certain budget demands. The ball was set rolling by Moinul Haque Choudhury (Cong) who made allegations against the Education Minister, J.B. Hagjer, and told the meeting plainly that as a mark of protest against the policy of that department he would refrain from voting in the Education budget. However, nothing happened by way of carrying out that threat.

The ruling party members criticised the Ministers for their absence in the House when their departments were under discussion. An uproarious scene was created in the House for the absence of the Minister of Education when discussions on cut motions on Demand for Education were going on in the House. The Minister of State for Education was also absent. The members took notice of the absence of J.B. Hagjer (Minister, Education) and refused to discuss matters relating to the Department of Education until the Minister came. The Speaker referred to Rule under which the Minister concerned could not leave the House without previous permission of the Speaker during the discussion of their portfolios in the House. He also made reference to the constant absence of the Education Minister from the House. Moinul Haque Choudhury (Cong) submitted that the absence of the Minister concerned amounted to a breach of privilege. At this stage, J.B. Hagjer (Minister, Education) entered the House. The replies of the Minister to the issues raised in the cut motion showed that he neither came prepared nor took the debates seriously.

58. A.L.A.D., 18.3.70, p. 80
59. A.L.A.D., 28.5.70, pp. 54-55
60. Rule 275, Assam Legislative Assembly, 1969, p. 143
61. The presence of the Minister evoked laughter in the House. He appeared somewhat ludicrous. Moinul Haque Choudhury (Cong) expressed surprise at the condition of the Minister as Shillong
Dulal Chandra Barua (Ind) sought clarification about a certain purchase deal of the State Elementary Education Board relating to printing of question papers outside the State and about certain allegations against the primary teachers. Rani Manjula Devi (Cong) wanted to know about the programme of youth welfare. The Minister wanted to reply to these questions on 30 May 1970. The ruling party members also suggested the postponement of the Voting On Grant till that day. However, the matter came to an end on the assurance of the Minister that he would go into the details of the alleged corruption in the Department of Education and other matters raised in the out motion.

Moinul Haque Choudhury (Cong) criticised the size of the Ministry which according to him was enlarged to please everybody of the ruling party. 62

This brief survey of the behaviour of the ruling party inside the House shows that the ruling party members were not always blind supporters of each and every work of their own Ministers. On every available opportunity they bestirred themselves to refer to various omissions and commissions. The fact that the ruling party members usually pointed to the omissions on the Addresses of the Governor may be cited as example, since the Addresses of the Governor were prepared by the Cabinet. It was also found that the ruling party members often offered helpful and constructive suggestions to the Ministers. Avoidance of extravagance, adoption of austerity were some of the frequent suggestions of the members of the ruling party.

to the Government. Although there were instances of intra-party conflict, the ruling party maintained its cohesion. Thus the conflicts of this nature were surface disturbances only.

The ruling party lost some of its prominent members during this period in the death of Hareswar Goswami and B.P. Chaliha. Two prominent leaders Dev Kanta Barooah and Moinul Haque Choudhury resigned. D.K. Barooah resigned in view of his appointment as Governor of Bihar and Moinul Haque Choudhury resigned after his election as a member of the Lok Sabha. The capacity of the Chief Minister to handle complicated situations and the impartiality of the Speaker in maintaining order and decorum saved many a situation in the House from taking a turn for the worse. The timely criticism and suggestions of the Opposition and its readiness to support unanimously measures of public and State importance made the period a remarkable one in the history of the Assam Legislative Assembly.