CHAPTER - V

Role of the Opposition

Introduction:-

A strong Opposition is necessary for the effective functioning of democracy. Without an effective Opposition the ruling party tends to lose much of its effectiveness\(^1\). The Constitution of India has provided for a parliamentary form of Government on the British model the two-party system, \textquote{the salt of the British democracy}\(^2\) is yet to evolve here. It is admitted that the existence of a strong Opposition party is a sine-qua-non of democracy, particularly of parliamentary type\(^3\). In a parliamentary democracy the party in power is to rule and the Opposition is to criticize and check the Government. Further the Opposition provides for a training ground for the politicians who are to discharge the responsibilities in the government. An effective Opposition renders a Government a going concern. It presents the

\(^2\) Aiyar and Srinivas, Studies in Indian Democracy, pp 158-160.
\(^3\) Borgohain, Manindra Nath, the Assam Legislative Assembly (1937-1962, Gauhati University, Ph. D Thesis 1962), pp286.
formation of monopolies in politics, which are worse than economic monopolies\(^4\). In other words Opposition parties are the greatest insurance against the abuse of power and the tyranny of the majority.

The basic reason for the successful working of democracy in the UK may be attributed to the existence of the two political parties equally strong enough to form an alternative Government where the necessity arises. The Opposition is not merely Her Majesty’s Opposition but also Her Majesty’s alternative Government. The Opposition presents itself to the electorate in that capacity, it asks for a mandate to govern. The Opposition checks the ruling party by two means, by an appeal to the electorate and by parliamentary debates.

**Nature and Role of Opposition Parties:**

In the Assam Legislative Assembly, by and large the Opposition was both quantitatively and qualitatively the weakest among those the in Indian State. Under the Morley-

\(^4\) Borgohain, Manindra Nath, the Assam Legislative Assembly (1937-1962, Gauhati University, Ph. D Thesis 1962), pp266.
Minto Reforms Act, 1909, there was no scope for the formation or functioning of a real parliamentary Opposition in the legislatures of India. In the council constituted under the Government of India Act 1919, the elected representatives sat in the opposition. The Assam Legislative Council (1921-23) was consisted of representatives of moderate views, and they preferred co-operation with the government instead of opposing policies of the government. It is interesting to note that the Opposition consisted of a number of political parties with different policies and programmes.

During the period 1937-1945, except for a brief period (March 19, 1938 to Nov 17, 1939), the Congress was in the opposition. The Opposition was unified, compact, solid and forceful enough to influence the government. From 1940-41 Congress was not in the Assembly, and therefore there was practically no opposition. From 1942-44, the Nationalist Party was the Opposition party.
During the period 1946-51, the Muslim League and the European Group were in the opposition. The Congress party could impress the House as well as the public with its progressive views on the opium prohibition, the 'Line System', reduction of land revenue and the abolition of Upper House of the Assam Legislature\(^5\).

**Opposition in the 8\(^{th}\) Assam Legislative Assembly (1985-1990):**

The Opposition in the 8\(^{th}\) Assam Legislative Assembly may be attributed to be the most effective and influential that influenced the ruling AGP Government. Besides, this, it was successful in highlighting the major socio-economic and political issues through constitutional and democratic methods, although the Opposition sometimes behaved irresponsibly. The following table shows the party-wise strength of the Opposition in the 8\(^{th}\) Assam Legislative Assembly.

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\(^5\) Line System was introduced by the Govt. of Assam to restrict the flow of immigrants into Assam and to prevent clash between the immigrants and indigenous people, Dutta, Landmark of the Freedom Struggle in Assam, p81.
### Table No. 5.1

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Party</th>
<th>Strength in Assembly</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>INC (I)</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>2</td>
<td>Cong (S)</td>
<td>04</td>
<td>04</td>
</tr>
<tr>
<td>3</td>
<td>CPM</td>
<td>02</td>
<td>02</td>
</tr>
<tr>
<td>4</td>
<td>UMF</td>
<td>17</td>
<td>17</td>
</tr>
<tr>
<td>5</td>
<td>PTCA</td>
<td>03</td>
<td>03</td>
</tr>
<tr>
<td>6</td>
<td>UTNLF</td>
<td>01</td>
<td>01</td>
</tr>
<tr>
<td>7</td>
<td>SUCI</td>
<td>01</td>
<td>01</td>
</tr>
<tr>
<td>8</td>
<td>IND</td>
<td>02</td>
<td>02</td>
</tr>
</tbody>
</table>


The Table 5.1 shows that the INC (I) was the single largest Opposition party in the Assembly followed by the
UMF having 17 seats in the legislature. The rest of the Opposition parties were numerical in size, although some of these parties like the UTNLF, the PTCA and the CPM emerged as strong Opposition parties in the Assembly.

**A study of the activities of the Opposition in the 8th Assam Legislative Assembly:**

During the period of our survey, the Opposition seized every available opportunity to criticize the government on a number of occasions. The Opposition united together and took keen interest in focusing attention on issues of public importance, particularly on matters relating to corruption and anomalies, natural calamities like flood, deforestation, draught, departmental inefficiency and law and order.

The avenues of criticism were as follows:--

1. **Cut motions:**

Cut motions are moved to reduce the amount of demand for grant submitted by the government. Through the cut motions the Opposition criticized the policies of the Government. The cut motions are governed by the
Rules of the House. Rule 145 (1) provides that a motion may be moved to reduce the amount of a demand in any of the following:

a) "That the amount of demand be reduced to Re. 1" representing disapproval of the policy underlying the demand. Such a motion shall be known as "Disapproval of Policy cut".

b) "That the amount of demand be reduced by specific amount" representing the economy that can be effected.

Rules 146 underlines the conditions of the admissibility of cut motions. The Speaker will decide admissibility of cut motions.

In the Assam Legislative Assembly a number of cut motions were moved by the Opposition which were either lost in vote or withdrawn with the consent of the House. On several occasions the member of the House staged walk out in protest against non-clarification of certain points by the
Education Minister⁹. The cut motion used to generate heated exchange of debates resulting in several days’ debates. The cut motion was withdrawn because of assurance given by the Education Minister on the floor of the House.

The Opposition vigorously opposed the policies of the Government and sharply criticized its utter failure in several important sectors. Aminul Islam INC (I) moved a cut motion demanding the reduction of amount to be fixed for the police department as part of ‘law and order’. The member seriously criticized the police department for its failure to maintain law and order. Even members cutting across party affiliations took active part in the discussion of the cut motions. The motion was withdrawn by the member concerned with the consent of the House¹⁰.

Sometimes members brought allegation of corruption and malpractice of certain department of the Government. Altaf Hussain Mazumdar INC(I) supporting a cut motion in respect of demand for grant in the Education department said

⁹ Assam Legislative Assembly debates dated 6th April, 1988, pp90-91.

¹⁰ Assam Legislative Assembly debates, p16, dt. 18th April, 1988
“well, our philosopher looking education minister is heading a department where things are going on a peculiar way and probably either the hon’ble minister is not aware of it or he is wrongly briefed. Sometimes, the hon’ble minister has stated that his education department will be free from politicization and all sorts of corruption. The education minister leading our students to the catastrophe”.¹¹

Fate of cut motions moved and adopted in the 8th Assam Legislative Assembly.

Table: 5.2

<table>
<thead>
<tr>
<th>Year</th>
<th>Total No of cut motions</th>
<th>Fate of cut motions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Lost</td>
</tr>
<tr>
<td>1986</td>
<td>18</td>
<td>02</td>
</tr>
<tr>
<td>1987</td>
<td>11</td>
<td>0</td>
</tr>
<tr>
<td>1988</td>
<td>17</td>
<td>5</td>
</tr>
<tr>
<td>1989</td>
<td>22</td>
<td>7</td>
</tr>
<tr>
<td>1990</td>
<td>10</td>
<td>3</td>
</tr>
</tbody>
</table>

Total = 78


The above table shows that most of the cut motions moved by the oppositions were withdrawn with the consent of the House. It shows that the Opposition in spite of vigorous Opposition to the policies and activities of the Government showed interest to co-operate with the Government. Even on a number of occasions the ruling party had no other way but to co-operate with the opposition. Most of the cut motions were moved by the members of the Indian National Congress. Followed by 16 cut motions moved by the lone member of UTNLF, B K Basumatary, the cut motions mostly focused on the basic problems of the people like natural calamities, power, law and order and human security, pollution, rural development, education, agriculture, transportation, roads and bridges, irrigation, and public health.\textsuperscript{12}

2. \textbf{Adjournment Motion:}

An adjournment motion is a powerful weapon in the hands of the opposition. It is a substantive notion in

\textsuperscript{12} Data collected from the proceeding of the Assam Legislative Assembly debates (1985-1990).
technical form, designed for the purpose of enabling the House to discuss matters without recording a decision in terms of vote. Such motions are brought for the purpose of discussing a definite matter of urgent public importance.

Rule 56(1) of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly provides that a motion for an adjournment of the business of the Assembly for discussing a definite matter of urgent public importance may be made with the consent of the Speaker. The Speaker shall decide whether the matter to be discussed is definite and whether it is of urgent public importance.\(^\text{13}\)

Rules 57 provides for restrictions on the right to move adjournment motions. The right to move the adjournment motion for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions\(^\text{14}\)

\(^{13}\) Rules of procedure and conduct of business in Assam Legislative Assembly, 1997, pp36.
\(^{14}\) ibid 1997, pp37.
1. Not more than one such motion shall be made at the same sitting.

2. Not more than one motion can be discussed on the same motion and the motion must be restricted to a specific matter of recent occurrences.

3. The motion must not revive discussion on a matter which has been discussed in the same session.

4. The motion must not anticipate a matter which has been previously appointed for consideration or with reference to which a notice of motion has been previously given.

5. The motion must not deal with matter on which a resolution could not be moved.

6. The motion shall not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India.

7. The motion shall not raise a question of privileges.
8. That it must not relate to a matter which is not primarily the concern of the Government of the state.

Rule 58 provides for the method of giving notices of adjournment motion that are to be given at least an hour before the commencement of the sitting on the day on which the motion is proposed to be made to the secretary and copies thereof shall be endorsed to:

1. the Speaker,
2. the Minister concerned,
3. the Minister of Parliamentary Affairs.

As the pre-arranged programme of the House is upset by adjournment motion, it is subject to strict conditions. The power of the Speaker to allow such motion is final.

The following summary provides an account of the adjournment motions either admitted or disallowed by the Speaker, during the period 1985-1990. During the period of our survey a number of adjournment motions were found to

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15 ibid 1997, pp37.
16 Kaul and Shakdher, Practice and procedure of parliament, pp145-146.
be rejected by the Speaker on the ground that they were not concerned with specific matter of recent occurrences\textsuperscript{17}. The following table provides an idea of the adjournment motions in the 8\textsuperscript{th} Assam Legislative Assembly.

Table: 5.3

<table>
<thead>
<tr>
<th>Year/session/motion</th>
<th>Notices received</th>
<th>Notice admitted</th>
<th>Disallowed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td>03</td>
<td>01</td>
<td>02</td>
<td>03</td>
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<tr>
<td>1987</td>
<td>03</td>
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<td>1988</td>
<td>03</td>
<td>01</td>
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</tr>
<tr>
<td>1990</td>
<td>02</td>
<td>00</td>
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</table>

<table>
<thead>
<tr>
<th></th>
<th>03</th>
<th>11</th>
<th>14</th>
</tr>
</thead>
</table>


Adjournment motion tabled during the 8\textsuperscript{th} Assam Legislative Assembly by party:

- Cong – 10
- CPI (M) – 01
- SUCI – 01
- UTNLF – 02

\textsuperscript{17} Data prepared from the records available of the Assam Legislative Assembly debates (period 1985-90).
Table 5.3 shows the role of the Opposition who brought adjournment motions alleging failure of the Government on the following issues.

Adjournment motions tabled in the Assam Legislative Assembly during 1985-90 by issues.

Table: - 5.4

<table>
<thead>
<tr>
<th>Year &amp; Session/Subject matter</th>
<th>Law &amp; Order</th>
<th>Political Violence</th>
<th>Flood Havoc</th>
<th>Departmental Inefficiency</th>
<th>Social Problem</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1986</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1&lt;sup&gt;st&lt;/sup&gt; session</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2&lt;sup&gt;nd&lt;/sup&gt; session</td>
<td>1</td>
<td></td>
<td>1</td>
<td>02</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3&lt;sup&gt;rd&lt;/sup&gt; session</td>
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<td></td>
<td></td>
<td>01</td>
<td></td>
</tr>
<tr>
<td>4&lt;sup&gt;th&lt;/sup&gt; session</td>
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<td></td>
<td></td>
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<tr>
<td>1987</td>
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<tr>
<td>Budget session</td>
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<tr>
<td>Oct session</td>
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<td>1</td>
<td>1</td>
<td></td>
<td>03</td>
<td></td>
</tr>
<tr>
<td>1988</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Budget session</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td>02</td>
<td></td>
</tr>
<tr>
<td>Nov session</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>01</td>
<td></td>
</tr>
</tbody>
</table>
The above table shows that the bulk of the adjournment motions were tabled and by the main Opposition party – the Indian national Congress (I), followed by the UTNLF and the SUCI having numerical strength of in the 8th Assam Legislative Assembly. Significantly, the United Minority Front (both factions) which emerged as a strong political force failed to highlight on their areas. However, the members of the UMF actively participated in

<table>
<thead>
<tr>
<th>Year</th>
<th>Session</th>
<th>1989</th>
<th>1990</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Budget</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Nov/Dec</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Oct</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

(Source: Compiled from the files of the Assam Legislative Assembly debates.)
the adjournment motions who seriously criticized several policies of the Government.

An overwhelming number of adjournment motions relating to law and order were tabled by the Cong (I) members. The Opposition Cong (I) members seriously criticized the failure of the Government to provide security to life and property of the people in the state. Interestingly, the Opposition did not bring adjournment motion on basic problems faced by the people of the state like unemployment, corruption, scarcity and social unrest, even then the Opposition members were able to ventilate the grievances of the people through adjournment motions. They tried to focus the attention of the Government on burning issues.

The following summary provides an account of the adjournment motions admitted and disallowed during 1985-90.

The first ever adjournment motion was moved by Ardhendu Kr. Dey (UMF) on 7th April’86 to discuss a
definite and urgent matter of public importance, i.e., the firing that took place at Silchar Railway Station on 5th April'86, on the peaceful picketers by the CRPF. The motion was supported by Golok Rajbongshi, Cong (I) and Hemen Das, CPI (M). The Speaker disallowed the motion on the ground that police firing was normally not considered as a fit subject for adjourment, justifying intervention in the listed business of the House.18

The Speaker observed "I have heard the points raised by hon'ble members Sri Ardhendu Kr. Dey (UMF) about the admissibility of the adjournment motion given notice of by him on police firing that took place at Silchar Railway Station on the 5th April 1986 on the peaceful picketers by the CRPF personnels in which 15 persons were injured". The primary object of an adjournment is to draw the attention of the Government to a matter of urgent public importance so that the business included in the list of business for the day can be interrupted. The notice given by Sri Ardhendu Kr.

18 Assam Legislative Assembly debates pp342 dt. 7th April, 1986.
Dey (UMF) is relating to police firing at Silchar. Police firing is normally not considered as a fit subject justifying interruption of the listed business of the House. In this connection I refer to page 422 of the practice and procedure of parliament by Kaul and Shakdher wherein such incident was not considered as a fit subject for adjournment motion. It has also been mentioned at page 433 that wherever the subject matter relates to action by the authorities in due administration of law, it is not a fit subject for the adjournment motion.¹⁹

The Opposition members walked out of the House in protest against Speaker’s decision to disallow such motion.

Altarf Hussain Majumdar INC (I) brought an adjournment motion alleging Government’s failure and negligence to protect the life and property of the minority following a serious incident that took place at Sonitpur wherein the police was allegedly involved in setting fire to the houses of the minority. He criticized that the

¹⁹ Assam Legislative Assembly debates dt. 7th April, 1986, pp342-343.
Government was anti-minority and anti-non-Assamese people. The action of the Government was definitely against all principles of justice."  

The motion was not admitted on the ground that there was sufficient delay in bringing issue to the House. The Deputy Speaker observed, "it appears from the notice that the firing took place on 3\textsuperscript{rd} April'86 and it is not known why the matter was not raised on 7\textsuperscript{th} April which would have been earliest the opportunity to raise such an issue. The police firing has already been said not to be fit subject for adjournment motion. Because such action is required to be taken by the authorities in due administration of law."  

The Opposition protested against the alleged high handedness of the Government and staged walk-out.  

*Altarf Hussain Majumdar INC(I)* brought an adjournment motion alleging Government’s failure in checking the systematic killing of certain members of a political party, Cong(I). The Government was alleged to

\[\text{\footnotesize 20} \text{ Assam Legislative Assembly debates pp2 dt. 9\textsuperscript{th} April, 1986.} \]
\[\text{\footnotesize 21} \text{ Assam Legislative Assembly debates pp21 dt. 9\textsuperscript{th} April, 1986.} \]
have totally failed to stop and prevent political murder. The issue was brought before the House as a result of attack on Ramesh Phukan, a former MLA by some miscreants.

The Speaker admitted the same on the ground that the matter was of recent occurrence and had great public importance.\textsuperscript{22}

Another adjournment motion was moved by Binoy Khungur Basumatary (UTNLF), to discuss a matter regarding the killing of one person at village Sarfang by the officer-in-charge of Orang police station. The Speaker disallowed the motion on the ground that police firing could not be the subject matter of adjournment motion.\textsuperscript{23}

Sometimes adjournment motions were tabled to draw the attention of the Government to departmental inefficiency which was of public importance. For example, Ardhendu Kr. Dey (UMF) brought such a motion for alleged failure of the education department in providing supply of books free of cost for want of which education in all schools had been

\textsuperscript{22} Assam Legislative Assembly debates pp38 dt. 12\textsuperscript{th} May, 1988.
\textsuperscript{23} Assam Legislative Assembly debates pp43 dt. 11\textsuperscript{th} May, 1988.
The Opposition seriously criticized the Government for its failure to supply books to the students. The Speaker disallowed the motion on the ground that the matter relating to huge number of question could not be a definite matter, although it was urgent.

Although a great number of adjournment motions were disallowed, yet the Opposition members had been able to ventilate the grievance of the people. Thus, the adjournment motions helped them in their representational role. The Opposition fully utilized the scope provided by the ruling AGP Government dominated by the young political leadership.

One noticeable aspect was that sometimes on a particular issue several adjournment motions were brought by the Opposition members. For example, Ardhendu Kr. Dey, (UMF) Golok Rajbongshi, INC(I) and Hemen Das, CPI (M) moved the notice of adjournment motion on a single topic which showed that the members had little procedural knowledge of the conduct of business in the Assembly.

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24 Assam Legislative Assembly debates pp9 dt. 27th Feb, 1990.
No Confidence Motion:

A no confidence motion is a serious affair, the most extreme form of attack from the Opposition against the ministry. The Opposition is not usually expected to resort to this unless they are reasonably confident of either defeating the ministry or exposing the same thoroughly.

Rule 133(1) provides that a motion expressing want of confidence in the whole ministry or a motion censuring a minister or a group of ministers or a motion disapproving the action or actions of a minister may be made with the consent of the Speaker.25

However such motions are subject to restrictions provided that no motion expressing want of confidence shall be made against an individual minister or a group of ministers.

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25 Rules of Procedure and Conduct of Business in Assam Legislative Assembly, pp64.
Provided further no motion expressing want of confidence in the ministry shall be allowed to be made if a similar motion has been made in the same session.\textsuperscript{26}

Rule 133(2) provides the Speaker shall not give his consent to make a motion under the preceding sub-rule unless the following\textsuperscript{27} conditions are fulfilled, namely –

a) The member desiring to move the motion has, at least an hour before the commencement of the sitting of the day, given a written notice to the secretary of his intention to move the motion together with a copy of this motion.

b) Leave to make the motion has been asked for after the question and before the list of business of the day is entered upon.

Rule 133(3) provide that if the Speaker is of the opinion that the motion is in order he shall read the motion to the Assembly and shall request those members who are in

\textsuperscript{26} ibid pp64.
\textsuperscript{27} Rule 133(2) ibid p65.
favour of leave being granted to rise in their places and if not
less than one-tenth of the total number of members of the
House rise accordingly the Speaker shall intimate that leave
is granted and that motion will be taken on such day, not
being more than ten days and not less than 24 hours from the
time at which leave is asked, as he may appoint.28

Rule 133(4) says that if less than one-tenth of the total
number of members of the House rise, the Speaker shall
inform the member that he has not the leave of the
Assembly.29

Rule 133(5) provides that the Speaker shall at the
appointed hour on the allotted day or the last of allotted days
as the case may be, forthwith put every question necessary to
determine the decision of the House on the motion.30

Rule 133(6) provides that the Speaker, may, if he
thinks fit, prescribe a time limit for speeches.31

Thus no confidence motion is an extreme step and it is
the biggest weapon available to the Opposition in

28 ibid pp65.
29 ibid pp65
30 ibid pp65
31 ibid pp65
parliamentary democracy. Normally, the no confidence motion is intended to dislodge the Government from power, particularly in Indian situation.

In the Assam Legislative Assembly, the Opposition brought no confidence motion to criticize the Government, particularly for its failure on certain important areas. During the period of our survey, the Opposition brought two no confidence motion; one of the two motions was withdrawn, while the remaining one was defeated by voice vote in the Assembly. The following is a short account of the no confidence motion tabled in this period (1985-1990).

1. The first no confidence motion was moved by Abdul Muhib Majumdar, INC(I) on 5th Aug’1986, accusing the all round failure of the Government on some fronts. However, the motion could be considered to be mere routine exercise by the opposition. Moving the no confidence motion, Abdul Muhib Majumdar, INC(I) said, “this motion is neither a reflection nor a criticism nor any kind

32 Assam Legislative Assembly debates dt. 5th Aug,1986, pp35.
of aspersion on the Government. This is the only procedure prescribed by the constitution for ventilating grievances of the members. Therefore, I beg to move that this House do discuss a motion of no-confidence in the ministry headed by Sri Prafulla Kr. Mahanta (AGP), Chief Minister.\textsuperscript{33}

Moving the no-confidence motion Abdul Muhib Majumdar, INC(I) said that the no-confidence motion was the people’s reaction against the new Government, which could be accepted or rejected. He did not think there was any chance of its acceptance.\textsuperscript{34}

The Opposition brought the no-confidence motion in order to initiate discussion in the House on some basic problems faced by the state. The Opposition members accused the ruling AGP Government of misdirecting the society, misrule and bad governance. However, they failed to focus on the failure areas of the Government in a more specific manner. Hemen Das, CPI(M) argued that the

\begin{flushright}
\textsuperscript{33} Ibid pp35  \\
\textsuperscript{34} Assam Legislative Assembly debates pp37, dt. 7th Aug, 1986.
\end{flushright}
Government was following the path of the Congress predecessors. Dewan Joynal Abedin (SUCI) accused the Government of providing not adequate security to the displaced persons who suffered for the severe erosion. Several other members like Dr. Ardhendu Kr. Dey, (UMF) Altaf Hussain Majumdar, INC(I) accused the Government of being partial. The House witnessed uproar over the matter as the members of the treasury benches defended the Government stand arguing that such no-confidence motion had no moral basis to dislodge the Government. The motion failed to generate standard debates in the House except for arguments and counter arguments.

The Opposition expressed satisfaction over the clarification given by the Chief Minister and the Home Minister regarding certain points raised by them. The Opposition extended co-operation and support to the Government on developmental works. The motion was withdrawn by the Opposition members.

35 Assam Legislative Assembly debates dt. 8th Aug, 1986, pp41.
36 Assam Legislative Assembly debates dt. 8th Aug, 1986, pp56-57.
2. The second no confidence motion against the ruling AGP Government was moved by Sri Golok Rajbongshi INC(I) on 7th March’90 expressing complete want of confidence in the ministry. The Opposition charged the Government for its failure, corruption and inefficiency to deal with the burning problems of the state, particularly the law and order deteriorating situation which endangered the life and property of the people.

Participating in the discussion on the no-confidence motion, Sarat Ch. Sinha, Cong(S), argued, "There has been deterioration in the law and order situation in this state. Development has been totally stopped. The members of the Treasury Bench have said that due to the frustration and economic exploitation, the youths have been forced to take-up arms". He supported the no-confidence motion for the non-performance of the Government arguing that the Government had no political will. Had there been political

37 Assam Legislative Assembly debates pp25, dt. 7th March, 1990.
38 Assam Legislative Assembly debates dt. 3rd April, 1990, pp66.
will, it would have been possible for them to do something to control the situation. The attitude of the Government towards the burning problems of the state was rather negative.39

Mosiruddin Sheikh, INC(I) criticized the Government as anti-tribal which did not start developmental works for the tribal. Charging the Government with serious allegation of corruption and misappropriation, the Opposition members appealed to the member of the treasury bench to support the no-confidence motion.40

The members from the ruling party vehemently opposed the no-confidence motion as meaningless.41 Rabin Saikia, (AGP) pointed out that such no-confidence motion will focus on the ill-doings of the past Government.42 Pabindra Deka, (AGP) argued that such no-confidence motion was unwarranted.43

39 Assam Legislative Assembly debates dt. 3rd April, 1990, pp68.
40 Assam Legislative Assembly debates dt. 3rd April, 1990, pp69-71.
41 ibid pp71.
42 ibid pp82.
43 ibid pp75.
The no-confidence motion could not adequately focus on the inefficiency and non-performance of the Government. Further it failed to make the discussion lively, except for simply making argument and counter argument. The Opposition however, claimed their success in focusing the failure of the Government. The motion was put to vote in the House. The no-confidence was lost by voice vote.44

Censure Motion:

The rules of procedure and conduct of business in the Assam Legislative Assembly specifically nowhere mentions regarding the censure motion. However, rule 130(A) says that whenever any report or any matter of urgent public importance and of recent occurrences is brought before the House, any member can move a motion for discussion of the matter45. The Speaker will decide on the admissibility of such motion and may disallow a motion or part thereof46.

44 ibid pp122-123.
45 Rules of Procedure and Business of Assam Legislative Assembly, p61.
46 ibid p63.
However, the admissibility of such motion is governed by certain conditions\textsuperscript{47} –

a) it shall raise substantially on definite issue.

b) It shall not contain argument, inferences, ironical expressions, imputations or defamatory statement.

c) It shall not refer to the conduct or character of persons excepting in their public capacity.

d) It shall be restricted to a matter of recent occurrences.

e) It shall not raise a question of privileges.

f) It shall not revive discussion on a matter which has been discussed in the same session.

g) It shall not anticipate discussion on a matter which is likely to be discussed in the same session.

h) It shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

\textsuperscript{47} Assam Legislative Assembly debates pp60, dt. 2\textsuperscript{nd} April, 1987.
i) It shall not relate to a matter which is not primarily the concerns of the Government of the state.

In the Assam Legislative Assembly, the Opposition could not extensively use this device. Only on one occasion the Opposition moved a censure motion in order to focus on the inefficiency and failure of the education minister\textsuperscript{48}. The censure motion was moved by Sri Golok Rajbongshi, INC(I) in order to draw the attention of the House regarding the mishandling the department of education by wrong policies, particularly the supply of text books to the students free of cost\textsuperscript{49}.

A member of the Opposition Sri Sarat Ch. Sinha, Cong(S) brought serious charge against the Government for discriminating against the members sitting in the Opposition benches. He referred to the matter of allotment of building grant in the Chief Minister’s constituency. Accusing of utter failure of the Education department he argued, “please mind that when we moved a censure motion against the education

\textsuperscript{48} ibid pp61
\textsuperscript{49} ibid pp61
minister, there is nothing personal. We do not want to censure the minister individually or personally. We are censuring the education minister because the department of education has been mishandled; the department has not been able to handle the educational affairs of the state properly\textsuperscript{50}. The Opposition member further charged the department for delay in declaration of policy regarding the appointment of teachers, taking over of schools and the like\textsuperscript{51}.

Participating in the discussion on censure motion, members like Abdul Muhib Majumdar INC(I), Charan Narzary (PTCA), Hemen Das CPI(M), and Binoy Khungur Basumatary (UTNLF) charged the Government with adopting discriminatory policy particularly in matters of allocation of building grant. Dewan Joynal Abedin, (SUCI) argued that there was a consistent policy of discrimination\textsuperscript{52}.

The ruling party members including the Government invariably defended the stand and policy of the Government on educational matters, arguing the charge as baseless and

\textsuperscript{50} ibid pp75
\textsuperscript{51} ibid pp76.
\textsuperscript{52} ibid pp79-96.
motivated\textsuperscript{53}. The motion was put before the House resulting in heated exchange of words between the treasury and the Opposition benches on the question of division, the motion was lost in voice vote.\textsuperscript{54}

A study of the activities of the Opposition in the 8\textsuperscript{th} Assam Legislative Assembly, shows that the Opposition was qualitatively strong. By adopting parliamentary devices, they were successful in reminding the Government of the people's mandate.

Another noticeable aspect was that most of the members of the Opposition were elderly having legislative and political experiences in various capacities. For it, they could adequately focus on the core issues of the failure of the Government, further the legislative inexperience and lack of foresightedness of the AGP Government was capitalized on by the Opposition on a number of issues in the Assembly.

The House witnessed co-operation among the Opposition groups cutting across party and ideological lines

\textsuperscript{53} ibid pp101.
\textsuperscript{54} ibid pp106-107.
on a number of issues particularly in the question hour. The Opposition attacked the Government by putting supplementary questions. The Opposition stood united on a number of occasions to ventilate the grievances of people.

The role of the Opposition was more corrective than Opposition and criticism. On a number of issues raised by the Opposition they pointed out that they wanted discussion so that the young ministers could take proper corrective measures in future, since they had to continue for the entire term. The Opposition also expressed the hope that the Government would be able to do the needful during their tenure of office. The no-confidence motion, would enable the government to view the issues in proper perspectives. As such the purpose of the Opposition was served”.

Thus the Opposition made serious efforts to ventilate the grievances of the people. They appeared to be cohesive both ideologically and organizationally. The issues brought by them before the House was of public importance which

55 Assam Legislative Assembly debates pp57, dt. 8th Aug, 1986.
highlighted on the inefficiency and non-performance of the Government as such the Opposition in the 8th Assam Legislative Assembly did not appear to be frustrated. The main effort of the Opposition group was to make the ruling AGP Government unpopular and weak instead of making themselves stronger by rendering service to the people.

The Opposition focused on the deteriorating law and order situation and non-performance of the Government. Most of the major issues in the House were raised by the main Opposition Cong(I), which were supported by almost all other Opposition parties cutting across party affiliations and ideological difference.

Throughout the period (1985-90) the Opposition was a vigilant one as evidenced by its interests that it took in focusing issues of public importance and matters relating to security of the people, law and order, financial scam and misappropriation, inefficiency of the Government and corruption, particularly in the education department. Thus the Opposition took leading part in initiating discussions on the
problems of economic development of the state. Although numerically small in strength, the Opposition proved to be effective in the Assembly.