

RAJYA SABHA

Wednesday, the 23rd August, 1961/
the 1st Bhadra, 1883 (Saka)

The House met at eleven of the clock, MR. DEPUTY CHAIRMAN in the Chair.

ORAL ANSWERS TO QUESTIONS

USE OF MILITARY IN THE DIST. OF
CACHAR DURING LANGUAGE AGITATION

*276. SHRI BHUPESH GUPTA:
Will the Minister of DEFENCE be
pleased to state:

(a) whether the military was
called out in the District of Cachar,
Assam for dealing with the language
agitation at any time in May, 1961;

(b) if so, what are the exact dates,
places and other material circum-
stances in which such aid of the
military was sought and given; and

(c) when the military was alerted
in this connection by the authorities
under the Government of Assam?

THE DEPUTY MINISTER OF DE-
FENCE (SARDAR S. S. MAJITHIA): (a)
to (c) A statement is laid on the
Table of the House.

STATEMENT

The law and order situation in
Cachar District of Assam deteriorated
on the 19th May 1961. At the request
of the civil authorities, troops were
deployed for internal security duties
at various places of that District, e.g.
Silchar, Karimganj and Hailakandi.
from the 19th May, 1961 onwards.
They carried out the following tasks:-

- (i) Restored peace and dispersed
unlawful assemblies without
having to open fire;
- (ii) Patrolled various areas;
- (iii) Cordoned off villages to assist
the civil police in carrying out
searches, etc.

The Government of Assam have kept
in close liaison with the local military
authorities.

SHRI BHUPESH GUPTA: May I
know, Sir, how exactly and in **what**
manner the military was called there,
and whether it is a fact that the pre-
sence of the military there was abso-
lutely unwarranted, and the military
was called out there with a view to
intimidating certain people?

MR. DEPUTY CHAIRMAN: The
answer is otherwise.

SHRI BHUPESH GUPTA: Let him
say that, Sir.

MR. DEPUTY CHAIRMAN: It is
contained in the answer. You must
have got it.

SHRI BHUPESH GUPTA: Which
part are you referring to, Sir?

MR. DEPUTY CHAIRMAN: It has
been stated that the law and order
situation in Cachar District of Assam
deteriorated on the 19th May, 1961 and
at the request of the civil authorities
troops were deployed. It is there.

SHRI BHUPESH GUPTA: That I
have seen, Sir. But this is not at all
my case. My question is this . . .

MR. DEPUTY CHAIRMAN: You
must take the answer that the Govern-
ment gives.

SHRI BHUPESH GUPTA: I under-
stand that it was pointed out by cer-
tain people in Silchar and other places
also in Assam that there was no
justification whatsoever for the mili-
tary being brought in there.

SARDAR S. S. MAJITHIA: Sir, ac-
cording to sections 129 and 130 of the
Code of Criminal Procedure, when-
ever any civil authority asks for mili-
tary assistance or help, they have got
to go there.

SHRI BHUPESH GUPTA: May I
know, Sir, whether in this particular

case the military was called out just—because some Ministers were coming—only to protect the Ministers when there was no need for their protection, because they were as safe there as they are here?

MR. DEPUTY CHAIRMAN: Order, order.

SHRI BHUPESH GUPTA: What is that, Sir?

MR. DEPUTY CHAIRMAN: You are presuming something. The Assam Government wanted the military and it was sent.

SHRI BHUPESH GUPTA: No, Sir; that is not my question. Can't I ask my question, Sir? I ask whether it is a fact

MR. DEPUTY CHAIRMAN: You are imputing certain allegations.

SHRI BHUPESH GUPTA: No, Sir. I am not imputing any allegation. I am merely asking some question. Well, if you do not allow me to ask questions, then let us dispense with the Question Hour. All that I say is that it was given in the newspapers that the military was called there not because the situation had deteriorated but just because certain Ministers were arriving at the airport and in order to please them the military was called.

SHRI V. K. KRISHNA MENON: Well, Sir, the position is that the Armed Forces do not go there except under certain established procedures and only when a civil power asks for them. There cannot be any question of the Armed Forces going there on their own initiative and guarding Members of Parliament or Ministers or anybody else. The Armed Forces are allowed, of course, for ceremonial purposes if the President or any high dignitary visits any place for the first time.

SHRI BHUPESH GUPTA: I can understand that under section 129 or section 130 of the Criminal Procedure

Code the civil authorities can seek such military assistance. In that case, Sir, it is also there that the grounds are also to be stated to the Army authorities whenever any such request is made. What was stated in this particular case, when that requisition was made by the civil authorities?

SHRI V. K. KRISHNA MENON: Sir, I need not repeat that once such a request is there and once the Armed Forces are allowed to go there, it is for the civil authorities to take such steps as are required under the circumstances.

DR. R. B. GOUR: Is it the case of the hon. Minister that when the civil authorities make their requisition for the Army and give their reasons for that requisition, the military authorities have nothing to do with those reasons and they just send the Army without enquiring into those reasons?

SHRI V. K. KRISHNA MENON: Under the law as it stands, Sir, the Army has an obligation to go if asked for by the civil authorities.

SHRI BHUPESH GUPTA: If it appears on subsequent enquiries that the situation did not warrant the presence of the Army there, then whose responsibility will that be?

MR. DEPUTY CHAIRMAN: Order, order. Mr. Jaswant Singh.

SHRI JASWANT SINGH: I would like to know this, Sir. When the Army was sent for by the civil authorities, what was it asked to do? It must have been asked to do something there.

SHRI V. K. KRISHNA MENON: I thought, Sir, the case was too well known, and I did not really want to take up the time of the House. Anyway, Sir, I might inform hon. Members that what happened on the morning of 19th May, 1961 was this: Two railway trains due to leave from Karimganj and Silchar railway stations were stopped by the mobs. The police lathi-charged and tear-gassed the mobs. But

the latter retaliated and threw brick-bats and tear-gas shells at the police. At the request of the civil authorities two platoons of troops were called out at the Silchar railway station, but they were not employed to disperse the mobs.

SHRI BHUPESH GUPTA: But where did they go?

MR. DEPUTY CHAIRMAN: Next question.

LAW MINISTER'S SPEECH ON ASSAM TROUBLE

*277. SHRI BHUPESH GUPTA: Will the Minister of LAW be pleased to state:

(a) whether in his inaugural speech at the Seventh Annual Conference of the Madras Union of Journalists on May 27, 1961, he referred to the "Assam Trouble" and the language question there; and

(b) whether he revealed to the conference that he had told the Chief Minister of Assam that peace could not return to the State on the basis of the Language Act passed by the State Legislature?

THE MINISTER OF LAW (SHRI A. K. SEN): (a) and (b) In the course of my speech inaugurating the seventh annual conference of the Madras Union of Journalists on the 27th May, 1961, I expressed grief and sorrow at the unfortunate happenings in Assam. I also disclosed that I had told the Chief Minister of Assam that peace would not return to Assam if a solution was sought on the basis of the Language Act of Assam as the Bengali-speaking Assamese minority would not accept it.

SHRI BHUPESH GUPTA: May, I know, Sir, whether he is aware that this statement on his part—it seems to be quite a reasonable one—gave rise to very great resentment among the Ministers there, and the Chief Minister of Assam had to make a statement saying something which was not charitable to the hon. Minister?

SHRI A. K. SEN: I think it is quite a different occasion, but in any event, Sir, whatever statements are made with regard to these unfortunate happenings are bound to please one side, or possibly they do not please any side. That is something very unfortunate, and one who is in a position to say something on this subject has almost to take that risk. And I am not surprised at all that what I said did not please everyone. I still feel, and the subsequent events have also shown, that if we had amended the Language Act, as it has now been agreed to be done, on the lines of the formula of the Home Minister, we might have avoided a good deal of trouble.

SHRI A. D. MANI: Is it not irregular and unusual for a Cabinet Minister of the Union to make comments on matters primarily concerning the States?

SHRI A. K. SEN: Sir, it is entirely a matter of opinion. If I had thought so, I need not have said all that.

SHRI BHUPESH GUPTA: Anyway, Sir, I feel here a good statement was made. Well, Sir, since he revealed this thing at the Conference of Journalists, may I know whether, as a Cabinet Minister, he sponsored these ideas and tried to move the Cabinet over this matter in order to get the Language Act amended?

SHRI A. K. SEN: Sir, as is well known, the Prime Minister himself took the initiative, and the Home Minister himself went there later on. I am very happy to say that the Home Minister's formula has now been accepted by every party and the Language Act is going to be amended accordingly.

SHRI FARIDUL HAQ ANSARI: May I know whether it is a fact that the Chief Minister of Assam protested to the Union Government about this particular speech of the hon. Law Minister?

SHRI A. K. SEN: No, Sir; not this one.