

## THE BUDGET (ORISSA), 1961-62

THE MINISTER OF REVENUE AND CIVIL EXPENDITURE (DE. B. GOPALA REDDI) : Sir, on behalf of Shri Morarji Desai, I beg to lay on the Table a statement of the estimated receipts and expenditure of the State of Orissa for the year 1961-62.

SHRI BHUPESH GUPTA (West Bengal): May I know from Dr. Gopala Reddi when exactly the Finance Ministry received the Orissa Budget sent to it by the State Government which, as we have been informed, was subjected to certain alterations by the Central Government?

DR. B. GOPALA REDDI: That matter can be raised when the Budget is discussed.

STATEMENT BY MINISTER  
RE MID-TERM ELECTIONS IN  
ORISSA

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI LAL BAHADUR): *Mr. Chairman*, Sir, the House will recall that in the course of the debate on the Resolution approving of the President's Proclamation under article 356 in relation to the State of Orissa, I had occasion to observe that Government, in consultation with the Election Commission, were considering the question when the next elections to the Orissa Legislative Assembly should take place. It has now been decided that these elections should be held early in June, 1961.

Whenever a Proclamation under article 356 is brought into force, the Government's aim is always to restrict the period of the President's Rule in the State to the minimum duration possible. In the climatic conditions of Orissa, general elections during the period of the monsoon would be extremely difficult as during that period considerable areas are 13 RS—3.

inundated and communications are disrupted. If the elections cannot be held before the onset of the monsoon, they can only be held some time in December, 1961, that is to say, about two or three months before the general elections, which would hardly be justified. The choice, therefore, is limited to having elections early in June or at the time of the general elections in February/March next year. The Chief Election Commissioner is satisfied that administrative steps to be taken can be completed within the time for an election to be held in the early part of June. As I have already indicated, Government do not desire to prolong the period of the President's Rule to about 14 months until the next general elections. This appears particularly undesirable this year when the Third Five Year Plan is being launched and when it would be far better for a popular Government to implement new Plan in the first year. Government have, therefore, decided that in the balance, it would be desirable to hold elections to the State Legislative Assembly in the early part of June, 1961.

SHRI BHUPESH GUPTA (West Bengal): Sir, during the last session I made a suggestion. We expressed our opposition to mid-term elections. Later on, I find that the P. S. P. also and the Ganatantra Parishad too, have passed resolutions opposing mid-term elections. Yesterday, I met our friends from Orissa in Calcutta and I found that *no* party there had been consulted at all, apart from the Congress Party of course. I do not know about the Ganatantra Parishad. No party had been consulted. How is it that one party, the Congress Party, unilaterally took the decision for a mid-term election, passed it on to the Government and the Government is making this announcement even before we are discussing the Orissa Supplementary Budget? It is not a question of monsoon; water scarcity will be there in very many areas. People will not have water in June. That is what I am told by

[Shri Bhupesh Gupta.] the people. And I am also told that the Congress, some Congress leader, changed its decision taken in the beginning because they thought that probably if the election had to be put off, it would be unable to consolidate its position. Now they think that it would be most advantageous to them, to both the groups in the Congress, the Hahtab group and the Patnaik group, to have the elections there in June. That is why this j decision has been taken. Now, election matter concerns all political parties and by common consent, the arrangement should be made. Here, just because the two groups were not in agreement, they were wobbling. Now that the two groups in the Congress are in agreement, they think that the election should be held in the beginning of June so that they can take advantage of it as against the other parties, especially our party. The P. S. P. is also a smaller party there. Now they have decided to have this thing and the hon. Minister makes an announcement. At the all-India level we have not been consulted by the Election Commission. Four recognised all-India parties are there—Congress, Jan Sangh, P. S. P. and the Communist Party. No party has been consulted except the Congress Party evidently and at the State level—yesterday I verified It—I got a comrade from Orissa who told me that no party except the Congress Party had been consulted. Now, does it bring . . .

AN. HON. MEMBER: Why should he . . .

SHRI BHUPESH GUPTA: I do not know. Are we to be guided in this matter in such a partisan manner? And is it to be the rule that one party in authority, no matter which party, is to decide the question of holding elections disregarding the complaints and points of view of other parties and even without consulting them? Now, Sir, I ask the hon. Minister to keep this thing pending, not to make it a decision of the

Government yet. Keep it open, let there be a discussion about it so that we can come to some decision later. We cannot reconcile ourselves with this unilateral decision.

MR. CHAIRMAN: Mr. Mani.

SHRI GANGA SHARAN SINHA (B har): It is very important, Sir.

MR. CHAIRMAN: Yes.

SHRI GANGA SHARAN SINHA: Generally the practice has been that all the parties are consulted regarding the general elections or when there is a general election in a State. This time we find that an unusual practice has been followed and, therefore, I would like that this matter should be discussed in this House and I would request the Home Minister to keep\* this decision in abeyance for the time being, until we discuss it because it is a very unusual thing and I think that undue advantage is being taken of being in power at the Centre to **put** the other parties at a disadvantage. This matter should be considered, it is a very serious matter. Therefore, in all earnestness, I would request the Home Minister to postpone this decision.

SHRI A. D. MANI (Madhya Pradesh): Mr. Chairman, Sir, I think that Government is entitled to congratulations on their decision to hold the mid-term election. It is not a question of the convenience of parties, it is a question of following sound principles of cabinet and parliamentary government.

AN HON. MEMBER: Who decides it? It is naturally in the interests of one party.

SHRI A. D. MANI: Under the parliamentary conventions which have been developed, it is the right of a party which dissolves the coalition to go to the country and this is **what** the Ministry in Orissa has done. I know that it might seriously inconvenience the Opposition. We **would**

like the Opposition to be better represented in the Orissa Legislature but we want sound principles to be followed, and I trust that this pattern of mid-term elections will be the policy of the Government of India with regard to the other governments which will have to be dissolved. It should not be applied only because the Congress Party is likely to get an advantage.

DR. R. B. GOUR (Andhra Pradesh) : What are the Governments to be dissolved?

SHRI A. D. MANI: If in the next election coalition governments come into existence. If in the next election the Opposition parties show a much better following than they have shown in the last election, coalition governments are bound to be formed. In the crisis relating to the issuing of the Ordinance, this does not, however; exonerate the incompetence which was shown by the concerned Ministry or the Government. We had the statement from the Governor of Orissa the other day that he would not have issued the Ordinance if the Government of India told him that this could not be done. He said that he acted on the advice of the Chief Minister of the Coalition Government which has been dissolved. These are not very happy portents about the development of parliamentary institutions. When a coalition is dissolved, the Governor functions as the representative of the President and he ought to exercise his discretion and he should not be led by the nose more or less by the Chief Minister of the coalition government which has been dissolved. This is, however, a minor point of criticism. I do not want to strike a discordant note from this corner of the House. I approve of the action of the Government in holding a midterm election. We are very glad that mid-term elections are going to be held.

SHRI DAHYABHAI V. PATEL (Gujarat): Sir, I join my friends on this side in requesting that the matter be discussed in this House before a final decision by Government is taken. Whatever may be the reasons for holding a mid-term election, it is possible to argue the thing both ways. It is possible for Mr. Mani to say that in a democratic government this is the right thing; it is possible for the opposition to say also that this makes it easier for the Congress Party to concentrate all its forces in one little State of Orissa to meet the opposition

AN. HON. MEMBER: Better face it.

SHRI DAHYABHAI V. PATEL: This is a negation of democracy, this is reducing democracy to a farce and, therefore, it is not the proper procedure to be followed.

SHRI M. H. SAMUEL (Andhra Pradesh); I would like to make only two points. The first is that it is not obligatory for the Government in any country to consult the Opposition to hold an election at any time it wants. It is never done in Britain. There, the Prime Minister takes advantage of his own position as the head of the Government to fix dates for an election, or for the general elections to take place, and the other parties accept it.

SHRI BHUPESH GUPTA: But where is the Orissa Chief Minister?

SHRI M. H. SAMUEL: And secondly, we would be nullifying the spirit of the Constitution which lays down that the Governor's regime should be for a period of six months only and that the Government should take the earliest steps to hold elections and restore popular Government in the State. In the face of such a provision, the suggestion made by the Opposition that the elections should be held much after the expiry of the six-month period would be merely nullifying the spirit of the

[Shri M. H. Samuel.]

Constitution and the relevant provisions about it.

SHRI BISWANATH DAS (Orissa): Sir, I have to state that the hon. Members representing the Opposition have forgotten two important questions, namely, that the Ganatantra Parishad, one of the main parties of the State, had in a resolution, in the first instance, welcomed an early mid-term election. It is therefore, unfair and unfortunate to express in this House . . .

SHRI BHUPESH GUPTA: It is a party of Maharajahs, we know.

SHRI BISWANATH DAS: I never disturbed you.

It is, therefore, unfair and unfortunate that hon. Members representing the Opposition should not have stated this important aspect of the question. Sir, some time after this expression of opinion, not by individual members but by the working committee of the Ganatantra Parishad, the Election Commissioner visited Orissa and held a conference with the representatives of the various parties of the State. Even in this conference, Sir, the Ganatantra Parishad was not at all opposed to an early mid-term election. I think, therefore, that the hon. Members of the Opposition are not correct in stating that the Ganatantra Parishad in the State, the other main and important party . . .

SHRI BHUPESH GUPTA: Did you attend that conference?

SHRI BISWANATH DAS: . . . was against it. Sir, if the Ganatantra Parishad did change its position, it may be due, perhaps, to persuasion or to factors other than those that influenced the executive committee or the standing committee of the Ganatantra Parishad to pass such a resolution. Sir, we on the side of the House welcome it and thank the Government for having committed themselves to the very democratic

and popular traditions. Sir, I believe —as I had stated on the last occasion —that hon. Members of this House do not keep themselves in touch with what is going on in the local press in that State. If they had read it in the press, they would have been impressed by the fact that, generally, the public opinion in Orissa is to have a very early mid-term election. Therefore, the Government declaration of acceptance of this merely indicates that they have accepted the popular expression of opinion in Orissa. I, therefore, again thank the Government and also the hon. the Home Minister for the great step they have chosen to take.

SHRI LAL BAHADUR: Sir, I am surprised that some Members of the House should oppose this move. I remember that last time, when the Rajya Sabha was considering the dissolution of the Government in Orissa and its approval of the Proclamation of the President with respect to the State of Orissa, except for one, the almost unanimous opinion expressed was that the election should be held as early as possible. In fact, in reply to the debate I had said that except for Shri Bhupesh Gupta almost every party seemed to hold the view that the election should be held at the earliest. Now, Sir, this is nothing new, what we are doing. We did so before. Shri A. D. Mani has said that we should do so in other cases also. Prior to this we had to decide about Kerala, and I remember there were strong views expressed that there should be no mid-term election in Kerala. Yet the Government of India decided that they would hold the election in Kerala before the time for General Elections came. So that has been our general practice and we propose to follow it in future also.

As regards consultations. Sir, as Mr. Biswanath Das just now said, the Election Commissioner himself went to Orissa and held a conference with all the parties in Orissa, and it was not necessary, I think, for him to have

consulted here in Delhi, the representatives of other parties. It was a State election and naturally the State representatives were consulted by him.

Now the third point is this. As I have said, we do not want to prolong the President's rule for fourteen months. It will mean coming up to this House twice, a second time for expending the period, that is to say, when six months have passed, we will have to come to this House to take its approval. If we postponed it till the next General Elections are held, i.e. if we held this election along with the next General Elections, it will mean asking for extension twice, coming up to this House and going to the other House also for taking their approval. In the circumstances, Sir, I do not consider it advisable that the period of the President's rule should be continued for a long period of fourteen months by asking not once but twice for the extension of this period.

As regards the heat and other things I need not perhaps go into them. We live in this country and we have to live in all seasons, whether the climate is very cold or warm, or it is raining. We might have postponed it by a month or two, but we could not do it because of the heavy rains in Orissa then, when it becomes almost impossible for a voter to go from one place to another. In these circumstances, Sir, I feel that fundamentally it is important that we should stick to this policy of holding mid-term elections after the Legislature has been dissolved in any State.

I would like just to clear up one point about which Shri A. D. Mani made mention, namely, that the Governor, while issuing the Ordinance, consulted the Chief Minister. He forgot the fact that the Chief Minister was in that interim Government or caretaker Government. He was in that position. Also it was legal and constitutional for the caretaker Government to advise the

Governor. It was not that the Governor consulted Dr. Mahtab as Dr. Mahtab but he consulted him as one of the members of the caretaker Government. Secondly, Sir, when the Governor wrote to us and asked for our opinion about the Ordinance well, I do not want to criticise anybody—the Governor should have waited for the opinion of the Government of India. But before the opinion could reach him, he consulted his law officers, the Chief Secretary and the caretaker Government and came to the conclusion that the Ordinance should be issued as early as possible.

SHRI JASWANT SINGH (Rajasthan) : I want a clarification, Sir, after what the hon. Minister has stated. Now that it has been decided that the election should take place in June, I would like to know whether the double-member constituencies will be continued or, as approved by Parliament recently, they will be discontinued in this election, and if the latter is the case, will the delimitation of constituencies have taken place by then in Orissa?

SHRI LAL BAHADUR: There will be single-member constituencies; the Election Commission is in the process of bifurcating the constituencies of Orissa.

SHRI BHUPESH GUPTA: The hon. Minister said that the Election Commission consulted the Parties. As far as my information goes, they did not consult them as to whether they wanted this mid-term election or not, but they consulted them about the arrangements and other things. In other words, materials to show as to what parties were consulted must be in his possession. I think it would be good if the hon. Minister would make available for us short summaries of the opinions expressed by the different political parties at that meeting.

#### STATEMENT ON THE TENTATIVE RESULTS OF THE 1961 CENSUS

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI LAL BAHADUR) :