

INTRODUCTION

This non-official Commission of Enquiry was formed at the instance of the leading Organisations of the people of Cachar. The members of the Commission were :-

1. Sri N. C. Chatterjee Barrister-at-Law. Vice-President, Supreme Court Bar Association and Senior Advocate of Supreme Court of India.
2. Sri Ajit Kumar Dutta, Advocate. Supreme Court of India and Advocate, Calcutta High Court.
3. Sri R. Chaudhuri, Barrister-at Law, Editor "Calcutta Weekly Notes". Senior Advocate, Supreme Court of India and Advocate, Calcutta High Court.
4. Sri S. K. Acharyya M.L.C. Barrister-at-Law, Advocate, Supreme Court of India and Calcutta High Court.
5. Sri Siddhartha Sankar Roy. M.L.A. Barrister-at-Law, Former Judicial Minister, Government of West Bengal, and Advocate. Supreme Court of India and Calcutta High Court.

Sri N. C. Chatterjee was appointed Chairman of the Commission. The Chairman appointed Mrs. Maya Roy, Barrister-at-Law to act as the secretary of the Commission.

The Terms of Reference are set out in Annexure 'A'.

The Commission reached Silchar on the 31st May to 3rd June, 1961. The Commission also visited the place of firing at the Silchar Railway station and visited a number of places near the Railway station including the house of Sri Satindra Mohan Dev where on the 19th May, 1961, the First Aid Centre had been opened.

The members of the Commission visited the Civil Hospital at Silchar and saw the men and women still lying there. They also ascertained from the injured persons the nature and extent of their injuries.

23 witnesses appeared before the Commission at Silchar and deposed as to the incidents both before and after the firing on the 19th May. Signed statements of 22 injured persons who were still in the Hospital were tendered. A number of documents were also exhibited, including the copy of statement made by the D.I.G., Assam in the presence of the local leaders on the 21st May, 1961.

The Commission went to Karimganj on the 2nd June, 1961. The members of the Commission were granted permission to interview some of the leaders who were detained at the Karimganj Sub-jail. At Karimganj the Commission recorded the evidence of 13 witnesses including a boy and some young women who had been badly assaulted. The members of the Commission visited the Railway quarters near the Karimganj Railway station and they were shown the places, where as a result of attack, doors, beds, ration and other articles were damaged. They also interviewed amongst others, an old lady and a child who were subjected to assault.

We express our gratitude to the President and members of the Silchar Bar Association who placed the evidence before us. We should particularly mention the able assistance rendered by Sri Paresh Chandra Choudhury, Advocate and Sir Anil Biswas, Advocate, who conducted the same on behalf of the Public before us. We should also express our gratitude to the members of the Karimganj Fact Finding Committee and specially to Sri Benode Behari Das, a leading member of the Karimganj Bar and his colleagues who rendered us valuable assistance. We are also thankful to the President and the members of the Silchar and Karimganj Muktear Bar Associations for the assistance received from them.

Sri N. C. Chatterjee, Chairman of the Commission, was given permission by the authorities to interview Sri Rathindra Nath Sen and Sir Nalini Kanta Das who were detained under the Preventive Detention Act at Silchar Jail. The Commission is obliged to the authorities for the facilities granted.

Sd/- N. C. Chatterjee
Chairman

Sd/- Ajit Kumar Dutta
Sd/- Ranadeb Chaudhuri
Sd/- S. K. Acharyya
Sd/- Siddhartha Roy.

Calcutta,
The 11th June, 1961,

CHAPTER I

HISTORICAL BACKGROUND AND THE SITUATION WHICH LED TO THE MOVEMENT IN CACHAR.

Prior to the Partition of India in 1947, the entire district of Sylhet along with the district of Cachar formed part of the Province of Assam and the Bengalees constituted the largest single linguistic group in that Province.

The following Table will show the position in 1931.

A. Surma Valley Division (Sylhet and Cachar):

Bengali Speaking	..	..	..	28,48,454
Assamese Speaking	..	..	..	3,692

B. Assam Valley Division (including Garo Hills and Frontier Tracts) :

Assamese Speaking	.	..	..	19,78,823
Bengali Speaking	..	..	..	11,05,581

The total population in Assam with Bengali as mother-tongue was 39,60,712 in 1931, and with Assamese as mother-tongue, 19,92,846. The Tribal languages were spoken by 12,53,515 persons. The percentage of Assamese-speaking people to the total population of Assam was as follows :-

1931	1921	1911	1901
21.6	21.6	21.7	22.0

After the Partition the composition was altered as the greater part of the district of Sylhet was assigned to Pakistan. It had been estimated that the Assamese constituted one-third of the population in Assam (including Cachar), the Bengalees constituted one-third and the rest belonged to Tribal and other linguistic groups after the partition. In a meeting at Nalbari (Assam), the then Finance Minister Sri Moti Ram Bora stated on the 28th April, 1953, that 'out of 96 lakhs of population, only 30 lakhs were pure Assamese.' (Reported in the "Assam Tribune," dated 5.5.53).

Immediately after the Partition, the demand was raised that Assam was only for the Assamese. To a deputation of the

Government employees of Sylhet who had been discharged as surplus for having opted to serve in India on the solemn guarantees of the Government to retain them on existing terms, Sri Bordoloi said : "The newly accepted policy of his Government was—Assam for the Assamese." (Shillong Times—29th August, 1947). Grieved at this and the policy of exclusiveness followed by the Government of Assam, Mahatma Gandhi felt called upon to remark in one of his post-prayer speeches almost immediately after : "I have noticed the view expressed that Assam belongs exclusively to the Assamese. In India, if that spirit were to enter in every Province, to whom then would India belong? People of all Provinces belong to India and India belonged to all." But nothing daunted, Sri Bordoloi repeated at the Students' Congress held at Golaghat; "Undoubtedly, Assam is for the Assamese." (Shillong Times, October 19, 1947). This policy was finally reiterated through the address of the Governor, Sir Akbar Hydari, in the Assam Legislative Assembly on the 5th November, 1947. The following is a quotation from that speech :—

"The natives of Assam are now masters of their own house. They have a Government which is both responsible and responsive to them. They can take what steps are necessary for the encouragement and propagation of Assamese language and culture and of the languages and customs of the tribal peoples, who are their fellow-citizens and who also must have a share in the formation of such policies. The Bengalee has no longer the power, even if he had the will, to impose anything on the peoples of these Hills and Valleys which constitute Assam. The basis of such feelings against him as exist is fear—but now there is no cause for fear. I would, therefore, appeal to you to exert all the influence you possess to give the stranger in our midst a fair deal, provided, of course, he in his turn deals loyally with us."

This policy of Assamisation was pursued by Sri Gopinath Bordoloi through executive orders and confidential circulars so long he was the Chief Minister of Assam. Circulars were issued debarring non-indigenous persons from getting settlement of land, recruitment in Government services and in getting licences for business and trade. On the 4th May, 1948 Circular No. 195/47/188 was issued on the question of Land Settlement. From that Circular the following extract is quoted :

"In view of the emergency created by the influx of refugees into the Province from Pakistan territories and in order to preserve peace, tranquility and social equilibrium in the towns and villages, Government

(5)

reiterate their policy that settlement of land should in no circumstances be made with person who are not indigenous to the Province should include, for the purpose of land settlement during the present emergency, persons who are non-Assamese settlers in Assam though they already have lands and house of thier own and have made Assam their home in all intents and purposes."

In 1948 Shri Bordoloi announced on the floor of the Assam Legislative Assembly that it was not the intention of the Government to make Assam a Bi-lingual State and for the sake of homogeneity of the Province he advised all non-Assamese to adopt Assamese language (Assam Assembly Proceeding, 1948, page 511).

On the 26th September, 1947, Sri Bordoloi who was also the Minister of Education passed the following order on a Resolution forwarded to him by Assam Jatiya Mahasava :—

"Please send this to the Inspectors of Schools to set in terms of the present policy of the Government viz., the Assamese is accepted as compulsory second language in all schools where it cannot be Assamese completely."

This was followed by a policy of introducing Assamese as the medium of instruction even at the primary level as a result of which in the district of Goalpara alone, which was predominantly a Bengali-speaking district, the number of schools with Bengali as medium was reduced to 3 in 1950-51 from 250 in 1947-48, while the number of the Assamese medium schools during the said period rose from 348 to 833.

Starred Question No. 21 (a) (i) (ii) by Sri Santosh Kumar Barua in the Assam Assembly, dated 11th September, 1953 (Vide Assam Gazette, dated May 10, 1954, page 2367),

Statement showing the number of Primary Schools in Dhubri Sub-Division with languages as media :—

Year	Total No of Lower Primary Schools with ASSAMESE as medium of Expenditure	Total No. of Lower Primary School with BENGALI as medium of Expenditure
	Rs.	
1947-48	348	96,135 -
1948-49	582	2,11,470-
1949-50	773	3,84,063-

(6)

Commenting on this Shri Phani Bora of the Assam Communist Party said at a Press Conference on 27th May, 1954 at Gauhati as follows :—

"The Assam Government, through their official and non-official agents, forcibly sealed off all Bengali Schools in Gcalpara district, denying safeguards of the Bengalees, cultural and linguistic rights. Such imperialist and reactionary actions of the Assam Congress Government were responsible for encoraging distintegrating elements in Assam, including Naga Hills."

— (A. B. Patrika, 29.5.45).

This infiltration initially started in the Assam Valley was extended to other areas as well, including the district of Cachar which on the admission of the Assam Government?)and the Congress Committee under the Congress Constitution upto 1948 when it was amalgamated with Assam Pradesh Congress Committee. The following was the reply dated 12.4.54 reeived from the Headmaster of the Hailakandi Government High School in Cachar by the Secretary Hailakandi Bar Association in answer to the query 'whether since 1953 Assamese as an additional language was made compulsory in Class IV of the school':—

"The subject has been introduced as additional subject in Classes IV and V under orders of the Inspector of Schools, Lower Assam Circle. As it is not an optional subject, all the boys are studying it. For further claification you may kindly correspond with the Inspector of Schools, Lower Assam Circle,Gauhati."

The President of the United Mizo Freedom Organisation. Mr. Lalmawia in his Memorandum submitted to the States Reorganisation Committee stated inter alia, as follows :—

"In the heterogenous State of Assam where the population of Assamese is not more than 40 per cent the Assamese people insist that Assamese should be adopted as the State language of Assam. Even before the adoption of Assamese as a State language, the Government of Assam spent a large sum of money for spreading the langage even in the far distant district of Lusai Hills."

There are numerous Circulars issued by the Government of Assam restricting settlement of land, employment in Government services, contracts, licenses for trade and business and even in the matter of admission to schools and colleges to all persons other than those who are indigenous natives or domiciled in the State of Assam.

Our attention was drawn to some of these circulars. We refrain from making reference to all these circulars. We consider it necessary to quote the provisions relating to qualification for obtaining domicile certificate in Assam as disclosed by the Chief Minister of Assam on the floor of the Assembly on the 20th March, 1948.

"A non-Assamese must have the following qualifications in order to acquire the domicile :—

1. Homestead in the district where he should live continuously at least for 10 years.
2. Desire to live there till his death.
3. Non-possession of any landed property in his native district.
4. Absence of frequent visits to his native place or district.
5. Absence of Interest or connection whatsoever with the native people."

In this connection it is pertinent to quote a portion of the weighty observation of the States Re-organisation Commission.

"The desire of the local people for the State services being manned mainly by 'the sons of the soil' is understandable but only upto a point. When such devices as domicile rules operate to make the public services as exclusive preserve of the majority language group of the State, this is bound to cause discontent among the other groups, apart from impeding the free flow of talent and impairing administrative efficiency." (para 849 of S.R.C. Report),

An 'Indigenus' person was defined in the Assam Gazette dated the 6th September, 1950, at page 1464 as follows :—

"Indigenous persons of Assam mean persons belonging to the State of Assam and speaking Assamese language or any tribal dialect of Assam or in the case of Cachar, the language of the region."

It is significant that it was not mentioned that Bengali was the language of the district of Cachar. The above definition was formulated in connection with the Assam Census in 1951 when the Assam Government decided to enumerate the size of land-holding of indigenous persons.

Faced with this policy of strangulation, politically, economically and culturally, the linguistic minorities in the State raised their voice from time to time and on some occasions these were replied with mass violence. The first noticeable symptom of

violence took place in 1948 at Gauhati and other adjoining areas directed against Bengali-Muslims, all of whom were agriculturists. After 1950 Riots the Nehru-Liaquat Pact brought back the Muslim evacuees to Assam shortly before the Census enumerated in 1951. The Bengali-Muslims in reply to question No 13 relating to size of land-holding were made to declare their mother-tongue as Assamese, otherwise they ran the risk of losing their lands which were settled annually. The third such disturbance is the well known holocaust of 1960 which brought wide-spread havoc and disaster to thousands of Bengali-speaking people in the districts of Kamrup (including Goreswar), Nowgong, Darrang, Sibsagar, and Lakhimpur i.e., practically throughout the Brahmaputra Valley.

The Census figures of 1951 have been challenged before us. We are not concerned with this question. But our attention has been drawn to the report of the Parliamentary Delegation which toured Assam in August, 1960 and we quote the relevant portion of the Report.

"The Bengali-speaking people question the accuracy of the 1951 census figures in so far as they relate to the Assamese-speaking population numbered only 19.8 lakhs, which during the 20 years from 1931 to 1951 jumped to over 49 lakhs or by 150% against an increase of about 4 lakhs during the preceding 50 years beginning from 1881. The Bengalees had questioned these figures before the States Re-organisation Commission. Their contention is that these figures were inflated to provide justification for the introduction of the Assamese as the State language. We have tried to seek an explanation for this extra-ordinary increase, which is not warranted by trends of natural growth of population from the Assam Government. We were told that all the Muslim Bengalees of the Brahmaputra Valley, who had formerly registered themselves as Bengali-speaking had in 1951 voluntarily declared themselves as Assamese-speaking. We are not altogether satisfied with this explanation." (para 2 of the report).

It is significant that the Census figures of 1951 were challenged also before the State Re-organisation Commission.

The Bengali-speaking people constitute about one-third of the total population of the State even now. About a third of this population live in Cachar and the rest are living in the six Brahmaputra Valley districts. The crusade against the Bengalees was

not confined in the sphere of education only. Infiltration of the Assamese language even in the district of Cachar was started by circulation of printed forms required to be used in Courts and Government offices in Assamese language. On the 23rd February, 1954 the Silchar District Bar Association lodged its protest against such infiltration. They passed the following resolution :-

'The members of the Silchar District Bar Association record their protest against imposition of Assamese language in the district of Cachar by the Assam Government. Though officially Cachar is admitted to be a Bengali-speaking district, the Government published printed forms like Kacha patta, Jamabadi records, summons, notices, etc. in Assamese, to the great disadvantage and inconvenience of the public. Such move is considered by the members as a part of the sinister move of Assamising the State by taking advantage of the name of the State. The meeting requests the representatives in the Assembly from Cachar to oppose all steps and move in this connection so that the attempt may be nipped in the bud.'

In this background came the question of declaring Assamese as the official language of the State during the discussion in the Assembly on the Government's address. On the 3rd March, 1960, the Chief Minister, Sri B. P. Chaliha, stated :-

"Government would prefer to wait till they get the same demand from the non-Assamees speaking population for declaration of Assamese as a State language. Government feel that this question should be judged from the point of view of majority or minority. If this issue is decided only on the basis of majority or minority Government is afraid that its object would be defeated."

After the aforesaid declaration by the Chief Minister, the Assam Pradesh Congress Committee at its meeting held on April 21 and 22, 1960, adopted a Resolution recommending that Assamese be declared by law as the official language of the State to be adopted for such purposes as may be decided by the Government. This was followed by a statement by the Chief Minister on the 23rd June, 1960 that his Government had decided to introduce a Bill on the official language for the State more or less on the lines of the resolution of the Assam Pradesh Congress Committee. Thus the minorities in Assam considered an unfortunate reversal of the policy of the Government enunciated earlier.

Faced with such a situation a Conference was held on the 2nd and 3rd July, 1960 at Silchar which was named as All Assam Bengali

and Other Non-Assamese Language Conference. Shri Chapalakanta Chattacharjee, M.P. presided. The Conference by the main resolution appealed to the Assamese speaking brethren to desist from the move to declare Assamese as the official language of the State for the unity and solidarity of the people of Assam residing in both hills and plains and for the security of this region and of India. The Conference urged that the status-quo based on the intrinsically multilingual character of Assam be maintained and that no steps be taken to declare any official language in Assam under Article 345 of the Constitution of India till there was a complete agreement amongst the different linguistic groups of Assam on the question of official language. By another Resolution the Conference directed all members of the Legislative Assembly elected from the Bengali-speaking and other non-Assamese speaking areas to come out of the Assembly as a protest and submit resignation as the first effective step, if in spite of all requests the Bill for the declaration of Assamese as the official language be adopted by the Assembly. By another Resolution the same Conference recommended on the lines of the Language Commission provided for in Article 346 of the Constitution of India in order to consider the question of official language in Assam.

Without paying any heed to these resolutions and in spite of the July 1960 disturbance the Bill was introduced in the Assembly on the 10th October, 1960. Prior to the introduction of the Bills a Round-Table Conference was convened at Shillong to find out the basis of an agreement on the question.

The Conference yielded no result as the majority members of the Assembly were determined to declare Assamese as the sole official language of Assam. The then Union Home Minister, Pandit Govind Ballabh Pant, came to Shillong on this occasion in order to help the parties to come to an agreement. He made certain suggestions which are now known as Pant Formula.

The Pant Formula was rejected by the Assam Government and in spite of the unanimous opposition from Cachar and the Hill districts the Bill was passed in a modified form making Assamese as the sole official language of the State and creating scope for its infiltration in Cachar through Mahakuma Parishad and Municipal Board.

The Congress M.L.A.s from Cachar however did not resign in spite of the resolution adopted at the July Convention at Silchar. They however called another Convention of all Congressmen of

Cachar at Karimganj on the 15th January, 1961 with Sri Sheelbhadra Yajee, M.P. as the President. This Convention reiterated the resolutions adopted at the Language Convention held at Silchar on the 2nd and 3rd July, 1960 and demanded a separate Unit for Cachar outside A.P.C.C. under the Congress Constitution. The convention formed an Implemetation Committee and directed the Committee to report the result of their efforts to the three District Congress Committees by the 31st May, 1961. We were told that the Implemetation Committee could make no headway within the time fixed by the Convention.

Another All-Party Convention was held at Karimganj on the 5th February, 1961. This was presided over by Sri Abdul Rahaman Chaudhury a prominent Congressman, and former Chairman of the Hallakandi Local Board. It was attended by a number of Congressmen as well as by representatives of other political parties and organisations. At this Convention the demand for recognising Bengali as one of the official languages of Assam was categorically reiterated giving time to the authorities upto the last day of Chaitra 1367 B.S. corresponding to the 13th April, 1961 for the acceptance of the demands. This resolution was duly forwarded to the State Government? At this Convention the Gana Sangram Parishad was formed for launching and guiding peaceful and non-violent Satyagraha. No response was received from the Government, who preferred to ignore the demand voiced at the said Conference.

After the July, 1960 disturbance the Bengali-speaking people in Assam felt the necessity of establishing an organisation of their own in order to be able to voice their opinion on matters vitally concerning their language and cultural and other interests so that they could live in Assam with honour and dignity enjoying the benefits conferred by the Constitution as equal citizens. They met at a Convention held at Hojal (in the district of Nowgong) on the 5th and 6th November, 1960 at that convention. "The Nikhil Assam Banga Bhasabhasi Samity" was formed. The representatives of this Samity met the President of India at New Delhi on 5th April, 1961 and presented a Memorandum for appropriate directions under Article 347 of the Constitution recognising Bengali as an additional official language of the State of Assam. The demand was made by the most representative organisation of Bengali-speaking people in Assam but this too is lying in cold storage. The directives which the Samity requested the President to issue under his Constitutional Power are to be found in Appendix 'B' to this report.

As no response was received from the Government by the 13th April 1961 the Gana Sangram Parishad was left with no other alternative but to be ready for Satyagraha. They therefore started recruiting volunteers. A pledge was drawn up and on the 1st day of Baisakh 1368 B.S. the first batch of Satyagrahees publicly subscribed to the pledge at meetings at different places and signed it. The first item of Instructions to the Satyagrahees ran as follows :-

"peace must be maintained in every possible way". Then the leaders started mass contact through route marches on foot covering almost al the villages in the district. Sri Abdul Rahaman Chaudhury, the District President of the Gana Sangram Parishad stated in his evidence before us at Karimgunj on the 2nd June, 1961 that wherever they went they received spontaneous support from both Hindus and Muslims, thousands enroled themselves as volunteers signing the pledge. It was clearly stated in the pledge itself that the movement would be peaceful and non-violent.

After thus completing the preliminaries and exhausting all methodes for a negotiated settlement the people of Cachar plunged into the movement under the guidance of the Gana Sangram Parishad. It was publicly announced that 19th May, 1961 would mark the start of the movement. But the programme for that day was all-out Hartal from dawn till 4 P. M. and picketting, if necessary, to make the Hartal succesful. The announced programme of the Parishad was to take a recess for two days to assess public support and watch Government reaction and then to begin actual Satyagraha from the 22nd May, 1961 by picketting Courts and Revenue Offices, if even after the demonstration of public determination on the 19th. May, the Government did not see their way to adopt a reasonable attitude. Numerous leaflets were distributed amongst the people of the district directing all to remain peaceful and non-violent at all cost. This apeal from the prominent citizens of Silchar strengthened the hands of the Parishad in conducting the Satyagraha in a peaceful and non-violent manner.

Every effort, we are satisfied, was made by the Parishad leaders to conduct the Satyagraha movement in a non-violent manner and we are also satisfied that they succeeded in their efforts. In spite of tear-gassing, firing, assaults on men and women and severe lathi charges no acts of violence were committed by the Satyagrahis either at Silchar or at Karimganj.

CHAPTER II

SILCHAR FIRING AND OTHER INCIDENTS

We now deal with the situation in Silchar leading up to the firing on the 19th May, 1961.

Twentythree witnesses whose names are set out herein after, gave evidence and tendered some documents before us at our sittings in Silchar from the 31st May, to the 3rd June, 1961. Apart from this on the 31st May, 1961 we visited the Civil Hospital, Silchar, to see the injured still lying there and to ascertain for ourselves the nature and extent of their injuries. Twentytwo of these persons have filed signed statements before us. We also visited the place of firing at the Railway station yard and made a full study of the topography thereof.

Names of the witnesses

1. Biresh Chandra Misra, Member of Executive Committee of Assam, C.P.I.
2. Mahitosh Purakayastha, Chairman, Silchar Municipality.
3. Aloke Shankar Dutt, College student and under Officer, N.C.C.
4. Baby Purokayastha, College student.
5. Sukla Ghose, College student.
6. Gouri Dey, Student.
7. Taramoni Dutt, College student.
8. Dilip Kumar Dey, Pleader.
9. Sunil Kumar Dutt, College student and Sergeant, N.C.C.
10. Rabindra Kanta Sen, Ex-President, Cachar D.C.C.
11. Dharendra Kumar Chakraborty, Asst. Secretary, Muktear Bar Association, Silchar.
12. Monoranjana Chakraborty, Member, Governing Body, Cachar College.
13. Rakesh Ranjan Bhattacharjee, Secretary, Muktear's Bar Association, Silchar.

14. J.K. Chowdhury, B.A. (Oxon), Principal, Cachar College.
15. Ashish K. Ghosh, Student.
16. Paritosh Pal Choudhury, Dictator of the Movement in Silchar Mahakuma.
17. Ramani Kumar Chakrabarty, retired R.M.S., Supervisor.
18. D.C. Choudhury, President, Silchar Chamber of Commerce.
19. Sachindra Ch. Das Gupta, Ex. Municipal Commissioner, Silchar.
20. Gajendra Pal, Businessman.
21. Pankaj Pal, Motor Driver.
22. Sachindra Das, Motor Driver.
23. Amitabha Chaudhury, student.

From the evidence before us both oral and documentary, it appears that at least from a week prior to the 19th May, 1961, Government had been making a show of its armed strength in the town of Silchar itself. A large band of armed men requisitioned from the Assam Rifles, the Madras Regiment and the Central Reserve Police paraded the streets of Silchar from the 12th May, 1961 and also went around in vehicles. This was clearly intended to overawe the people and thwart the movement if possible even before it began.

Apart from this demonstration of its armed might the Government on the 17th and 18th May, 1961 respectively promulgated orders under Section 30 of the Police Act and Section 144 of the Cr. Pr. Code banning inter alia all meetings and processions on public roads. Many arrests were made during this period of both Hindu and Muslim leaders of the Gana Sangram parishad irrespective of their political affiliations.

The determination of the Government to quell this movement if necessary by the application of force will also clearly appear from the instruction contained in a secret circular being Memo No 41233.70/C dated Silchar 17th May, 1961 (marked Ex 8 before us) issued by the S.P., Cachar to all the important officials of the district as well as the 2nd in command, CRP, Silchar and 2nd in Command XVIII P.A.C., Silchar. By this circular elaborate arrangements were being made for the posting of men fully armed and having tear gassing equipments as well, at many places in Silchar including the Railway station.

From before 4 A.M. on the 19th May, 1961, Satyagrahis started trickling in into the Railway station and squatting on the main railway station track with the intention of preventing any trains from running out of or into the Silchar railway station upto 4 P.M. At that time the first morning train due to leave Silchar at 5-40 A.M. was already at the platform, the Engine was in front of the Water Column, some distance away to the west of the platform. It is necessary in this connection to have an idea of the topography of the Railway station and the surrounding area and for this purpose a sketch map was prepared and tendered before us (Ex. 9). A copy of this map is annexed to the Report.

Very soon after 4 A.M. hundreds of Satyagrahis had already arrived at the station and started offering Satyagraha by squatting on the railway tracks between the western end of the platform and the railway engine, standing near the water column.

As to what happened thereafter right upto the time of firing at about 2.30 P.M. was narrated before us in detail by W. No. 1 (who was there from 6 A.M.) W. Nos 3 and 9 (who were there from about 5 A.M. watching the Satyagrahis), W. No. 4 (who was there from about 4 A.M. offering Satyagraha and who was tear-gassed and lathi-charged and thereafter arrested sometime after 8 A.M. but released later on and who immediately thereafter came back and again joined the Satyagrahis), W. Nos. 5, 6 and 7 (who were there from 4 A.M. offering Satyagraha and had been tear-gassed and lathi-charged), W. No. 10 (who came there an hour before the firing), W. No. 12 (who came at about 8 to 8-15 A.M.), W. No. 17 (who came there at about 7-30 A.M.) W. No. 19 (who came to the station at 2 P.M.) and W. Nos. 21, 22 and 23 (who were present on the P.W.D. Road at 2 P.M.). The evidence of all this witness may be summarised as follows—

(a) Some time after the Satyagrahis had started squatting on the tracks, Armed Forces belonging to, inter alia, the Central Reserve and the Madras Regiment took their position on the Station platform as well at the Northern end of the station yard. Armed forces belonging, inter alia, to the Assam Rifles were also posted outside the station entrance.

(b) At about 6 A.M. Superintendent of Police Dutt and Magistrate Majumdar were found present at the station platform and Dutt asked W. No 1 whether the Satyagrahis would offer resistance if they were arrested. W. No. 1 answered in the negative and added that the Satyagrahis were fully ready to

court arrest peacefully. Thereafter at the desire of Dutt, W. No. 1 informed the Satyagrahis that they would now be arrested and that peace should be maintained while arrests were being made.

(c) Instead of arresting the Satyagrahis, however, as proposed by Dutt numerous armed men suddenly jumped upon the Satyagrahis including women and girls and tried unsuccessfully to evict them from the track by forcibly pulling and dragging them. Immediately there after at about 6-20 A.M. there was a lathi charge even upon the numerous young girls and middle-aged women who were amongst the Satyagrahis.

(d) This lathi charge failed to disperse the Satyagrahis and they continued squatting on the track though some of them had been injured.

(e) A few minutes thereafter tear-gassing was resorted to by the armed men. At first short range candles were thrown but thereafter long range tear gas shells were fired. This tear-gassing was intense and the Satyagrahis found it extremely difficult to bear it. Many were choked and some received burning injuries.

(f) In spite of this tear-gassing most of the Satyagrahis continued squatting as before but without in any way becoming violent. Those of them that were compelled to leave because of the effect of the tear-gassing were soon replaced by others.

(g) Within minutes there was another lathi charge of a severe and brutal nature. No one was spared; even a young girl of 7 was beaten up mercilessly. Numerous persons including young girls and women received serious and severe injuries as a result of this lathi-charge, which it seems, was carried out with the sole intention of striking terror into the minds of the Satyagrahis and compelling them to disperse for fear of their lives.

(h) While this lathi-charge was going on a section of the armed men used the butts of their rifles to inflict severe injuries on these non-violent and peaceful Satyagrahis.

(i) Not content with this, these armed men stamped upon and mercilessly kicked those of the Satyagrahis—boys and girls, men and women—who had thrown themselves prostrate on the tracks to withstand the brutal lathi-charge and the beating up with rifle-butts. Many were injured and we are giving one or two typical examples of this brutality. A

young girl named Sita Dey, only 18 years old, received a savage kick from one of these armed men on her lower abdomen rendering her almost unconscious. Gauri Biswas, another young girl of 24 was similarly belaboured, she being kicked on her breasts, chest and back. Rajani Malakar, aged about 40, was violently kicked on the chest.

(j) In fact, many of those who has been injured as a result of this second lathi-charge, rifle-butts beating and indiscriminate kicking, had to be hospitalised while others had to be attended to by the Red-Croce Centre opened in a hurry in the house of Sri Satindra Mohan Dev on the P.W.D. Road opposite the Railway tank (see map), Some of these injured persons including the three whom we have just mentioned are still in hospital. Dipali Dey, an eighteen year old student, was hit on the left hand by a lathi. Thereafter she was again hit on her back with the butt of a bayonet. As a result of this she fell down on the track but was again hit on her chest. Haran Mandal was lathicharged so severely that his wrist was fractured. Subinay Dhar aged 29 years was heavily lathicharged on the back and on the left leg as a result of which he suffered severe injuries. A gas cylinder was also thrown on his lower abdomen. Bidhan Chandra Roy, a school student, was forcibly hit on the eye and nose by the butt of a rifle resulting in serious injuries to his face (injury Report—Annexure 'C').

(k) We have mentioned the names of only a few of the injured who were still in hospital on the 3rd June, 1961. Apart from them many others received injuries—both serious and severe as a result of this action on the part of the armed men.

(l) While this orgy of violence was going on, the D.I.G. Assam and D.C., Silchar were seen arriving at the Railway station. The station gate was now fully blocked by armed men and the public had to approach the railway track after passing the tank to the south of Railway yard (see map)

(m) All this employment of brute force could not, however, either disperse and Satyagrahis or in any way make them violent. On the contrary, they continued as before, firmer in their determination to make the Hartal a total success.

(n) Seeing this, it appears the Police authorities for the moment gave up the idea of forcibly dispersing the Satyagrahis

and the D.I.G. entered into a 'truce' with the Satyagrahis leaders and it was agreed that thenceforward the police would merely arrest the Satyagrahis in batches of four. Arrests were accordingly made thereafter from about 7-30 A.M. The Satyagrahis were peaceful and offered no resistance whatsoever when arrested. Many of them, however, contrary to the instructions contained in Ex. 8, were not taken to the jail at all but to places at a considerable distance from the town and left there in the open. No list was, however, made of these arrested persons nor were details of their parenthood, addresses etc. taken as clearly specified by the instructions of the Superintendent of Police in Ex. 8.

(o) The atmosphere thereafter became peaceful and calm. Moreover, the police ceased making any further arrests after about 12 noon. The Satyagrahis in the true tradition of non-violence and Ahimsa started chatting with the armed men and even offering them bananas, nuts, lozenges etc. which had been distributed amongst the Satyagrahis by the Red Cross and members of the public a little earlier. The police reciprocated this gesture on the part of the Satyagrahis and started eating whatever was given to them by the Satyagrahis and were gaily conversing with them.

(p) It was clear to the Satyagrahis that they had achieved their objective and that no train would come to or move out of Silchar Station until 4 P.M. The police also seemed to have accepted the success of the Hartal as an accomplished fact and for the time being gave up all show of a fight. Many of the persons present started erecting shades for the Satyagrahis with freshly cut branches of trees and bamboos. Some went inside the station and sought rest in the railway carriages still standing on the platform. Others took shelter from the scorching sun by climbing up the sixteen feet high steel structure of the over head reservoir (see map) and sitting on the various tiers thereof underneath the shade of the reservoir.

(q) This peace and tranquility was suddenly disturbed at about 2 P.M. by shouts from the P.W.D. Road where a truck carrying arrested Satyagrahis from outside Silchar was seen to be on fire. This fire, however, was put off soon enough by some Satyagrahis with mud, sand and water hyacinth collected from a nearby ditch. But this led to a violent charge with lathis

(19)

and butts of bayonets by armed men on people standing peacefully on the P.W.D. Road. This attack was so sudden and ferocious that people started running helter skelter all over the PWD road and the surrounding areas. Many ran towards the railway yard where the Satyagrahis were squatting passing the railway tank on the way. At that time an announcement was made from a loudspeaker placed on the steel structure of the overhead reservoir to the effect that "Everybody must be calm and maintain peace—the lorry incident was a police strategy to excite people—the Satyagrahis were bound to succeed—the Hartal was about to be a total success".

(r) Quite sometime after this announcement people in the station yard suddenly heard the sound of firing. At first it was thought, that this was mere blank firing for people could not conceive that the armed men could possibly resort to actual firing when the atmosphere in the station yard was perfectly peaceful. This belief however was soon rudely shaken as person after person irrespective of his or her age and sex was found falling to the ground being hit by bullets. The firing first commenced from the western end of the platform and the armed men thereafter started proceeding rifles in hand—westwards towards the Satyagrahis as a result of which some were even hit at very close ranges. Firing was also resorted to by the armed men posted on the northern side of the yard. This firing which consisted of about five volleys and lasted for about five to seven minutes was as tragic as it was brutal. We have not been able to find out the exact number of rounds fired, but we are satisfied that they were numerous. The firing was fanwise—both cross-fire and coverfire. It was indiscriminate in the sense that it did not discriminate between the Satyagrahis and non-Satyagrahis. It was reckless in the sense that no regard was paid to human lives. It had a deliberate objective, namely the killing or permanently maiming of those who were aimed at. No place was safe enough. Bullets hit the walls of the railway quarters on the south being quarters Nos. G and G (see map) In fact, a Satyagrahi was killed while seeking shelter in one of these railway quarters. The 16 feet high steel structure of the overhead reservoir was a special target of these trigger-happy men. Persons sitting high above the ground on the various tiers of these steel structure and having nothing to do then with the Satyagrahis below were shot

(20)

at and one of them was killed. On our visit to the station yard we found bullet marks all over the place—on the walls of the railway quarters, on the adjacent buildings on the steel structure, in fact everywhere. Bullets produced before us were found at places nearly two furlongs away from the scene of action, they having been fired at people fleeing from the station yard towards west.

(s) As a result of this firing ten precious lives were lost. We set out their names hereunder—

1. Kumari Kamala Bhattacharjee
2. Sri Tarani Debnath
3. Sri Chandicharan Sutradhar
4. Sri Sukamal Purkayastha
5. Sri Kumud Das
6. Sri Kanailal Neogi
7. Sri Sachin Pal
8. Sri Sunil Sarkar
9. Sri Hitesh Biswas
10. Sri Birendra Sutradhar.

(t) Over 100 persons were also injured, many of them seriously. Reports of injuries and other details in respect of those who were still lying in Hospital upto the 3rd June, 1961 were tendered before us and marked Ex. 12. We annex a copy of this exhibit marked as Annexure 'C' from which the extent, nature and character of this savagery will to some extent appear.

(u) None of the dead or injured was removed by the police. It was left to the Satyagrahis themselves and some members of the public, to carry their dead and injured bodies to the Red Cross Centre at Satin Deb's residence where arrangements were made for rendering first aid to the victims.

(v) This firing was again followed by a violent lathi charge. People were sought to be chased out of the station yard along the side of the Railway tank (see map), and many in desperation and to save themselves from severe lathi blows jumped into the railway tank and swam to safety on to the other side. It was during this lathi charge that Sri Satyen Deb was severely hit while he was in the tank. His body was seen floating on the tank on the 21st May, 1961, having died, no doubt by the severe beating he received while in the tank on the 19th May, 1961.

(w) Even during and after this period of terror many of the Satyagrahis continued as before squatting on the tracks now in portions turned crimson by the blood of numerous of their brothers and sisters—undaunted as if in mute homage to the memory of those brave children of Silchar who had fallen in the cause of their language with no fear in their eyes but prayer on their lips.

It remains for us to now analyse the Government version of the incidents on the 19th May, 1961. Three separate statements have been made from the 19th to the 21st May, 1961 by the Assam Government and or its authorised Officials. The first (Ex. 9) is a Press Note issued on the 19th May by the State Government from Gauhati. The second is a press Handout dated the 20th May and issued by the D.C., Cachar. The third is a statement made by the D.I.G., Assam, in the presence of local leaders in Silchar on the 21st May, 1961. This last statement has been given wide publicity and published in various newspapers. The D.I.G. has not in any way contradicted the fact that he had made this statement.

These various statements issued from time to time are to say the least, baffling in the extreme, totally contradictory and inherently improbable. We cannot place any reliance on the same. It seems that the different versions give different stories with regard to the reasons for opening fire, the number of times the authorities resorted to firing and the time the firing took place.

We are also unable to accept the story of a Rifle having been snatched away during the incident in the morning. It appears to us to be highly improbable that in view of the armed might of the police and their clear resolve to use force whenever necessary any Satyagrahi could escape after having snatched a heavy rifle from the hands of one of these armed men. In any case, such an incident would not have gone unnoticed if it had really taken place. None of the witnesses before us had heard anything about it.

We do not also accept the story of the constables being belaboured by anybody. We have carefully gone through the evidence before us and the documents filed and we are satisfied that in so far as the Satyagrahis are concerned their conduct was exemplary and totally in accord with the appeals issued from time to time by the Gana Sangram Parishad, namely, to always maintain peace and be non-violent.

The incident in connection with the truck is curious. Numerous trucks had passed before this particular truck, carrying arrested

Satyagrahis, from the early hours of the morning, but no such incident had occurred before. We find it difficult to believe that the Satyagrahis or members of the public supporting the Satyagrahis should suddenly set fire to a truck when for all intent and purposes the Satyagraha had succeeded and the Hartal was about to become a complete success. Furthermore, the fact that the fire to the truck was put out by the Satyagrahis and members of the public themselves, even before the Fire Brigade had arrived lends support to the theory that the fire had not in any way been caused by the Satyagrahis or their supporters, but, as stated by witnesses Nos. 21 to 23, had been caused at the instance of agent-provocateurs. We wanted particularly to know the nature of the damage caused to this truck which was lying in the Silchar Police Station. Witness No 13 thereupon went to the police station with the permission of the officials there personally inspected the truck. Thereafter he deposed before us to the effect that the damage to the truck was slight and the pipe leading from the petrol tank to the carburettor seemed to have been broken. We are satisfied, therefore, that no Satyagrahi or member of the public supporting the Satyagrahis had set fire to the truck or was responsible therefore in any way.

Lastly a question arises as to who was responsible for the firing. On this point there is again grave contradiction in the statements made from time to time by the officials of the Assam Government. On 20th May, 1961 at 8.30 A.M. Commissioner Sen told witness No 2 on being questioned about it point blank that Magistrate Bhuiyan had ordered the firing. Commissioner Sen made this statement in the presence of the D.I.G. and Mrs. Chanda, a Congress leader, and the D.I.G. kept silent and did not protest against or contradict this statement of Commissioner Sen. On the 21st May the D.I.G. as will appear from Ex. 2, took the responsibility for the firing. Immediately thereupon witness No. 2 asked Commissioner Sen "What about your statement made to me yesterday in the morning regarding the person who had ordered the firing?" Commissioner Sen did not reply. Magistrate Bhuiyan on the other hand according to Witness No. 11 made a statement in open Court on the 30th May, 1961 to the effect that he had not ordered any firing although he had been requested to do so. He further stated that he had not ordered any firing because he thought there was no justification for it.

In view of these contradictions and in as much as we could not examine either Commissioner Sen or the D.I.G., or Magistrate Bhuiyan we are not in a position to say as to who really ordered the firing. We, however, are satisfied that who ever ordered the firing, had no justification whatsoever.

CHAPTER III

KARIMGANJ INCIDENTS

We arrived at Karimganj on June 2, 1961 in the afternoon at about 2 P.M. Immediately thereafter we were permitted to visit the Karimganj Sub-jail and interviewed some persons who were then in jail. We interviewed Sarvasri Gopesh Chandra Namasudra, M.L.A. (since resigned) of the Communist Party, Mrinal Kanti Das Gupta and Jagneshwar Das also of the Communist Party (Sri Das being the Secretary of the Karimganj Branch), Sri Narendra Kumar Singh, President of the Patharkandi Mondal Congress Committee (he is a Manipuri) and Sri Bidhu Bhushan Chaudhuri, Editor, "Yugasakti" of Karimganj.

The evidence which we recorded from the above stated persons bring out the following facts :

(a) The above persons with many others were arrested on May 19, 1961. The above persons were served, with Summons, a copy of which is set out hereunder in extenso.

"SUMMONS ON INFORMATION OF A PROBABLE
BREACH OF THE PEACE.
(SEE SECTION 144)

TO.....

Whereas it has been made to appear to me by credible information that you are the members of the Cachar Sangram Parishad and you have decided to bring about an all out strike in the district of Cachar from 19.5.61 with that end in view you will form unlawful assemblies, stop trains and other means of communications and obstruct the holding of Courts and other offices, it is likely that on that day and on subsequent days, you will resort to violence and other wrongful acts, by which act a breach of peace will probably be occasioned, you are hereby required to attend in person or by a duly authorised agent at the office of the Magistrate

Sri K Bora on the 19th May, 1961 at ten o'clock in the forenoon, to show cause why you should not be required to enter into a bond for Rupees 500/- and also to give security by the bond of one surety of the like amount that you will keep peace for the term of six months.

Given under my hand and the Seal of the Court, this
19th day of May, 1961.

Sd/- K. Bora, Magistrate

Signature

19.5.61

Magistrate, 1st Class, Karimganj

Sd/-

19.5.61

The said Summons were received by the above persons at 3 P.M. inside the jail and it is to be noted that they were asked to show cause either in person or through an authorised agent at the Office of the Magistrate by 10 o'clock of May 19, 1961 and which was subsequently extended till 4.30 P.M. It is amazing that such Summons were served when the persons were actually in custody and they were asked to appear before the Magistrate.

(b) Karimganj has only one sub-jail in which the total accommodation available is for 84 person only. On May 19, 1961, 184 persons were brought into the Jail and at that time, the total number of persons inside the jail went upto 298. Not only were there no accommodation but also there were no arrangement for food. It must be stated here. that the Jail officials did their best to arrange food etc. for the arrested persons but without any official sanction it was quite three days before some arrangements for food and other necessities of life could be arranged which however, are incumbent under the relevant procedure for keeping persons in Jail.

(c) The persons who were arrested, or at least most of them were arrested before the Movement actually started as the time for the strike or 'Hartal' was from 4 A.M. to 4 P.M. The situation was actually peaceful and it is borne out from the facts, details of which are given later on, that hundreds of persons offering Satyagraha as well as the public were severely injured but not one person of the Police personnel or the Border Security Force or any of the authorities received any injury.

(d) The Assam Government deliberately tried to create differences and divisions amongst the people and while arresting, the authorities deliberately let off the Muslims and Manipuris. We had evidence to show that when a Muslim or a Manipuri was arrested offering Satyagraha, the police let him off, the moment, they realised that either he is a Muslim or a Manipuri. In fact, the persons we interviewed told us an amusing story that when they were arrested, a number of Muslims were arrested with them. The Police Officers let off the Muslims stating that their names were not in the list, though, many of the persons were arrested while actually offering Satyagraha and their names could not have been possibly in the list. Amongst those arrested were about 70 minors below the age of 12 and 2 who were above the age of 80. Though they had to be released this would go to show the indiscriminate nature of arrests and the ruthless determination to suppress the Movement.

(e) We have already made reference to the policy of the Assam Government in deliberately suppressing not only the Bengalees but all other minorities in the State of Assam. We purchased a few tickets from Karimganj railway station and we found that the tickets were printed in English and Assamese though in that area no Assamese are living. There may be some Assamese living in Silchar but in Karimganj there are hardly any excepting Government officials. Similarly, in Jail we were informed that certain well-known sayings of Ramakrishna or Vivekananda are printed only in Assamese and sometimes are re-translated into Bengali which read quite differently from the original. All posters of the Community Project and for schools are written in Assamese language.

(f) Apart from the Officers of the Assam Government, the Assamese Managers of Tea Gardens continued their repression of the Satyagrah of the Bengalees and one manager at Vidyanagara ran his Jeep over the legs of a young boy named Surendra Paul. Another person of Patharkandi assaulted young girls, namely, Miss Meena Nath and Miss Bhadra.

After the interview in Jail, we came to Ramani Mohan Institute where arrangements were made for evidence to be taken. In this matter, the non-official Enquiry Commission was ably assisted by the Karimganj Fact Finding Committee.

We examined 13 witnesses and we have numbered them as K. Ws. (Krimganj Witnesses), The names of the witnesses are as follows :

- | | | | |
|-------|----|---|-------------------------------|
| K. W. | 1 | — | Sri Maya Miyan Chowdhury |
| " | 2 | — | Srimati Kamala Rani Das |
| " | 3 | — | Srimati Asharani Dutta |
| " | 4 | — | Srimati Shefali Chakravarti |
| " | 5 | — | Sri Sukhabindu Sen Gupta |
| " | 6 | — | Sreeman Babul Chandra Roy |
| " | 7 | — | Srimati Bharati Chakravarti |
| " | 8 | — | Srimati Priti Dastidar |
| " | 9 | — | Srimati Sipra Chakravarti |
| " | 10 | — | Shri Santosh Majumdar |
| " | 11 | — | Srimati Pusparani Karmakar |
| " | 12 | — | Shri Abdur Rahaman Chowdhury, |
| | | | M,A, B.L |
| " | 13 | — | Shri Biswanath Upadhyay. |

We should mention that amongst the persons examined by us, K.W. 6 is a boy of about 8 years old and he was hit on the head by the butt of rifle and left unconscious till he was sent to the hospital. K. W. 10 is a Red Cross Volunteer and his evidence regarding the incidents was from the angle of his work as a Red Cross Volunteer and not as a Satyagrahi. K. W. 12 is the President of the District Sangram Parishad and he is also an active member of the Congress and the resolutions passed under the Presidentship of K. W. 12 with regard to the movement in Cachar as well as the names of members of the Sangram Parishad, are given in Appendix 'D' to the report.

The evidence, when analysed, come to this—

- (a) There was very little attempt by the Police or the authorities to remove the Satyagrahis by arresting them.
- (b) The Satyagrahis were peaceful all along. There is no report of any incident whatsoever.
- (c) Instead of removing the Satyagrahis who had come there to court imprisonment, the Police and the authorities let loose a real reign of terror.

- (d) All the witnesses who had offered Satyagraha and who deposed before us stated that each one of them were brutally beaten up.

K.W. 1 was beaten and thrown into a drain. We saw, even on the day we examined him that he had visible wounds on his left eye, cheek, left elbow and left knee. He had also wound on his left foot which was still then bandaged.

K.W. 2 was not only beaten but her 'Sari' was removed and she was left lying till somebody gave a 'Sari' to her so that she could get up but before she could get up, again she was beaten at the lower region of her body and her abdomen so severely that she lost consciousness and she was in hospital for about six days.

K. W. 3 was beaten at about 11 A. M. near the railway station and her wounds are also in or about her abdomen and she also was left unconscious and she also had to be sent to the hospital. She could not stand while giving evidence as even then it was impossible for her to be normal and move about.

K. W. 4 told us about the same pattern of beating and in this case also her clothes were taken away by Police. She was left unconscious in a ditch and she might have died had she not been found by others and rescued. She is a young girl of about 18 years and should be appearing in the Matriculation Examination this year.

K. W. 5 A Cinema Operator, aged about 57 years, was not a Satyagrahi but was visiting a friend in the railway quarters near the Karimganj Railway station. He was beaten by two persons causing fracture of his left hand. His Cinema Operator Licenc as well as Rs. 25.50 was snatched away and taken by these Officers. He was in hospital till the 27th of May, 1961 and we found his hand still under plaster. We also saw that his right arm has been so injured that this witness told us that his hand was gradually becoming paralysed. We shall deal with the incidents in the railway quarters later on.

K. W. 6 as already stated above, is a boy of about 8 years. He was merely standing near the railway track when he was beaten on the head by the butt of a rifle and left unconscious with his skull almost fractured. He regained consciousness after some hours at the hospital. Though K. W. 6 is about 8 years which he told us. we found him to be a very very young child and we could not put his age beyond 3 or 4 years.

K. W. 7 and K. W. 9 are two sisters and both of them were very severely beaten and left unconscious. They were beaten on their heads and the lower parts of their body. K. W. 9 showed us the wounds which were still visible. Strangely enough, these two witness were wearing the badge of Satyagraha with the photograph of Mahatma Gandhi.

K. W. 8 also told the same story and the same amount of brutal beating received by her.

K. W. 10 is the Proprietor of Economic Jewellery and aged about 47 years. He was near the railway station both in the morning as well as in the afternoon and he told us that this type of beating of peaceful and innocent Satyagrahis were done in the presece of a Magistrate and other high officials. He mentioned one S.D.O. Prafulla Babu and E.A.C. Bires Das and stated that they were also present when this brutal action was taken against very young girls. He also stated that later on in the afternoon, while he was standing there he found that certain military personnel attacking some young girls and boys. He out of sheer humane reasons and being a Red Cross worker wanted to protect the women and he was severely beaten not only on his body but on his head. His glasses were broken and he fell down on the street. He also told us about the shrieks he heard coming from the railway quarters.

K. W. 11 has a little history behind her. She was once homeless due to the Partition of Indian and had settled in the Assam Valley with her husband and family. During July, 1960 riots in Assam she was rendered homelss a second time and she came over to Karimganj. On the 19th May, 1961 there was a time when she was the only Satyagrahi on the track of the railway. She is a very short person and frail. She had been beaten so severely that when we saw her, she was hardly normal and could speak with very great difficulty.

K. W. 12 as stated, is the President of the Cachar District Sangram Parishad and he told about the various resolutions passed and also the directions given with regard to peaceful Satyagraha.

K. W. 13 was an M.L.A. till he resigned and he also told us about the brutalities committed by the Police authorities on the Peaceful Satyagrahis lying at the railway station. He was there and he repeatedly told the Police and the authorities to arrest the Satyagrahis and not to carry on the lathicharge and teargassing in the vindictive manner that was done.

After recording the evidence, as stated above, we visited the Railway Quarters. We visited almost all the Railway Quarters and we found not only traces of broken furniture, doors, beds and small radios and other articles but we found ample evidence of ruthless beating of the people generally. It should be noted that the Railway employees were not offering Satyagrah nor were they involved in the Hartal. The Police and the other authorities deliberately went into the quarters just because these persons happened to be Bengalees or had spoken the Bengali language. In every quarter, almost all the persons were beaten up including women, both old and young. We saw an old lady of over 80 bent with age showing signs of bruises all over her face and her back. In another house a young boy of two was dragged by his arms and thrown into a pond so that he may be drowned.

CHAPTER IV

CONCLUSION

The evidence placed before us has satisfied us that the movement launched by the people of Cachar was peaceful and they adhered strictly to the principle of non-violence inspite of grave provocations. The Satyagrahis conducted themselves with restraint and they were moved by a spirit of dedication to the cause and the general public also responded magnanimously to the call to act with restraint and discipline and excepting one or two occasions of sporadic pelting of brick-bats of very short duration when the armed force or the Police had been assulting women Satyagrahis with extreme brutality, the public throughout the District had behaved with commendable restraint. There was, during the movement, no disturbance of the pubic peace caused either by the Satyagrahis or the people of Cachar which could necessitate or justify methods of violence or coercion adopted by the Government of Assam or its Agencies at Cachar. Threat to public peace, on the contrary, was caused and attempted to be caused by the uncalled-for demonstration of the armed might of the Government, by constant route marches by the army and armed police and an atmosphere of impending violence created by the authorities at Cachar. We are convinced that the Government of Assam and its agencies at Cachar intended to terrorise and overawe the people of Cachar by bringing in or reinforcing the army and the Central Reserve Police Force an the Assam Rifles and the armed police and by demonstrating this power of effective destruction. The demonstration of the armed might of the Government, however, had just the reverse effect on the morale of the people and they became more determined to resort to peaceful Satyagraha in assertion of their legitimate demand for recognition of Bengali language as one of the State language of Assam and for the recognition of the languages of other linguistic groups. On the evidence placed we are satisfied that the movement in Cachar has not been motivated by parochial considerations but by the ideal of fighting for the existence and survival of all the racial and ethnic groups inhabiting the State of Assam and the leading people of Cachar asserted before the Commission that the basic

approach of the sponsors of the movement should be appreciated properly and fully to evaluate the magnitude and intensity of the popular upsurge in Cachar.

(2) On evidence we have come to this unhesitating conclusion that the requisitioning of the army long before the movement was launched was uncalled for and was neither warranted by the exigencies of the situation nor by the requirements of law.

(3) The demand for recognition of the language of a substantial section of the people of a State as a State language is a legitimate demand and so long the demand is expressed by non-violent and peaceful methods no Government established by law has any right to repress that demand by violent means. The people of Cachar having not resorted to methods of violence either by destruction of property or use of criminal force on persons, the Government of Assam had and could have no justification to use force to repress or suppress the movement. If there was any violation of law by reason of disobedience of orders promulgated under Section 144 of the Criminal Procedure Code, law has provided the procedure for penalising the offenders. If an unlawful assembly was required to be dispersed, the law of the country has provided the machinery and procedure for that purpose and it appeared to us that the local authorities who were responsible for opening fire on peaceful Satyagrahis at Silchar and directing lathi charge and concentrated tear gassing at Silchar and Karimgang, rode roughshod over the procedure prescribed in the Code of Criminal Procedure or in the Police Acts and Regulations. Military and armed force can be requisitioned by the Magistrate of the highest rank present to disperse an unlawful assembly only when public security is manifestly endangered, and the law enjoins that any armed personnel on commission shall use as little force and do as little injury to person and Property as may be consistent with dispersing the assembly and arresting such persons.

(4) On the evidence placed before us and on inspection of the places where firing had been resorted to we are satisfied that all this police action including the firing was unnecessary and unjustified. We were satisfied that the killing of ten persons at Silchar by firing and injuring a large number of persons by bullets and lathis and maiming and injuring large number of unarmed Satyagrahis and innocent members of the public including inmates of houses near about the places of occurrence at Karimganj and other places of Cachar by brutal

lathi charges, kicks and blows on vital parts of the bodies of men, women and children, molesting women and throwing away a child in a tank and beating to death man who had jumped into tank near the railway station at Silchar to save his life were not justified.

(5) The Police Manual in this country strictly regulates under what circumstances armed police or the army can be called out and used and provides that recourse to use of firearms can be had only in the last resort when it becomes absolutely necessary for the defence of life or property. The evidence satisfied us that no such emergency or contingency had arisen, there was no danger to public security or loss of life or property for the protection of which the extreme measure of opening fire on unarmed assembly of persons had to be resorted to.

(6) On the evidence we were further satisfied that there was cross firing at Silchar Railway Station by two sections of the armed Police Force who had taken positions on the Railway station platform and on the Railway track and the firing was indiscriminate, reckless, brutal and absolutely without any semblance of justification. There was no danger or loss of life of the Police personnel or other public officers present at the Railway station nor any damage to any public property. There was in our considered decision no immediate cause for ordering fire upon the peaceful Satyagrahis, who were squatting on the railway tracks, or on the members of the public who were watching the Satyagraha.

(7) We found on local inspection at Silchar marks of firing penetrating walls and fences of houses at distant and different places and at high altitudes and low levels. We also got evidence of persons being killed inside rooms and verandahs of houses or while perched on a water reservoir 16 feet high. We also found bullets collected from houses at considerable distance from the Railway platform. We also examined the injury reports of these who were killed and injured and found that almost each of the victims was shot above the waist line and stuck on vital parts of the body and it appeared that they were shot at to be killed. Injuries were also found on the back of several persons which indicate that the victims were either running away or at any event not offering resistance.

(8) We also got evidence that there was no resistance to arrest. On the contrary the Satyagrahis were offering themselves to be arrested and hence no use of force was necessary to secure the arrest of the Satyagrahis or for their dispersal.

(9) We got evidence that women, old or young were not spared and even boys and girls of tender age were brutally assaulted and teargassed at Silchar and Karimganj. Clothes of women were snatched away and some of them were kicked at and lathi charged.

(10) We got evidence that a child was thrown into a tank by members of the Police who ran wild and assaulted every one they could lay their hands on. They raided homes adjoining the Railway station of Karimganj, assaulted inmates and damaged and destroyed furnitures and other articles indiscriminately.

(11) We got evidence that at least one Magistrate was at the Railway station at Silchar, when the armed police opened fire but his sanction or order or permission, so far we could gather, was not obtained. We have persued the statement made by the Deputy Inspector Ganeral of Police, Cachar, before the leading citizens of Silchar and the two Press statemnts issued by the Government of Assam and also the Press Report of the purported statement of Sri B. Sen, Commissioner (Plains) and we were surprised to note the glaring and irreconcilabe inconsistencies in the various statements. An analysis of the said statements discloses a deplorable attempt to disown responsibilities and cover up misdeeds committed by highly placed officials of the Government. Inspite of shifting of position and attempts to prop up a defence in justification of firing on an unarmed crowd—even from the various official versions we have come to the unhesitating conclusion that the firing resorted to in the afternoon of the 19th May at Silchar railway yard was uncalled for and unjustified.

(12) We are satisfied on evidence that there was no question of the armed police force acting in self-defence or in defence of property justifying any shooting or killing, and there was no question of the Officer giving order or the members of the force who actually killed acting in good faith.

(13) We are also satisfied that the manner in which the Assam Rifles or the Police Force deployed for the purpose lathi-charged or teargassed unarmed and peaceful satyagrahis at various places in Cachar were much in excess of the limits prescribed by law and there was no justification for the user of such force to disperse peaceful Satyagrahis.

(14) We are also satisfied on the evidence that the attack on persons other than Satyagrahis by trespassing into private houss at

Karimganj and damage to properties caused by the police and members of the Assam Rifles at Karimganj were unjustified and the offenders should be brought to book by the Government of Assam by placing them on trial. Although there was no firing at Karimganj, we feel it our duty to record that the lathi charge, teargassing and assault on men and women, specially young girls, was more brutal there than at other places.

(15) We have noted with satisfaction that inspite of the acts of extreme provocation and violence committed by those whose duty was to maintain peace, law and order, the people of Cachar remained peaceful and did not allow their spirit to be cowed down by exhibition of brute force.

(16) We have arrived at this unhesitating conclusion on a close scrutiny of the happenings at Cachar in the context of the Assamisation move on the part of a section of the people of Assam that the manner in which the Government of Assam has tried to repress the popular upsurge in Cachar for recognition of their language amounted to not only a violation of the fundamental rights of the linguistic minority in Assam but there has been a violation of human rights.

(17) In all modern societies, the Executive is necessarily entrusted with wide powers in the application of the laws, but where the Executive has a power as distinguished from a duty under the law, the exercise of the power must be within whatever limits the law prescribes. We are of the opinion that the Executive authorities in Cachar have transgressed the bounds of law in a manner and to such an extent that the Officers and personnel concerned appear to have made themselves amenable to the disciplinary law of the country. We recommed to the Government of Assam to take appropriate action in the matter.

(18) We are of opinion that adequate compenstion should be given to the families of those who have died as the result of police firing and to those who have been disabled or grievously injured or incapacitated for some length of time.

(19) In conclusion we desire to sound a note of warning in the language of John Locke—"Just and moderate Governments are everywhere quite, everywhere safe, but opression raises ferments and makes men struggle to cast off an uneasy and tyrannical yoke....There is only one thing which gathers people into seditious

commotions and that is oppression." Expression of one's self in his own language is one of the basic human right. Denial of that right and deprivation of that basic right by oppressive methods can never ensure to the benefit either of Assam or of India as a whole.

Sd/- N. C. Chatterjee

Chairman

Sd/- Ranadeb Chaudhuri

Sd/- Ajit Kumar Dutta

Sd/- S. K. Acharya

Sd/- Siddhartha Ray

ANNEXURE 'A'

TERMS OF REFERENCE

1. The situation which led to the movement started by the Cachar Sangram Parishad or the people of Cachar.
2. Did the people of Cachar resort to constitutional methods for the vindication of the rights of the linguistic minorities in Assam?
3. (a) What was the nature and extent of movement which carried on by the Sangram Parisad or the people of Cachar?
(b) Was the movement started by the people of Cachar conducted in a peaceful manner?
4. (a) What methods were adopted by the State Government in order to deal with the movement?
(b) Were the same justified?
(c) Was the requisitioning of the military and the employment of armed force justified?
5. Was the firing by the Police which led to the death of a number of persons and the wounding of a large number of persons justified?
6. What was the nature and extent of the Police action at Silchar and Karimganj in the District of Cachar? Were the same justified?

ANNEXURE 'B'

The Samiti, therefore, humbly urges you to issue directives under Article 347 of the Constitution declaring the Bengali language as an Official language through the State of Assam and ensuring the use of the Bengali language for all official purposes in the State of Assam including the following specific purposes :

- (i) preparation of all official Bills and other legislative matters dealt with by the Assam Legislative Assembly.
- (ii) preparation of all official documents of the Government of Assam and offices subordinate thereto;
- (iii) for purposes or correspondence between the Government of Assam and the people of the State of Assam on one hand, and between various departments of the Government of Assam on the other.
- (iv) for all business carried on in courts of law, including and upto the level of the High Court of Judicature in Assam.
- (v) for all educational purposes, including the purpose of teaching in the University of Gauhati and all educational institutions subordinate thereto; and
- (vi) for any other matter that may appear relevant to the President.

ANNEXURE 'C'**INJURY REPORTS**

1. Jyotish Kumar Bhattacharjee Aged 12 yrs. Student of class V of
C/o, Late Benode B. Bhattacharjee Jubilee High School, Silchar 2nd
Rangirkhari, Silchar. son of his father

Source of income—Nil Earning member—Nil Gets help from the Relief and Rehabilitation Department, Assam.

Injury : Lathi Charge on the chest and on the backbone. Admission 19.5.61

2. Jamini Mohan Namasudra Aged 40 yrs. Businessman,
Tarapur New Colony Silchar. Member of the family—2 Earning
Rangirkhari, Silchar. member—1 (himself)

Source of income—Business of woods—Capital—Rs. 500/- approx.

Injury : Lathi charge on the left shoulder, right fist and also on the head, Three stitches on the injury of the head.

3. Dharendra Kumar Deb Aged 30 yrs. Businessman.
C/o, Dr. Girindra Dhar, Tulapatty, M.F. —1,
Silchar. E.M.—1

Source of income—Business of tea (retail)—Capital—Rs. 100/- approx.

Injury : Lathi charge on the right forearm (upper part) and also on the backbone.
Admission—21.5.61 morning.

4. Shyamal Kanti Gupta Aged 24 yrs. Employee of the Sen
C/o, S.J. G. K. Gupta Retd. Tea & Co., Silchar M. M. F.—5 E.M.
Planter., Malugram, Silchar. 1 (himself)

Source of income—Employee of the Sen & Co. Janiganj, Silchar, Salary 50/- Elder brother residing outside the State contribute a poor amount

Injury : Sprain with swelling, and deformity of the right ankle.

Admission—19.5.61

5. Subinay Dhar Aged 29 yrs. Own a Tailoring shop
C/o, Late Mangobinda Choudhury, M.F.—2 E.M.—1
Nazirpatty Silchar.

Source of income—Owner of a tailoring shop, income Rs. 100/- P. M. approx. His brothers contribute not more than Rs. 35/- P. M.

Injury : Lathi charge on the backbone and on the left leg. police threw one gas cylinder on the lower abdomen.

Admission—19.5.61

6. Monoranjan Sarkar. Aged 18 yrs. Employee of a local
C/o, Sashimohan Sarkar. firm, M.F.—8 E.M.—1 (himself).
Itkholaghat, Silchar.

Source of income—He earns Rs. 100/- P. M. approx. p.m. One brother reads in Cachar High School (in class VI).

Injury : Two bullet injuries on the face (left side)

Admission—19.5.61

7. Pradip Kumar Dutta. Aged 18 yrs. Appeared in the
C/o, Rohini Kr Datta. Matriculation Exam. of G.U. 1961.
Ambicapatty, Silchar. M. F.12 W.E. M.F.—Yes. E.M. 4.

Source of income—Tution, Income Approx. 50/- approx income of the family Rs. 300/-.

Injury : Injury on the penis by the bullet.

Admission 19.5.61

8. Nishitendra N. Thakur. Aged 16 yrs. Student of class IX of
C/o, S.J. Netaichand Patni. Govt. High School, Silchar. M.F.
Tikarbasti, Silchar. 12 W.E.M.F. No. E.M.1. (father)

Source of income—Father is the pleader of the local Judge Court, Income approx Rs. 3000/-.

Injury : Injury of the right sole (posterior part) (2" x 1/2" skin depth)

Admission 19.5.61

9. Santosh Ch. Kirtaniya Aged 26 yrs. Carpenter.
C/o, Sri Ramchandra Mistry. M.F.-6, W.E.M.F. Yes.
Deshbandhu Road, Silchar. E.M.-1 (himself)

Source of income—Carpentry. Income approx. Rs. 100/- p.m.

Injury : Injury of the dorsal surface of the left palm by the bullet (wound 1 1/2" x 1/2" skin depth).

Admission 19.5.61

10. Gobinda Chandra Das Aged 18 yrs. Unemployed.
C/o, S.J. Narendra Deb M.F.-5, W.E.M.F. No.
Tikarbasty, Silchar. E.M.-1 (brother)

Source of income—Elder brother is the sepoy of Armed Police. Salary Rs. 60/-

Injury : Injury on the left arm by the bullet

Admission 19.5.61

(39)

11. Ranjit Sarkar Aged 19 yrs. Student of class X of
C/o, S.J. Jogendra Ch. Sarkar Vidyapith H.School, Silchar.
Tarapur Station Road, Silchar. M.F.-14, W.E.M.F. No. E.M.-2

Source of income—Father's income Rs. 200/- approx. Another helping hand is his elder brother income Rs. 50/- approx.

Injury : Injury on the interior and middle part of the right leg by the bullet ($\frac{1}{2}$ " x $\frac{1}{4}$ " skin depth).

Admission 19.5.61

12. Nirode Ch. Bardhan Aged 42 yrs. Businessman
Tikarbasty, M.F.-7, W.E.M.F. Yes.
Silchar. E.M.-1 (himself)

Source of income—Owner of a small tea stall. Income approx Rs. 100/-

Injury : Injury on the posterior aspect of the right elbow by the bullet Injuries are as follows : (a) 1" x $\frac{1}{2}$ " skin depth with scorched margin, (b) same as above 1" apart laterally (c) 2" x 1" on the lateral aspect of the right orbital region.

Admission 19.5.61

13. Ram Chandra Das. Aged 25 yrs. Rickshaw Puller.
Rangirkhari Das Colony M.F.-5, W.E.M.F. Yes. E.M.-1
Rangirkhari, Silchar. (himself).

Source of income—Rickshaw pulling-income approx. Rs. 80/- p.m.

Injury : Injuries on the left sole by the bullet. (On the posterior aspect L.W. $\frac{1}{4}$ " x $\frac{1}{4}$ " x $\frac{1}{2}$ " depth with scorched margin.

Admission 19.5.61

14. Anjali Rani Deb Aged 13 yrs. Student of Class V of
C/o Sja. Jyotsna Rani Deb Chhotelal Seth Institute, Silchar.
Meherpur Anath Camp, Silchar. M.F.-2, W.E.M.F. No. E.M.- Nil.

Source of income—Lives on the aid sanctioned by the Assam Govt. Relief and Rehabilitation Department.

Injury : L.W. $\frac{1}{2}$ " x $\frac{1}{4}$ " M.L. temporal set. $\frac{1}{2}$ " away from right eye. Bullet injury on the forehead.

Admission 19.5.61

(40)

15. Gouri Biswas Aged 24 yrs. Student (Private)
C/o Amaresh Biswas, M.F.-9, W.E.M.F. Yes.
Ambicapatty, Silchar. E.M.- 2 (including herself)

Source of income—Tuition by herself, income approx. Rs. 50/- . Income by her father (tailor) Rs. 100/- p.m.

Injury : Rifle butting and baton charge on the whole body; kicking by boots on the chest and backbone.

Admission 19.5.61

16. Chhayarani Deb Aged 20 yrs. Student of class VII
C/o Ramcharan Deb of Chhotelal Seth Institute, Silchar.
Ambicapatty, Silchar. M.F.-10, W.E.M.F. No. E.M.2.

E.M.- 2 (including herself)

Source of income—Elder brother is the employee of the B.O.C. Petrol Pump at Premtala, Income approx, Rs. 100/- Another helping hand is her brother whom contributes Rs. 30/- p.m.

Injury : One L.W. $\frac{1}{4}$ " diameter on the outside of upper $\frac{1}{3}$ rd of left thigh ragged, sprained and scorched. Bullet injury on thigh.

Admission 19.5.61

17. Renukana Sarkar Aged 35 yrs. Housewife,
C/o Akshay Kr. Sen M.F. W.E.M.F. No. E.M.1.
Ambicapatty, Silchar. (husband)

Source of income—Husband is a Proprietor of a small tea stall at Fatakbar, income approx. Rs. 90/- p.m.

Injury : Injury of upper $\frac{1}{3}$ rd of left upper arm. L.W. $\frac{2}{3}$ " X $\frac{1}{4}$ " X 5" by the bullet.

Admission 19.5.61

18. Jitendra Kumar Deb Aged 20 yrs.
C/o Raman Ch. Bose M.F.-19, W.E.M.F. Yes. E.M.5.
Lakhipur Road, Silchar. (Including himself)

Source of income—Employee of a Soap factory at Lakhipur Road, Silchar. Income Rs. 75/- p.m. Other contribute about Rs. 250/-.

Injury : Injuries of the posterior side of the left knee punctured wound, scorched margin $\frac{1}{4}$ " x $\frac{1}{6}$ " x $\frac{1}{2}$ ", punctured wound $\frac{1}{4}$ " x $\frac{1}{8}$ " x $\frac{1}{2}$ " on the right knee and also on the thigh by the bullets.

Admission 19.5.61

ANNEXURE 'D'

COPIES OF THE RESOLUTIONS PASSED UNANIMOUSLY AT THE CACHAR DISTRICT PEOPLES CONVENTION HELD AT KARIMGANJ (DT. CACHAR) ON 5.2.61 UNDER THE PRESIDENCY OF SRI ABDUR RAHMAN CHOUDHURY, M.A.,B.L.

Resolution No. 1

This Convention of the people of Cachar district puts on record its deep condolence for the Bengali-speaking people of Brahmaputra Valley who fell victims to inhuman atrocities and bestial barbarism perpetrated on them during the months of June and July, 1960 and lost their lives and property due to the horrid and unprecedented cruelties and while strongly condemning such nefarious acts, this convention conveys its heartfelt sympathy to all who have been affected in different ways.

Resolution No. 2

This convention of the people of Cachar conveys its deep gratitude and hearty thanks to all the Calcutta papers for courageously publishing all the news about the perpetration of the heinous crimes such as loot, arson, rape and murder on the non-Assamese-speaking people particularly the Bengali-speaking ones of the Brahmaputra Valley. This convention puts on record its heartfelt thanks and congratulations for the sympathetic and valiant activities of the Bengalee leaders of West Bengal and the patriotic politicians and statesman of India in the context of the above-mentioned atrocities.

Resolution No. 3

In post Independence Year the Bengali and non-Assamese speaking District of Cachar continues to remain totally neglected by Assam Government and leaders of Brahmaputra Valley at all levels and all sheperes having been deprived of her legitimate right to progress and advancement inherent in Independence. The shameless exhibition of the discriminatory policy of the State Government has led the people of the District to utter frustration and the economic set-up of the area is verging on a state of total collapse. Far from

creating new avenues for increase of wealth and Industrialisation of the area under the aegis of the much advertised Five Year Plans, blockades are being devised to impede all progress. The language, culture and tradition of the District are facing a crisis due to the arbitrary and violent activities of the leaders of Brahmaputra Valley having support of the Assam Government direct or indirect. An ugly well planned design is quite apparent to keep out the young men of the District from technical studies, higher education and all sorts of jobs, Consequently the unemployment problem gradually has become acuter, obviously affecting the economic and social equilibrium of the District. The Brahmaputra Valley will alone be said to have derived the full advantage from the two successive Five Year Plans. Notwithstanding the existence of favourable field of advancement here, an unpardonable and wilfull negligence on the part of the State Government is noticed in matters of installing electric power generating project, establishing small and heavy industries, agricultural and food production projects and taking up of Rehabilitation and transport schemes.

As during the British regime a great effort is afoot to carry on a divide and rule—policy and maintain power which by disrupting the unity and unanimity of the District is precipitating a disaster of great magnitude.

The people of the District suspect that there may be repetition in a motivated planned way, of the preposterous and sinister method with which the Bengali-speaking population of Goalpara district were deprived of receiving their education through the medium of Bengali language and at the moment clear, unambiguous portents of the same unwholesome design are perceptible here also. The Assamese leaders of different political parties forgetful of idealism and moral code do not feel ashamed of trampling down the just and lawful public opinion of this District. Moreover, taking the advantage of being the majority in the State legislature they have imposed the burden of their will on the unwilling people of the District and thereby they have created an unwholesome complicated situation.

The outrageous atrocities that were perpetrated upon the Bengali-speaking population of the Brahmaputra Valley in the months of June and July last find few a parallel in the history of the civilized world. The unpardonable indifference of the ruling cotarie to the great unhuman oppression of the Bengali-speaking population irrespective of men, women and children culminating in unbridled

loot, arson, rape and murder and their failure in rehabilitating the riot affected people in their permanent places are a positive proof of their incompetence.

As a matter of fact the people in general reasonably believe that the so-called Assamese leaders and the ruling authorities have a hand in letting loose the unrestricted lawlessness. In this horrible context and with this background, the Language Bill has been passed into an Act in the teeth of opposition from Non-Assamese-speaking people forming the majority population of the State. The people of the District view with dismay this ugly out-burst of power intoxication and autocratic attitude in the rulers. The way in which the demand for Judicial Enquiry to find out the real cause of the riot was dealt with by the Central as well as the State Government in an evidently dubious and partisan spirit has made the people of Cachar feel frustrated in hoping for justice in future.

Law-abiding and peace-loving free citizens cannot tolerate the unfettered movement of these culprits and antisocial elements. Mother tongue is considered the most sacred treasure by the people and through the medium of their mother tongue the culture, tradition, education and genius of a people are built up and at present the Bengali and other non-Assamese populations are on the way to lose that sacred treasure too. This District will never tolerate this mad outrage on her language and as such this Cachar Zilla Jan Sammelan reasonably believe that if this District remains attached to the State of Assam, all aspirations, ambitions and developments of their area will be hampered.

The Cachar Zilla Jan Sammelan, therefore, resolve unanimously and press their demand on the Government of India that if this unfair Language Act be not withdrawn and the Bengali language be not adopted as another State Language by the authorities and other Non-Assamese languages be not given due status, formation of a separate administrative unit for Cachar District, if necessary with the contiguous non-Assamese-speaking areas cut out from the State of Assam be declared forthwith. Further they resolve that if the Government of India fails to give due recognition to the proposed demand by the 30th Chaitra, 1367 B.S. having considered this as an ultimatum, the Zilla Sammelan hereby sound

a clarion call to the people irrespective of Caste and creed to get ready for an all-out non-co-operation movement from 14th April, 1961 that will bring about a complete deadlock of the inefficient administrative set-up and with that end in view issue a directive that an Action Committee be formed with the following members :

(SILCHAR)

1. Sri Jatindra Mohan Paul (Borkhola)
2. " Sanat Kumar Chakravarty. B.L.
3. " Anil Kumar Barman, B.A.
4. " Jatindra Kumar Deb, M.A.
5. " Paritosh Paul Choudhury
6. " Sukhomoy Sinha
7. " Golam Chhabir Khan
8. " Paresh Chandra Choudhury, B.L.
9. " Promode Kumar Aditya, B.L.
10. " Maulana Rafique Rahaman

(HAILAKANDI)

11. Sri Abdur Rahman Choudhury, M.A. B.L.
12. " Amiya Kumar Nandi
13. " Mahmud Ali Barabhuayan, B.L.
14. " Haridas Deb.
15. " Dinesh Chandra Sinha
16. " Keshobe Ch. Chakravarty, B.L.
17. " Jnan Ranjan Banerjee
18. " Shyam Chand Deb Nath

(KARIMGANJ)

19. Sri Bidhu Bhusan Choudhury
20. " Surendra Nath Choudhury, M.A. B.L.
21. " Nripati Ranjan Choudhury, B.A.
22. " Bhupendra Kumar Sinha

(45)

23. " Dakshina Ranjan Deb
24. " Rathindra Nath Sen
25. " Mohit Mohan Das, B.A.
26. " Moti Lal Dutta Choudhury.
27. " Ananda Mohan Kar
28. " Nalini Kanta Das, B.A. Convenor.

(46)

Sd/- ABDUR RAHMAN CHOUDHURY

President,

Cachar District People's Convention

05.2.61

REPORT
of
Non-Official Enquiry
Commission
on
CACHAR

A. K. DAS MEMORIAL TRUST

The A.K. MEMORIAL TRUST is formed in the memory of Late Amulya Kumar Das, popularly known as A.K. Das. He dedicated himself for the cause of development of people around him and tried to bring out overall development of the Barak Valley. He, by occupation was a tea trader and being a tea trader he was an active member of the Tea Traders' Association. Apart from this, he was Secretary of the Merchants' Association. When the Steamer Company (Owned by British) decided to withdraw the steamer line from Karimganj to Lakhimpur, at his initiative Nadipath Sanrashan Committee was formed and with active support and help of the then employees of the Steamer Company, and the government officials, the demand to continue steamer service was upheld. He took active role to establish a girls' school in the South Silchar area with the co-operation of the members of South Silchar Netaji Birthday Celebration Committee. Netaji Vidhya Bhawan was started in the Public High School as a morning school in the year 1960. The school was inaugurated by Netaji's elder brother Suresh Chandra Bose, (Who was a member of the Shanewaz Enquiry Commission) who came to Silchar and stayed in the thatched cottage of Amulya Kumar Das.

He came to know from his near relative Pramesh Chandra Dey, who was Private Secretary to the then Chief Secretary to the Government of Assam, that the Government of India has proposed to establish a second Medical College in the State of Assam besides the Dibrugarh Medical College and to ventilate the demand for establishment of a second medical college in the Cachar District at Silchar, Second Medical College Demand Committee was formed at his active initiative as Secretary of the Said Committee. He was able to have a large number of students and youth involved in the movement apart from organizing support of intellectuals, I.M.A., and as a result it was possible to get the Silchar Medical College established at Silchar. He became seriously ill in latter part of April, 1961 and had to be hospitalized, but in spite of his illness and financial difficulties he used to lend active support in all progressive movements.

From his collection of books and documents the "REPORT" of Non Official Enquiry Commission of CACHAR, which was formed at the instance of the leading Organisation of the people of Cachar to enquire into the background of the movements of the linguistic minorities in Assam and amongst others police firing of 19th. Day of May, 1961, with

1. Sri N.C. Chatterjee, Barrister at Law, Vice President, Supreme Court Bar Association and Senior Advocate of Supreme Court of India, as the Chairman.
2. Sri Ajit Kumar Dutta, Advocate of Supreme Court of India and advocate Calcutta High Court.
3. Sri R. Choudhuri, Barrister at Law, Editor "Calcutta Weekly Notes" Senior Advocate of Supreme Court of India, and Advocate Calcutta High Court.
4. Sri S. K. Acharjee, M.L.C., Barrister at Law, Advocate Supreme Court of India, and Calcutta High Court.
5. Sri Siddhartha Sankar Roy, M.L.A., Barrister at Law, Former Judicial Minister, Government of West Bengal, Advocate Supreme Court of India, and Calcutta High Court.

Mrs. Maya Roy, Barrister at Law, was appointed by the Chairman to act as the Secretary,

As the Government of Assam also formed an official Enquiry Commission on the same issue, but the report was not published, and the government of Assam has declared the said report of the Official Enquiry Commission is not traceable, it is pertinent to study the available report of the aforesaid enquiry commission formed with all eminent personalities.

The said report needs wide circulation for knowledge of the new generation when we are going to observe the Golden Jubilee Year, who sacrificed their life for the cause of the mother tongue to honour the martyrs, at the same time to honour all the martyrs who sacrificed their life for the cause of their own mother tongue.

On this background, it is urged upon,

- i) The press and media to arrange for wide publicity of the report, and its translated versions.
- ii) To general public and peoples' representatives particularly of Barak valley to create pressure upon the Government for accepting the available report and to take action accordingly, so as to ensure the rights of all the linguistic minorities are preserved.

THE ORIGINAL PRINTED COPY OF THE REPORT IS
PRESERVED IN THE OFFICE OF

A. K. DAS MEMORIAL TRUST

"GOLAKDHAM" North By Lane No. 2, Public School
Road, Silchar-5.

(CD can be provided on request)

Circulated ON BEHALF OF **A. K. DAS MEMORIAL TRUST**

By : DEBABRATA DAS, ADVOCATE,

Communication : (M) 9435170556/940155642

E-mail-addebu@yahoo.co.in

**SKETCH MAP OF SILCHAR RAILWAY STATION YARD PARTLY
SHOWING THE LOCATION OF THE RLY ENGINE, POSITION OF SATYAGRAHIS & ALSO
THE MOTOR TRUCK WHICH CAUGHT FIRE INCLUDING BULLET MARKS CAUSED BY POLICE FIRING ON
19.5.1961. (FRIDAY)**

N

KAMALA BHATTACHARJEE
SHOT DOWN HERE

CHANDI CHARAN SUTRADHAR
SHOT DOWN HERE

LIGHT POST - 50'

65'

BULLET MARK TO WALLS
5' & 3' HT.

GANGMEN QUARTER.

REFERENCE:—

(1) ENGINE

(2) SATYAGRAHIS.

(3) MOTOR TRUCK.

(4) BULLET MARKS ⊗

LOCATION OF ENGINE.

ENGINE NO 3180 R.S.

BULLET MARK

WATER FEEDING CHIMNEY

WATER STAGING

BULLET MARK TO IRON STRUCTURE

PUMP HOUSE

FILTER HOUSE

BULLET MARK TO WALL 6 1/2' HT.

37'

SATYENDRA DEB
FOUND DEAD IN THE TANK.

RAILWAY-TANK.

ONE OF RLY EMPLOYEE
SHOT DOWN HERE
(ANALLAL NEOGI)

146'

R.M.S. SORTING ROOM

PARCEL OFFICE

MAIN STATION BUILDING

GATE

APPROACH

RLY TEA STALL

TARAPORE MOTOR STAND

RY DRIVERS QUARTER & GUARD ROOM

APPROACH

RY STAFF QUARTERS.

LOCATION OF GANGUPHIRE TRUCK which caught fire

290'

271'

SILCHAR-KARIMGANJ (P.W.D.) ROAD.

HOLDING OF SRI. S.M. DEB
EX-CHAIRMAN M.B. & EX-M.L.A.

CADUNA
MOTOR GARAGE
OF SRI. B. SINGH

MAIN ROAD

NG ROAD.

HOLDING OF SRI. S.M. DEB
EX-CHAIRMAN M.B. & EX-M.L.A.