CHAPTER VI

SESSIONS OF THE COUNCIL
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The District Council shall be summoned by the Chairman or such other persons authorised by the Governor three times a year commencing from the first day of April and four months shall not elapse between its last sitting in one session and the date appointed for its first sitting in the next session. The Chairman shall cause a notice appointing the date, hour, place for such meeting signed by the Secretary of the District Council to be served on each member of the council at least forty-five days before the date fixed for the meeting. The Chairman shall inform the Deputy Commissioner of the date, hour, place for such meeting of the council. The Chairman may in the event of an emergency summon sessions oftner and at shorter notice with the previous approval of the Governor than what has been laid down strictly. The Chairman shall summon a special

1. Substituted by the Constitution of the Karbi Anglong District Council (Seventeenth Amendment) Act, 1982.

2. Substituted by the Constitution of the Karbi Anglong District Council (Fourteenth Amendment) Act, 1975.

session of the council on receipt of a requisition signed by not less than two third of the members of the District Council. He shall also have the right to prorogue the council. Notwithstanding anything contained in this rule nothing shall restrict the Governor to summon a session of the council at any time he deems fit.

The Chairman shall also have the power to summon the council without the previous approval of the Governor at any time and place to discuss the District Budget as required under para 13 of the Sixth Schedule.

Regarding the language the rules provide that the members may address the council in any of the languages spoken in the area over which the District Council exercises its jurisdiction or in any 'recognised language' of the State. If any member desires to address the council in a language not intelligible to the majority of the members he may with the permission of the Chairman make over in advance to the Secretary a copy of his speech written in Assamese, Roman or Devanagri scripts which he proposes to deliver together with


5. Rule 36(a) Inserted by the Constitution of Karbi Anglong District Council (Sixth Amendment) Act, 1966.
its English translation. The 'recognised language' shall include Assamese, Hindi and English.  

Every speech delivered by the member shall be strictly relevant to the subject under discussion. A member while delivering speech shall not reflect upon the conduct of the President of India or any Governor (as distinct from the Government of which he is the head) or any court of law in the exercise of his judicial functions, utter treasonable or seditious words, use offensive expressions regarding the union or any State legislature, refer to any matter of fact on which a judicial decision is pending, make a personal charge against the Chairman or another member or use his right of speech after due warning from the Chairman for the purpose of willfully and persistently obstructing the business of the District Council.

No proceedings of the District Council shall be deemed to be or ever to have been invalid by reason of any rule not being or not having been complied with. But in case of any such non-compliance any member may raise a point of order. The Chairman's decision in respect of the 'points of order' shall be final.

The Chairman after having drawn the attention of the council to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate may direct him to discontinue his speech. He shall preserve order and have all powers necessary for the purpose of enforcing his decision on all points. He may direct any member to withdraw from the District Council, if in his opinion, his conduct is not satisfactory. He may in case of grave disorder suspend any sitting for such time as may be determined by him.

The Chairman in consultation with the CEM shall allot time for official and non-official business. The list of business for each day shall be prepared by the secretary and shall be circulated to all members at least two days in advance of the sitting. All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for such business. Any business left over on termination of a session shall lapse unless it is included in the list of business on any day during the next session. A member unable to attend the

council session for a period of thirty consecutive days shall apply to the chairman for permission and it would be disposed of in the form of a motion accordingly. If a member remains absent consecutively for a period of thirty days the Chairman shall bring the matter to the notice of the council and the decision of the council in this respect is final. 10

The members of the District Council have every right to put questions. A member who wishes to ask a question shall give notice in writing to the Secretary at least thirty clear days before the session. 11 The Chairman may with the previous approval of the CEM allow any member to put questions at shorter notice. He may within the period of notice disallow any question or part on the ground that it relates to a matter which is not provided in the Sixth Schedule. He shall send a list of business and questions to the Deputy Commissioner for his information and necessary action. If the Deputy Commissioner, in his opinion, considers that the question or a part does not fall within the jurisdiction of the council he may request the Chairman not to include the same in the agenda. In the event of a difference of opinion between him and the Chairman the matter shall be referred to the Governor for

11. Substituted by the Constitution of the Karbi Anglong District Council (Fourteenth Amendment) Act, 1975.
opinion. A question may be asked for the purpose of obtaining information on a matter of public concern which, however, has certain limitations. Any matter which is under adjudication by a court of law and any matter relating to the conduct of a judge shall not include in the questions to be asked by the members. The Chairman may not allow questions which do not carry matters of public interest. A question may be admissible if the following conditions are fulfilled. (1) It shall not bring any name or any statement not strictly necessary to make the question intelligible. (2) The member who asks questions shall be made responsible for the accuracy of the statement he makes. (3) No question shall carry opinion or solution of a hypothetical proposition. (4) No question shall contain arguments, inferences, ironical expressions or defamatory statements. (5) No question shall relate to the character or conduct of any person except in his official or public capacity. (6) The questions should not be of excessive length. (7) It shall not carry any request for action. (8) It shall be precise and definite. (9) It shall be asked with the object of eliciting information, pure and simple. The Chairman shall decide the admissibility of a question on the basis of the above considerations.

A question addressed to a member of the Executive Committee shall relate to the public affairs with which he is officially connected or to a matter of administration for which he is responsible. The Chairman may, in his discretion, allow the question of an absent member to be put by another member if it is duly authorised to do so in writing. On supplementary questions the rules provide that the E.M. may ask for notice and the member who puts the question shall supply the copy of the same to the Secretary of the Council. If the question is not disallowed by the Chairman it will be immediately forwarded to the E.M. with a request that it may be answered within the same session.

The members of the District Council have another important right of moving the motions when a matter requires the decision of the council. Votes may be taken by the show of hands and shall be taken by division if any member so desires. The result of a division shall be announced by the Chairman and shall not be challenged. The Chairman is the authority to decide the admissibility of motions. The Chairman may disallow any motion to be moved, if in his opinion, is identical with the previous motion which is already moved during the same session. The rules provide

for amendments of the motions already moved. But every proposed amendment must be relevant to the original motion. No amendment shall be allowed if it has the effect of a negative vote. Any amendment proposed shall amend the portion which is required to be amended and not the entire motion. An amendment on a motion must not be inconsistent with the previous decision on the same motion given at any stage of the same motion. The Chairman has the right to refuse amendment which is in his opinion frivolous. When an amendment to any motion is moved it is the duty of the Chairman to read or state the amendments in terms of the original motion. He shall put to vote either the original or the amendments moved. 14 When any motion involving several points has been discussed the Chairman shall in his discretion divide the motion and put each point to vote as he may think fit. 15 Any motion moved by a member may be withdrawn and thereafter there shall be no further discussion on it. No motion shall be taken up if the mover is absent and it shall be considered to have been withdrawn by him. At any stage the debate on a motion may be closed and put to vote if any member requests the Chairman to do the same provided the Chairman is satisfied

that the debate has already proceeded to a length which is inconsistent with the reasonable exercise of the right of free speech and it has been approved by two third of the members present. A motion expressing want of confidence in the Executive Committee or a motion disapproving the policy of the Executive Committee in regard to any particular matter may be moved with the consent of the Chairman provided the member who moves submits a written notice before commencement of the sitting of the day. If the Chairman is of opinion that the motion is in order he shall read the motion to the council and shall request those members who are in favour of leave being granted to rise in their places. If not less than one fourth of the members present rise accordingly the Chairman shall intimate that the leave is granted. The motion of no confidence should be taken up within two days and not less than twenty four hours from the time at which the leave is asked. The Chairman, however, has the right to relax the rule and take up the motion earlier than twenty four hours if exigencies of business require.

The District Council in a session has the most important power of law making within the district as specified in the Sixth Schedule. Bills shall be introduced in the

sessions of the council on behalf of the Executive Committee by any member of the committee are termed as "official bills". The members other than the members of the Executive Committee have the right to introduce bills are termed as "private members bills". Every bill proposed to be introduced must require gazette notification thirty days before the commencement of the session. Every bill shall be introduced with the prior approval of the Governor. The copies of the bill must be sent to the Governor so that it can be published in gazette in proper time. If the Governor considers that the bill does not fall within the jurisdiction of the council he may direct that the bill shall not be introduced and the Governor’s decision in this respect is final. Every private member’s bill shall be introduced in the session of the council if the leave of the council is obtained. The member concerned shall give a notice thirty days before the opening of the session in which it is going to be introduced. A copy of the bill together with the statement of objects and reasons shall be sent to the concerning E.M. The Chairman then shall fix a date for consideration of the motion by the District Council. On the appointed day the member who gives notice shall move for the leave to introduce the Bill. If the motion for leave

17. Sub Rule 3(b) of Rule 72 of the Rules 1951.
is opposed the Chairman of his own may allow the mover to give a brief explanatory note and the member who opposes the motion. The Chairman then puts the motion to vote. If the motion is carried the Chairman shall read the title of the bill and shall thereupon be deemed to be introduced in the council. When the bill is introduced the E.M. may take one of the three courses, namely (a) that it be taken into consideration at once or on a specified date mentioned or (b) that it be referred to a select committee or (c) that it be circulated for the purposes of eliciting opinion thereon. The E.M. shall not take any of the courses if the copies of the Bill have not been made available to all the members. The private members have no right to move the above motions. They may, however, move amendments to those motions referred to above. This is the first reading stage of the Bill. At this stage no discussion takes place. The principles and general provisions of the Bill may be discussed before the amendments to aforesaid motions are moved.

The Rules of 1951 made elaborate provision of the composition of the Select Committee. The E.M. in charge and the member who moves shall be the members of the Select Committee also with other members of the committee. The appointment of other members must/approved by the council. The E.M. shall ordinarily be the Chairman of the committee.
The Secretary to the Executive Committee shall be the Secretary of the Select Committee. The quorum of the committee shall be determined by the council. The Select Committee shall submit its report and the copies of report shall be made available to all the members of the council. After the E.M. receives the Bill he may move that the Bill as reported by the Select Committee be taken into consideration. The Chairman may allow the report to be taken into consideration. The E.M. may move that the Bill be recommitted. After a motion has been agreed to by the District Council that Bill be taken into consideration any member may propose an amendment of the Bill. The notice of such amendment shall be given to the Secretary three clear days before the meeting of the District Council. But the Chairman may exercise his discretion if objection is not raised by the members concerned. He may then take up the Bill clause by clause. This is the second reading stage of the Bill. When no amendment is moved and when a motion that a Bill be taken into consideration has been agreed to by the council the Bill may at once be passed. Objections raised by the members shall prevail unless the Chairman in his discretion allows the Bill to pass. In case the objections are allowed to prevail the Bill shall be brought forward again at a future session with or without amendment. This is the third reading state of the Bill. The Bill then will
be verified by the Secretary clause by clause and sent to the Chairman for his signature. After the Bill has been so authenticated the Secretary shall send the same to the Deputy Commissioner for submission to the Governor for his assent. When the Bill so authenticated is assented to by the Governor is published in the gazette it shall have the force of law as provided in para II of the Sixth Schedule.

The District Council in a session has another important power of adopting both official and non-official resolutions. A member who wishes to move a resolution must give fifteen days notice before the opening day of the session with a copy of the resolution which he wishes to move. The Chairman with the consent of the CEM may allow a resolution at shorter notice than fifteen days. Immediately on receipt of the notice the Chairman shall send a copy of the resolution to the Deputy Commissioner. The Deputy Commissioner shall have the power to disallow any resolution on the ground that it relates to a matter which does not fall within the jurisdiction on the council. In the event of any difference of opinion between the Deputy Commissioner and the Chairman the former shall report the matter to the

Governor and pending the receipt of the orders of the Governor thereon the Chairman shall not include the resolution in the list of business. If the Chairman is intimated that the resolution cannot be taken up he shall not include the same in the list of business. The Chairman of his own may disallow any resolution if in his opinion it relates to a matter which is not primarily the concern of the council. No resolution can be adopted in regard to the following subjects, namely, (1) any matter relating to the conduct of a judge or magistrate, (2) any matter which is under adjudication by a court of law having jurisdiction in any part of India and (3) any matter which the Chairman does not want to approve. This, however, does not include the resolution if the Deputy Commissioner disapproves and the same had been confirmed by the Governor. Every resolution subject to the restrictions imposed, shall clearly and precisely express and shall raise a definite issue, shall not contain arguments, inference, ironical expressions or defamatory statements nor shall it refer to the conduct or character of persons except in their official or public capacity. The member in whose name the resolution has been enlisted may commence his speech by a formal motion when called upon to do so. If the member is absent the resolution shall be considered

withdrawn provided the member concerned gives his consent in writing to move the same by another member. In any case the Chairman's permission is a must. It is to be noted that discussion on a resolution shall be strictly limited to the subject of the resolution. After the resolution is moved any member may move amendment before two clear days fixed for discussion. A member who has moved a resolution shall not withdraw except by leave of the District Council. Every resolution which has been passed by the District Council shall be forwarded to the Governor and to the Deputy Commissioner. The rules also provide removal of Chairman by moving a resolution. But unlike the resolutions this resolution does not require any notice.

The Rules of 1951 give a detailed account of the financial procedure to be followed by the council in a session. The statement of estimated receipts and expenditure pertaining to an autonomous district which is to be credited to or is to be made from the consolidated fund of the State of Assam in respect of every financial year shall be placed before the District Council for discussion. The Chairman shall prepare a report on the discussion and send the same to the Governor so as to enable him to show it separately in the annual financial statement of the state to be laid before the legislature of the

state under Article 202 of the Constitution. The District Council of its own shall prepare a statement of expenditure and receipts to be credited to or is to be made from the District Fund of an autonomous district and shall be laid on the table of the council. The council in its session shall have the power to assent or refuse to assent to any grant specified therein. The CEM shall authenticate by his signature a schedule specifying the grants made by the council. The schedule so authenticated shall be placed before the District Council but shall not be open for discussion or vote in the council. If in respect of any financial year further expenditure from the District Fund is necessary the CEM shall arrange to place a supplementary statement for approval of the council. The date and time on which the District Council budget is presented shall be decided by the Chairman in consultation with the CEM. No discussion on the council budget shall take place on the day on which it is presented. The Budget shall be dealt with by the council in two stages, namely (a) a general discussion and (b) voting of demands for grants. The Member-in-charge financial affairs shall have a general right of reply at the end of discussion. The Chairman shall fix the time limit for discussion on the demand for grants. On the

last day of the days so allotted the Chairman shall put every
question necessary to dispose of all the outstanding matters
in connection with the demands for grants. No motion for
appropriation can be made except on the recommendation of the
CEM communicated to the council. Motions may be moved at this
stage to refuse or reduce the total amount of any demand for
grant or to omit or reduce the amount of any item or unit of
appropriation composing the grant. If any of such motions be
carried by the District Council the decision would be final
and shall not be open for discussion. Notice of a motion to
refuse or reduce demand shall be given to the Secretary of
the council one day before the day on which the demand is
to be taken up for consideration. The Chairman in consultation
with the CEM may from time to time allot a day or days for the
presentation of a supplementary statement of expenditure
for discussion and voting on the demands. A demand may be
presented to the council for an additional or supplementary
grant in respect of any demand for grant to which the council
has previously reduced.

The Rules of 1951 categorically stated that the
Secretary shall arrange to prepare a report of the proceedings
of the council sessions as early as possible. He shall send a
copy of the report to every member, to the Deputy Commissioner
and the CEM.\textsuperscript{23}

\textsuperscript{23} 121(i) of the Rules 1951.
Now let us see how the sessions of the District Council of Karbi Anglong are summoned and business conducted according to the Rules specified. Regarding the summoning of the council sessions no irregularities were noticed. It was summoned strictly according to Rules. Although, originally, there was the provision of three months interval the Rules were amended to make the interval at four months. Prior to 1966 all emergent sessions were to be summoned with the prior approval of the Governor. On one occasion the Chairman had to remind the Governor the shortage of time which might stand in the way of holding a session of the council. The Governor extended the date from 8th June 1962 to 24th June, 1962.

24. In the statement of objects and reasons to the 17th Amendment to the Constitution of District Council Rules by Karbi Anglong District Council it was stated - "It is felt that summoning the District Council session to meet four times a year is not necessary but to reduce the number of times to meet the session to three is essential in view of the fact that this will not in any way affect the purpose for which the District Council sessions are held but will allow the members of the District Council to devote more time for development works in the district. This will also minimize the expenditure of the Council."

25. Chairman's letter No.4053 dated 6.5.62.
Thus the amendment of the Rules by the council facilitated the Chairman to hold the emergent session conveniently. Another noticeable feature of the sessions of the District Council is the fact that only once a requisition meeting had to be summoned during the period under review. The Government, however, of its own summoned the session of the council only once and that too during the period when the council was superceded by the Government. On all other occasions the Chairman himself summoned the sessions with the prior approval of the Governor.

Regarding the language used in the sessions of the council, Assamese was widely used as it was understood by all the members of the council. Since the inception of the council Karbi and English were occasionally used by the members. In the first, second and third District Councils very few members used English and Karbi instead of Assamese. Raidang Engti was the lone member, who used English and Karbi in the sessions of the council. On several occasions the English and Karbi used by Engti were objected to by some of the members of the council. In the fourth District Council

27. Pulsing Lalung objected to the use of English by Engti on question No. 21 put during the 59th session of the council.

Hanu Ram Mech and Moham Sing Teron objected to the use of Karbi by Engti on motion No. 8 moved by S.K. Tieso during the 70th session of the council.
Davidson Hanse and Lovelywell Durang used English and Karbi almost on all occasions. B.G. Momin was another member who spoke in English on several occasions. K. Bora another member also sometimes used English in the deliberations of the council. Lovelywell Durang’s use of English was objected to by a member on one occasion. In the fifth District Council the English and Karbi were used on a very few occasions. Davidson Hanse was the lone member, who used English and Karbi on several occasions. K. R. Mech, Kunjalal Hagjer and Khor Sing Bey also used English on very few occasions. Assamese had been widely used as it was understood and spoken by a majority of the members of the council. It is remarkable that Assamese is the only lingua franca amongst different sections of the members of the council. Therefore, the importance of Assamese as the language of the Council Sessions cannot be ignored at this moment.

The District Council of Karbi Anglong had not witnessed any serious unruly behaviour of the members during the period under review. In the first four District Councils the members behaved in a very disciplined manner and whenever the Chairman requested them to go according to rules they

28. Durang’s use of English was objected to by K. Rengma. Rengma complained that he did not understand English and requested Durang to speak in Assamese. This has a reference to motion No. 7 moved during the 81st session of the council.
complied with his request unhesitatingly. The fifth council had, however, witnessed some noisy scenes on a few occasions and the Chairman's request for order was not complied with. For the first time in the history of the council the members' unruly behaviour was witnessed when the chairman suddenly adjourned the House when an E.M. was speaking on the ground that CEM was going to meet the students demonstrators who were protesting against the early closure of schools. There was almost pandamonium as there was shouting from both sides. The opposition questioned the justification for the adjournment. The members went on thumping the desks with paper weights as a result there was disturbance. The opposition at the top of its voice shouted, "Janata Party, Murdabad". The Chairman finally left the seat. The next occasion was witnessed during the question hour when the question No. 3 being put by Gujar Teron was replied by the E.M. Teron was not satisfied with the reply and insisted on proper reply. But the House was adjourned for lunch. When the members met after the lunch break they insisted on a proper reply to question No.3. The E.M. could not reply properly. So also the Chairman. The Chairman after a while started defending the E.M. without any rhym or reason. Almost all the members of the opposition shouted at the top of their voice obstructing the business of

29. Proceedings of the 113th session of the council.
the House. The members of the opposition finally warned the E.M. not to mislead the House in future. The third occasion was witnessed on a motion No.1 moved by Bidya Sing Engleng on the sale of teak wood by the council. Altogether seven members participated in the discussion on the motion. The E.M. could not reply to the motion properly. He was cornered in such a way that he could not speak at all. The reply of the E.M. was not at all satisfactory according to the members. When the CEM and others fumbled the Chairman suddenly left his seat without adjourning the House. After a while he came back and adjourned the House. There was almost pandamonium. The members of both sides shouted at the top of their voice. The Chairman, however, pleaded that he adjourned the House earlier but due to noisy scenes the members could not hear him. The next day when the House met the members questioned the Chairman about the motion. The discussion went on till the Chairman allowed G. Teron to put the question No.4. In the same session there was again a disturbance when the question No.5 was put by K.R. Mech. When the E.M. in charge could not reply to the question properly the members got agitated and shouted at the top of their voice. The Chairman's silence was conspicuous. He played the role of a dumb spectator.  

31. Ibid.  
32. Ibid.
Regarding attendance it was always good. Only on rare occasions same members were absent. The Ministers and the Deputy Ministers who belonged to the council sometimes were absent due to their preoccupation. As a whole, their attendance was quite satisfactory. No member was absent consecutively for a period of thirty days.

It is important to note that in the history of the council of Karbi Anglong no member had been asked to withdraw from the sessions for disorderly behaviour. This shows that the members, barring a few, behaved in a very disciplined and restrained manner during the period of their membership.

Another most important aspect of the sessions of the council is the list of business prepared by the Chairman in consultation with the CEM. The first four District Councils did not witness irregularities in respect of the preparation of the list of business. But in fifth District Council there were notable irregularities in respect of the preparation of the list of business. On 26th September, 1980 the House was adjourned on account of the death of S. Doulagupu, the first Secretary of the council. When the house met on 27th the list of business of 26th was to be taken up. But the Chairman decided to take up the list of business of the 27th. One member Chatra Singh Teron raised an objection which the
chairman did not want to listen. When the some other members of the opposition insisted on the point he declared that the list of business of 26th would be taken on 1st October, 1960 and not on 27th itself. Thus the Rules of procedure were deliberately violated by ignoring all norms of parliamentary practice.

There were a number of irregularities in respect of putting questions and moving motions. In the first three District Councils, although irregularities were noticed they were corrected by the Chairman on a number of occasions. The question No. 27 of 1959 put by R. Engty is an instance in point. The question according to the Chairman was duly replied by the CEM and hence there should be no further discussion on the question. When Engty insisted on further discussion the Chairman did not allow him to do the same. The question No. 29 of 1959 put by Barelong Terang was of the same nature. The discussion on the question went to such an extent that the Chairman had to remind the members of question hour and hence no further discussion should take place. The question No. 45 of 1959 could not be properly replied by the CEM which the Chairman had to caution him to come prepared while attending sessions. The fourth District Council was not free from

33. Proceedings of the 121st. session of the council.
34. Proceedings of the 29th session of the council.
35. Ibid.
36. Proceeding of the 31st session of the council.
irregularities in respect of putting questions. The question No. 1 of 1962 was an example of this type. H.R. Mech was to put the question. But the Chairman did not consider the same a question and did not allow him to put the same. The question No. 3 put by the same member was of descriptive type and the Chairman had to remind him that it was not a question.37

Similar mistake was committed by the same member when he put question No. 1 in the next session. The member concerned wanted discussion on the question which the Chairman did not allow.38 Sometimes, the members of the Executive Committee could not reply to some of the most relevant supplementaries to the original question. They refused to answer the same on the plea that they did not receive any notice for it. The question No. 9 put by Sar Bey was of this type. The question related to the appointment of two engineers by the council. When H.R. Mech wanted to know the names and qualifications of the engineers, the CEM refused to answer and considered it a separate question which required notice. The question No. 11 related to the repair of Members Hostel of the council. When the member wanted to know the name of the Contractor with whom the contract was settled the E.M. refused to answer and considered it a separate question.39

37. Proceedings of the 43rd session of the council.
38. Proceedings of the 44th session of the council.
also witnessed certain irregularities in respect of putting questions and replies to the same. The question No. 1 put by Sar Bey was replied by CEM. The question related to the appointment of Mandals. But the supplementaries to the original could not be replied by the CEM on the plea that the files had to be consulted. 40

Another significant thing noticed during the sessions of the fourth District Council is that the Chairman played a very ineffective role and hence the members who put questions did not get justice from the Executive Committee. The question No. 29 was to be answered by CEM. But the CEM instead of answering the same wanted to prove that the question was irrelevant. Durang who put the question wanted to explain his views which the Chairman did not allow. The question no. 30 was not answered by the CEM on the plea that the name of the member who put the question was not recorded. The question No. 31 was not answered by the CEM on the ground that a motion to that effect was already moved by the member on a previous occasion. 41

The question No. 2 put by S. Doulaguphu was answered by the CEM in the absence of the E.M. The reply was not satisfactory. The member wanted detailed answer which the CEM considered a separate question. 42 Thus, on all the above occasions the

40. Proceedings of the 80th session of the council.
41. Proceedings of the 81st session of the council.
42. Proceedings of the 84th session of the council.
Chairman played a very passive role and did not assert his right as the custodian of the rights of the members. One of the members being dissatisfied with the replies to questions put during the 81st session of the council approached the Secretary (Legislative Wing) with a request to write to the Principal Secretary suggesting him to constitute a commission of Enquiry on the replies to questions. The Secretary (L.W.) accordingly wrote to the Principal Secretary.\footnote{43} The Principal Secretary replied that Rules of 1951 did not provide for holding an enquiry and hence the question did not arise.\footnote{44} Sometimes the questions put by the members were not seriously entertained by the Chairman. K.S. Teron moved a short notice motion on the questions submitted by him during the 100th session of the council. The member alleged that some questions and motions submitted by him were not included in the agenda. The Chairman admitted that some papers submitted by Teron were either kept in the almirah or were taken away by the chowkidars and peons. He, however, stated that the Secretary (L.W.) had been requested to enquire into the matter. The same state of affairs continued in the fifth council also. Question No. 1 is an instance in point. The E.M. could not reply and yet the Chairman did not

\footnote{43} Secretary (L.W.) letter No.MHC/XVII/164 dated 9th November, 1971.
\footnote{44} Principal Secretary's letter No.MHC/XVIII/167/71-72/14062 dated 13.12.71.
interfare. He played the role of a dumb spectator. The question No. 14 was to be replied by the E.M. But instead of allowing the E.M. to reply the Chairman allowed the member to put supplementary questions. The question No. 4 was another example how the rules of 1951 pertaining to questions were violated. The member who put the question was allowed to deliver a very long lecture on the question. The Chairman committed a mistake by allowing another member to comment after the reply to the question was given by the CEM. It is to be noted that no question had been disallowed by the Deputy Commissioner on the ground that it violated the provisions of the Sixth Schedule. Moreover, no question had been referred to the Governor for opinion.

The members of the District Council have the right to move motions when a matter requires the decision of the council. It has already been stated that some of the members of the first two District Councils were very much confused and failed to make a distinction between question and motion. The Chairman had to remind them of the difference on a number of occasions. Sometimes questions took the form of a motion. The non official resolution No. 3 of 1961 was an example. The CEM wanted clarification from the Chairman.

45. Proceedings of the 113th session of the council.
46. Proceedings of the 126th session of the council.
Some members did not want to discuss on the resolution. The Chairman then decided to drop the resolution and appealed to the members to be very careful in drafting the motions.\(^4^7\)

The third and fourth District Councils did not witness remarkable irregularities in respect of moving motions. The fifth District Council had seen some irregularities, the most notable amongst them were the motion No.6, 7 and 8. In the midst of a discussion on the motion No.6 B.Langthana, K.R.Mech and H.Teron put questions. It is interesting to note that the members concerned were allowed by the Chairman to put questions. The motion No.7 was considered confusing as it was neither a motion nor a question according to some of the members. Chatra Sing Teron considered the same as question and requested the mover to draft accordingly.\(^4^8\) Thus the members of the fifth District Council also were not conversant with the rules and committed major mistakes.

There were not many occasions of moving no-confidence motion against the Executive Committee of the District Council. It is to be noted that not a single no-confidence motion could be taken up because the Executive Committee resigned before it was taken up for discussion. The first no-confidence motion was moved by Devendra Shyam against the

\(^{47}\) Proceedings of the 37th session of the council.

\(^{48}\) Proceedings of the 113th session of the council.
Executive Committee of Nihang Rongphar in the second council of Karbi Anglong. When the Chairman Booth read out the motion and informed the House of the resignation of Nihang Rongphar, Sai Sai Terang insisted on discussion on the motion. The second no-confidence motion moved by Ranjit Tisso against the Executive Committee of Bidya Sing Engleng was also not taken up because the Executive Committee resigned.

The third no-confidence motion was moved again by Ranjit Tisso against the Executive Committee of Bidya Singh Engleng. Engleng resigned before the motion was taken up for discussion.

The District Council of Karbi Anglong enacted legislation on a large number of subjects. All of them were 'Official Bills' introduced by the members of the Executive Committee. The rules pertaining to the introduction of Bills have not been always observed. There are certain instances of sending the copies of the Bill straight to the Tribal Areas Department instead of sending the same to the Deputy Commissioner. The T.A.D. had to remind the council that Bills should be sent to the Deputy Commissioner. The T.A.D. requested the council not to commit this mistake in future.

49. Proceedings of the 24th session of the council.
50. Proceedings of the 11th session of the council.
51. Proceedings of the 120th session of the council.
52. TAD/R/567/76 dated 25.1.77.
that the Additional Secretary to the Government of Assam also sent another detailed instructions to the council regarding the procedures to be followed in respect of making laws.\textsuperscript{53}

Every bill was scrutinised by the T.A.D. and therefore there was less likelihood of committing major mistakes in the preparation of Bills. It is interesting to note that barring a single Bill, no Bill had been referred to a select committee during the period under review. Moreover, no Bill had been circulated for eliciting public opinion during the period. Only one Bill i.e. the Karbi Anglong District (Member's salaries and allowances) Bill was said to be referred to a Select Committee for recommendation. The committee in its sitting held on 3.3.58 recommended certain amendments to the original bill which was finally accepted by the council. The composition quorum etc. of the committee could not be ascertained properly. Practically speaking, no elaborate discussion took place on the Bills proposed in the first four District Councils. The fifth District Council had witnessed some discussion on the Karbi Anglong District (Land Reforms) Bill but not much.

The Rules of 1951, as stated earlier, have made sufficient provisions of accepting resolutions, both official and non-official by the council. Most of the resolutions

\textsuperscript{53.} TAD/R/160/73 dated 18.1.74.
adopted, were official resolutions. There were very few non-official resolutions passed by the council. It is interesting to note that most of the non-official resolutions were either dropped or withdrawn by the movers themselves on the request of the CEM. In the first four District Councils the non-official resolutions were dropped in large numbers because the Karbi-A-Durbar commanded a majority in the District Council. The non-official resolution Nos. 27, 28, 30 were dropped on the request of the CEM. The non-official resolution No. 4 was also dropped on the request of the CEM. The fifth District Council also did not witness acceptance of non-official resolutions in large numbers. It is to be noted that only on two occasions the Deputy Commissioner had certain differences with the Chairman of the council regarding the inclusion of resolutions in the agenda of the sessions. The first related to the resolution No. 4 proposed to be moved by Sateyeswar Doulaguphu which sought to cancel the patta issued to one Ram Agarwalla at Diphu town as the same had originally been allotted to the Basic Training Centre for the construction of its buildings and staff quarters. The Chairman did not allow Doulaguphu to move the resolution as it was a matter not primarily the concern of the council. The Chairman in his letter

54. Proceedings of the 18th session of the council.
55. Proceedings of the 52nd session of the council.
56. Proceedings of the 81st session of the council.
to the Deputy Commissioner further stated that in the best interest of the district the resolution need not be admitted. He sought the Deputy Commissioner's views regarding the admissibility or otherwise of the resolution to be moved in the session. The Deputy Commissioner did not agree with the views of the Chairman and said that it was the concern of the council. In fact the Deputy Commissioner said allotment, occupation, or use or setting apart of land other than any land which was a reserved forest etc. etc. were the concern of the council. The Deputy Commissioner referred the matter to the Governor for advice and requested the Chairman not to include the resolution in the agenda. The Governor endorsed the Deputy Commissioner's views and it was moved accordingly.

The other occasion came up exactly after ten years when a resolution was proposed to be moved by Davidson Hanse for the creation of an autonomous state within the State of Assam under Article 244(A) of the Constitution. The Chairman sought the opinion of the Deputy Commissioner on the resolution. The Deputy Commissioner in reply stated that the matter did not fall within the jurisdiction of the council and hence it must be sent to the Governor for his comments and orders. The Chairman

again stated in his letter to the Deputy Commissioner that the
council had every right to move the resolution under Rule 95
of the Rules 1951. The Deputy Commissioner replied that the
rule 95 had to be read with rule 95 of the Rules 1951. He
further stated that in any case it was a clear case of difference
of opinion between the Deputy Commissioner and Chairman and
therefore he was compelled to send the same to the Government.
The Deputy Commissioner further requested the Chairman not to
include the resolution in the agenda of the coming session.
Curiously enough the Chairman included the resolution in the
agenda but did not allow the mover to move it. The Deputy
Commissioner wrote to the Special Secretary as follows, 'It is
most disturbing to note that the authority of the council by
their own actions are subverting the rules which framed to
guide their conduct. In fact, there is a tendency in the
council more specifically in the Executive Committee to behave
in a manner which cannot be termed as responsible and becoming
of position they occupy and the responsibilities they have
been entrusted to discharge. I have very little doubt in mind
that irrespective of political utility the council is dischargething, their continuation in their present shape is not exactly

60. KAC/XVII/80/8 dated 30.9.80.
61. DC/23/80/61 dated 30.9.80.
in the interest of the district.' Thus the Deputy Commissioner condemned the council and the Executive Committee. The Governor admitted that it was not within the jurisdiction of the council to move such a resolution but the Union Government may be requested to initiate necessary legislation to form within the State of Assam an autonomous state comprising the district of Karbi Anglong and the resolution to that effect might be in order. 62 Thus it is clear that on one occasion the resolution disapproved by the Executive Committee was approved by the Government while on the other the resolution initiated by a member backed by the council was disapproved by the Government.

Regarding the financial procedure adopted by the council it may be noted that the District Budget is not sent to the council by the Government in time. The members, therefore, contended that their participation was not given due weight by the Hill Areas Department. The Budget is sent normally by the Hill Areas Department just on the eve of the session and therefore the members do not find time to examine it. 63 The council Budget is prepared by the Executive Committee and placed before the council for approval. The council

62. HAD.189/80/10 dated 12.2.81.
did not observe the procedure prescribed. This was mainly due to the ignorance of the members of the Executive Committee and the council. The Chairman had to remind the members of the Executive Committee about the procedures on a number of occasions. When discussion on item No.5 was going on, the Executive Committee did not decide it. So was the case with regard to item Nos. 6, 7, 8, 9, 10, 11 and 12. Chairman Booth had to play the role of a school teacher in conducting the proceedings. The rules provide that the CEM shall authenticate a schedule specifying the grants made by the council. The grants under the Budgets of 1952-53, 1953-54 were not authenticated. Therefore the expenditure incurred against those grants were irregular which, however, were subsequently regularised. The members, on certain occasions could not follow the rules properly. When the motion No.1 was moved by the CEM the Chairman informed the House that there was a cut motion from Raidang Engty. The CEM, on the other hand, contended that it was not admissible under rules. When the Chairman requested the CEM to have a discussion on the motion he agreed. Barelong Terang wanted discussion on motion No.3 which was objected to

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64. Proceedings of the 3rd session of the council

by a member as it had no cut motion.66 Thus it is seen that
the members could not make use of the rules pertaining to the
financial procedure of the House. The fourth and the fifth
District Council did not witness major irregularities in
respect of the financial procedure of the House.

The Rules provide that the Secretary of the council
shall arrange to prepare a report of the proceedings of the
council sessions as early as possible. It was, in fact, not
done which was evidenced from the proceedings of the council
sessions. L.W. Durang complained that the proceedings of
last session were supplied by the Secretary on the day on
which the next session begins.67 Sometimes, the members
expressed doubt about the correctness of the proceedings of
the sessions. It was alleged by a member that some important
speeches delivered during a session were omitted which was
considered to be highly irregular.68 An one moment a member
had to suggest for the purchase of a tape recorder and also
the appointment of stenographer to record the proceedings
correctly.69

67. Proceedings of the 95th session of the council.
68. Proceedings of the 124th session of the council.
69. Proceedings of the 119th session of the council.
Conclusion

(1) The summoning of the District Council sessions was done strictly according to Rules.

(2) Requisitioned meetings of the council were called only once. The Governor, however, of his own summoned session of the council only once during the period under review. On all other occasions the Chairman summoned the sessions.

(3) Regarding the language used in the sessions of the council the Assamese was widely used. The English and Karbi were used on rare occasions.

(4) The District Council had not witnessed any major unruly behaviour of the members during the period. It is to be noted that the unruly behaviour of the members was witnessed for the first time in the fifth District Council only.

(5) The attendance of the members was found to be quite encouraging and there is not even a single case of a member remaining absent consecutively for a period of thirty days. Another most important thing which is to be noted is the fact that no member had been asked to withdraw from the sessions during the period.

(6) Regarding the preparation of the agenda except once no irregularities had been noticed during the period.
(7) Some of the questions put and motions moved during the period were not in order. But it is to be noted that the irregularities committed in the early years were corrected by the Chairman while in the later years they were not corrected by the Chairman.

(8) Only on two occasions the Deputy Commissioner and the Chairman had some differences in respect moving resolutions.

(9) The motions of non-confidence were not taken up because the Executive Committee resigned before the date fixed for their consideration.

(10) The procedures in respect of making laws were, as a whole not violated. There were, however, certain irregularities which could not be considered glaring mistakes.

(11) The financial procedures prescribed were strictly followed although there had been certain irregularities in the first few years of the council. This was mainly due to the fact that most of the members of the council were not conversant with rules and also with this system of Government.