



Proceedings of the Tenth Session of the First Assam Legislative Assembly, assembled under the provisions of the Government of India Act, 1935

Assembly Chamber, Shillong, at 11 a.m.  
Tuesday, the 9th December, 1941.

PART XI

The House met at 11 a.m. in the Assembly Chamber, Shillong, at 11 a.m. Tuesday, the 9th December, 1941, with Mr. Ananta Kumar Das, Speaker, in the Chair, the nine Hon'ble Ministers and eighty-four members.

Request for the adjournment of the House due to resignation of a Minister and decision for resignation of the whole Ministry

The Hon'ble the SPEAKER: I have been informed by one Hon'ble Minister of the resignation of his office as a Minister. (A question is asked.) The Hon'ble Smt. Rohini Kumar Chaudhary: I have a question. I request you has arisen an extraordinary question. I request the Hon'ble Premier to say what he has got to say about it. The SPEAKER: I do not know whether the questions are to be taken or not.

The Hon'ble Maulavi Saïyid Sir MUHAMMAD SAADULLA: Mr. Speaker, I received a message about half past nine, I received a communication from the Education Minister to the effect that although he had made a promise to come tonight to discuss about the adjournment motion today, at any rate, he would not come as he had decided to tender his resignation. The message is as follows:

"My dear Sir Mr. Speaker,

As I have heard of a resignation from your Ministry, I could not go to you for discussion about the Gandhi incident, as previously arranged. I am sending the Director of Public Instruction with his written report for discussion with you on the adjournment.

I enclose hereto my resignation letter with the name of the Group to which I shall belong."

Sir, as one of my Ministers has chosen to resign without giving any reason, I think, according to my interpretation of the constitutional position, in view of the joint responsibility of the Ministry, the whole Ministry ought to resign. I will also tender resignation of the Ministry to His Excellency the Governor, who is expected back here on the 12th of this month. At present he is in such an inaccessible place in the North-Eastern Frontier that even a telegram cannot reach him. I, therefore, request you to adjourn the House till 13th of this month, so that when His Excellency comes, I can tender resignation of the Ministry and then the House can take up the usual business, if another Ministry is formed.

The Hon'ble the SPEAKER: We must be told whether the Hon'ble Premier is ready to transact the business of the day.

The Hon'ble Maulavi Saïyid Sir MUHAMMAD SAADULLA: In view of what I have already said that we will resign, we cannot transact business.

Adjournment motion on account of Police assault on a students' procession at Gauhati

**Srijut GOPINATH BARDOLOI** Mr. Speaker, Sir, we have to make a submission to the House. A grave situation has arisen on account of the indiscriminate and murderous assaults that had taken place at Gauhati on Saturday forenoon or noon. We tabled an adjournment motion\* yesterday. We ourselves went to the place and made some enquiry, and as such, we could very well understand the gravity of the situation. We, therefore, request you to see that this matter is placed before the House as early as possible. For all practical purposes, the Ministry will function till the 12th of this month, and this is a matter which, I consider, Sir, should not be made the subject-matter of party politics that is going on just now. If the Ministry is functioning, it should be able to answer the charge that I propose to make in an adjournment motion. If, however, the Ministry say definitely that they have resigned, then, of course, no responsibility appears to them. And, therefore, it will not be reasonable to expect that they will have to reply to what I am going to ask. But as they say that they propose to function till the 12th of this month, I consider that this matter should be taken up. The Ministry should make its position clear with reference to this very important matter.

**The Hon'ble the SPEAKER:** The Hon'ble Premier should say what he has got to say on this matter.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am obliged to my hon. friend, the Leader of the Opposition, for affording me the opportunity by his statement to place before the House what I was thinking about to do in the matter. I publicly thank my hon. friend and the other hon. members of the Opposition benches who went to Gauhati to enquire into the incident on last Sunday. I would have been too glad to hear what are the results of their enquiry. I also, on receipt of telegrams from Gauhati on the matter, sent both the Inspector General of Police and the Director of Public Instruction to Gauhati to enquire into the matter and to submit their reports. I had a plan, Sir, that if the facts elicited by the enquiries of my hon. friend, Mr. Gopinath Bardoloi, the Inspector General of Police and the Director of Public Instruction tally, then there will be no difficulty as to the line of action to be taken. But if the facts do not tally, then what I was thinking is that myself along with my Hon'ble Colleague, the Education Minister, who both hail from Gauhati, and the Leader of the Opposition, who also comes from Gauhati, and have an amicable settlement made instead of having any further police enquiries. But as my Hon'ble Colleague—the Education Minister—has already resigned, I cannot take that line.

\*Srijut GOPINATH BARDOLOI to move:—

That this Assembly do now adjourn to discuss a matter of urgent public importance and of very recent occurrence, to wit, the indiscriminate and brutal assault committed by an armed police force by the command of and personally by the Deputy Commissioner of Kamrup upon a large body of students including women and children while proceeding in peaceful and non-violent manner along a narrow public road in Gauhati town in the fore-noon of Saturday, the 6th December 1941.

Now, Sir, we are not adjourning for a longer period than the 12th, and as this unfortunate occurrence had already happened, we could not prevent that. Therefore, to-day being the 9th, only three days intervene before the 12th instant, on which day it may be discussed if any Ministry functions.

**Srijut GOPINATH BARDOLOI:** Sir, I have yet to make certain submissions before the House. While the Hon'ble Premier is saying that he will try his best to make an amicable settlement.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** That was my idea.

**Srijut GOPINATH BARDOLOI:** The police in the meantime have arrested some students who are lying in the hospital. I think 8 of them have been arrested already and searches are being made in the students' hostels in such a manner that it is provoking to the student community at large. Probably the Hon'ble Premier must have heard about the sentiment of the people of Gauhati, and I take it, of the people of Assam and even of India over this matter—a situation arising out of cowardly attack on small students from the age of 11 or 12—both boys and girls—and on the adults indiscriminately when they were absolutely non-violent and were proceeding peacefully with their books in their hands. That such a proceeding could be suddenly attacked with *lathi* and bayonet in course of which not less than 40 injuries occurred—of about 200 people fell down here and there, is a matter so serious that we should not make the least delay in discussing it.

**The Hon'ble the SPEAKER:** An adjournment motion is not meant for meeting a situation, but for censuring the Government, although grievances may be discussed in the course of the debate.

**Srijut GOPINATH BARDOLOI:** I thought, Sir, that if the Hon'ble Premier would assure me that he would prevent all the excesses, which are being committed even now by the police and the demands of students met, we might consider the attitude of Government in this matter; but as the matter now stands, Sir, the Ministry will be definitely shirking its responsibility in not facing the situation in the House. As I said, Sir, this motion has not much to do with the resignation of a Minister or a split of the parties in the Cabinet. As the Government is now functioning, it is the duty of the Government to face the situation.

**The Hon'ble the SPEAKER:** To face and take censure on them. This is the position.

The Hon'ble Premier said that his Government will be functioning up to the 12th. The hon. Leader of the Opposition wants an assurance from the Hon'ble Premier.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I understand, Sir, that several persons have been arrested under the Defence of India Rules. This unfortunate occurrence could not be prevented by me or by anybody, because we had absolutely no knowledge of the occurrence until we received information, which was after the occurrence. I received telegrams while I was sitting in the Assembly, and immediately after we adjourned, my hon. friend Srijut Bardoloi sent me copies of 3 telegrams which I had already received, asking me to take steps. That very night I wrote back to him that I had taken steps and that I sent the Inspector General of Police, because he had requested me that some responsible officers might be sent to take necessary action.

The next morning I received a letter from the Government asking me to take the prompt steps I had taken and enquiring whether the Government had taken any steps. My colleagues were proceeding to Teheran.

**Srijut GOPINATH BARDOLOI:** I am sorry to hear that the Government has not taken any information, Sir. I had stated that the Government had taken no steps. The Government might be sent along with me to a court of law.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** The hon. Leader of the Opposition has said that the Government has taken no steps. The Ministry. As a matter of fact, I do not know whether the Government has taken any steps. Kumar Chaudhuri is at present in the Government. He has been in the Government for some time but he could not be held responsible for what happened. He was in the Government the afternoon, but if he was not in the Government, he would not be held responsible for what happened next day and when the Government was not in the Government, he would not be held responsible for what happened. The Government would not be held responsible for what happened.

Any way, Sir, it is a long matter and it is not possible to discuss it in detail. I can only say this that I will pay attention to the matter and I will try to do something for the people.

**Srijut BELIRAM DAS:** The Government has taken no steps. It is a long matter and it has been arrested and while it is in the Government, it is not possible to discuss it in detail.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Further enquiry will be made. I have a letter from the Government. I have a letter from the hands of my successors. I have a letter from the Government. I have a letter from the Government in this matter. All further proceedings will be taken in the Government.

**Srijut GOPINATH BARDOLOI:** I do not know whether the Government has taken any steps. It would not be proper for this House to discuss the matter.

**The Hon'ble the SPEAKER:** I should see that the House does not give up the discussion. I shall accept the motion.

**Srijut GOPINATH BARDOLOI:** I do not understand why it should not be carried out just now.

**The Hon'ble the SPEAKER:** The Hon'ble Premier must go on with his Ministry even without the Hon'ble Mr. Rajan Kumar Chaudhuri. But the Hon'ble Premier says that he should resign and that his duty as Premier, therefore, practically ceases with the resignation of one of the Ministers. I hope, the hon. Leader of the Opposition will consider this position.

**Mr. ARUN KUMAR CHANDA:** But, Sir, if a new Ministry comes in, the Ministry will say that the incident took place before they came in and they could not be held responsible for this.

**The Hon'ble the SPEAKER:** Will the adjournment motion be of any help to the successors of the present Ministry?

**Mr. ARUN KUMAR CHANDA:** From which point of view, Sir?

**The Hon'ble the SPEAKER:** As a motion of censure and even as a motion urging action against guilty persons?

**Mr. ARUN KUMAR CHANDA:** It is the duty of the House to apportion blame in the matter and the House has a right to discuss and censure those who were responsible for what has happened.

**The Hon'ble the SPEAKER:** What is the necessity in flogging a dead horse?

**Srijut DEBESWAR SARMAH:** On a point of information, Sir. Is the horse dead? It appears not only alive, but kicking too. I see everything is going on merrily and we have no opportunity of discussing this on the floor of the House.

**The Hon'ble the SPEAKER:** Yes, the cause is practically dead as no redress of the grievances is possible from the Ministry which is going out of office.

**Srijut BETHIRAM DAS:** The allegations are against the Deputy Commissioner and the Police Officers. Cannot these officers be suspended?

**The Hon'ble the SPEAKER:** Any further assurance for the Hon'ble Member?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I have already asked the hon. Srijut Gopinath Bardoloi that the house-keeping should be done in the proceedings in connection with the unfortunate case. He has not taken any action. He stayed and I am giving this assurance that I will not take any further action.

**Srijut BETHIRAM DAS:** As regards the suspension of the Deputy Commissioner and the Police Officers concerned?

**The Hon'ble the SPEAKER:** The Ministry can suspend the Deputy Commissioner and the Police Officers concerned, but their successors may not be suspended as a matter of suspension.

**The Hon'ble the SPEAKER:** The present motion is not to suspend the Police Officers concerned by the Government.

**Srijut DIBESWAR SARMAH:** We want further assurance, Sir.

**The Hon'ble the SPEAKER:** What further assurance?

**Srijut PURNA CHANDRA SARMA:** We want further assurance regarding the suspension of the officers concerned.

**The Hon'ble the SPEAKER:** Will the hon. the Leader of the Opposition suggest how to proceed? The Ministry will not be taking any part in this. How can it come up? How is the debate to proceed? How can the hon. the Member involved, should the debate go on *ex parte*? Will the Leader of the Opposition suggest how to go on?

**Srijut GOPINATH BARDOLOI:** If the Ministry refuses to take part in the suspension, it is very difficult for me to make any suggestion.

**The Hon'ble the SPEAKER:** If it is difficult for the Leader of the Opposition, it is difficult for me also. How can I take any action?

**Srijut GOPINATH BARDOLOI:** The Hon'ble the Premier can very well assure the public that adequate steps will be taken to bring to book such persons who are responsible for this heinous act.

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** I am not functioning at the present moment. How can I take any action? I have decided to tender my resignation. If His Excellency the Governor were here, I could have communicated my resignation; but as he is at present in a place so inaccessible, somewhere in the North-Eastern Frontier, that it would be useless to send a special messenger. As he is expected here on the 12th, I will tender my resignation as soon as he arrives here. In the meantime, I cannot take any responsible action. My successors may take any action they think fit.

### No Confidence motions against the Ministry Leave of the House

**The Hon'ble the SPEAKER:** I have also got some notices of no-confidence motions in the Ministry. I must dispose of these motions first; then I shall decide what I can do with regard to the adjournment motion and with regard to other matters. The first motion\* stands in the name of Srijut Ramnath Das, but he is now absent.

Will Khan Bahadur Maulavi Mahmud Ali move his motion\*?

\* That this Assembly expresses its want of confidence in the present Ministry of Assam.

**Khan Bahadur Maulavi MAHMUD ALI** : I am not moving, Sir.

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURI** : On a point of order, Sir, can you take up the no-confidence motions when the questions are not disposed of?

**The Hon'ble the SPEAKER** : The Ministry is not going to transact any business to-day as the Hon'ble Premier has stated, and so the questions cannot be taken up. When there are no questions to be disposed of, I do not see how the rule that no-confidence motions are to be taken up after questions stands in the way. The Hon'ble the Premier has said that he has not yet tendered his resignation, I take it therefore, that the Ministry is in office. My idea is that I shall fix up these motions for the 13th. In the meantime, if there is no resignation of the Ministry, then the no-confidence motions would be taken up on that day.

Khan Bahadur Maulavi Mahmud Ali is not asking leave for moving his motion.

**Mr. NABA KUMAR DUTTA** : I beg leave of the House to move, Sir, "That this Assembly expresses its want of confidence in the present Ministry of Assam".

**The Hon'ble Maulavi ABDUL MATIN CHAUDHURI** : On a point of order, Sir, does that Ministry include Sripot Rahim Kumar Chaudhuri also?

**The Hon'ble the SPEAKER** : Yes, his resignation has not yet been accepted. But this also does not arise. The Ministry exists even if his resignation is accepted.

I think the motion is in order.

The motion to be moved is: "That this Assembly expresses its want of confidence in the present Ministry of Assam".

Has the hon. member got leave of the House to move his motion?

(Then more than 35 members having risen in their places, it was declared by the Chair that the hon. member got leave of the House to move his motion.)

**The Hon'ble the SPEAKER** : There are two other motions one from Babu Lalit Mohan Kar and the other from Babu Bipin Behari Das. I think they are not going to move. But the procedure is to give an opportunity to every one of the members who want to move.

**Babu LALIT MOHAN KAR** : Sir, I beg leave of the House to move: "That this Assembly expresses its want of confidence in the present Ministry of Assam".

**The Hon'ble the SPEAKER** : The motion is in order.

The motion to be moved is: "That this Assembly expresses its want of confidence in the present Ministry of Assam".

Has the hon. member got leave of the House to move his motion?

(Then more than 35 members having risen in their places, it was declared by the Chair that the hon. member got leave of the House to move his motion.)

**Babu BIPIN BEHARI DAS** : Sir, I beg leave of the House to move that: "This Assembly has no confidence in the present Ministry".

**The Hon'ble the SPEAKER** : The motion is in order.

The motion to be moved is: "This Assembly has no confidence in the present Ministry".

Has the hon. member got leave of the House to move his motion?

Then more than 35 members having risen in their places, it was declared by the Chair that the hon. member got leave of the House to move his motion.

**The Hon'ble the SPEAKER:** It is 3 p.m. as the time and the 13th December next as the date for the motions to be taken up. If one motion is moved and the House gives its decision on it, other motions will fall through.

With regard to the adjournment motion, I think, it would also be better that it should stand over. In view of what has been said by the Hon'ble Premier and the Leader of the Opposition will it not be better to allow the motion to stand over for the 12th adjourning the House to 11 A.M. of that date?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** For the 12th next. These motions may be taken first and then the adjournment motion.

*Answer:* 12th is a Friday and the House will sit at 2 p.m. It would be better to fix 3 p.m.

**Srijut MAHI CHANDRA BORA:** We want to know, Sir, whether any instructions have been issued for the release of the political prisoners?

**The Hon'ble Maulavi Saiyid Sir MUHAMMAD SAADULLA:** Yes, Sir. It will be issued by telegram to-day.

**The Hon'ble the SPEAKER:** Then the adjournment motion would also be taken up on the 13th after question time if there be any questions to be disposed of and after that the no-confidence motions will be taken up at the hour I have fixed for them.

#### Adjournment

The Assembly was then adjourned till 11 A.M. on Saturday, the 13th December, 1941.

SHILLONG,

*The 7th February, 1942.*

A. K. BARUA,

*Secretary, Legislative Assembly, Assam.*