

ing Body of the Indian Lac Cess Committee, he is declared duly elected to be a member of the said Body.

**ALLOTMENT OF TIME FOR CON-
SIDERATION OF THE PRESIDENT'S
PROCLAMATION IN RELATION
TO THE STATE OF ORISSA**

MR. CHAIRMAN: I have to inform Members that I have allotted two and a half hours for the consideration of the Government Resolution regarding the Proclamation issued by the President in relation to the State of Orissa.

SHRI BHUPESH GUPTA (West Bengal): I submit, Sir, that in the matter of this Resolution regarding the Proclamation issued by the President in relation to the State of Orissa discussion in the other House took place for two days, for part of every day. In such matters I think, Sir, that this House should have a little greater opportunity of discussing them. I know the difficulty—the pressure of Government business now. Even so if we sat longer hours, we could pay greater attention to such matters which involve the State Governor's promulgation of an Ordinance and then President's rule. This House should have ample opportunity of discussing them. I am not talking about the other House. They can look after themselves very well.

MR. CHAIRMAN: And you will look after this House,

SHRI BHUPESH GUPTA: With your kind guidance!

MR. CHAIRMAN: If we sit through the lunch hour, it means you will get SJ hours

**RESOLUTION *RE.*
PRESIDENT'S PROCLAMATION IN
RELATION TO THE STATE OF
ORISSA**

THE MINISTER or STATE of THE
MINISTRY OF HOME AFFAIRS (SHRI

B. N. DATAR): Mr. Chairman, Sir, on behalf of Shri Lal Bahadur I move the following Resolution: —

"That this House approves the Proclamation issued by the President on the 25th February, 1961, under article 356 of the Constitution, in relation to the State of Orissa."

As my hon. friend has just now pointed out, Sir, this matter was taken up in the other House, and that House was pleased to accord its approval to the Proclamation issued by the President, and the matter has now come before this hon. House.

Now, Sir, so far as this Proclamation is concerned, I should like to point out the rather sudden circumstances under which this had got to be done. It had to be done on account of certain happenings in the Orissa State to which I shall presently refer. On the 16th February, 1961 the Orissa Legislative Assembly had been called to meet for the Budget Session. The Governor's Address was there. It was considered and a vote of thanks to the Governor was also passed. Thereafter, naturally, the State Budget had to be taken up for consideration. In fact, certain preliminary papers in connection with the Budget had also been given to the hon. Members of the Orissa Legislative Assembly. Then, Sir, suddenly certain things happened, and one was that on the 21st February, 1961, the Chief Minister submitted his resignation. I may also point out here, Sir, that the Government that had been in power in Orissa for twenty-one months was a Coalition Government consisting of the Congress and the Ganatantra parties. They carried on, as I stated, for twenty-one months, and it had been expected that they might carry it on for some time more, until a few weeks, or a month or two before the next General Elections. That appeared to be the trend of opinion there in November, 1960, and in that expectation the Budget Session also had been called—as I had stated—and suddenly, Sir, on the 21st Febru-

ary, 1961, the Chief Minister tendered the resignation of this Coalition Government.

SHRI JA&WANT SINGH (Rajasthan) : Why did he do so?

SHRI B. N. DATAR: I am explaining it if the hon. Member will give me time; I shall explain all the circumstances. And naturally, Sir, when this resignation was offered, it had to be considered by the Governor.

SHRI JASWANT SINGH: The hon. Minister stated that it was the intention . . .

MR. CHAIRMAN: He says: Give me time and have a little patience.

SHRI JASWANT SINGH: But I am asking a question relating to what he has already said. He said that the intention was that this Coalition Government would function until a week or so before the next General Elections. Then he said that suddenly something happened, and I want to know what is that sudden thing.

SHRI B. N. DATAR: I am explaining the position if the hon. Member will bear with me for some time.

MR. CHAIRMAN: Patience also.

SHRI B. N. DATAR: I am merely pointing out, Sir, the immediate events that happened for which the President had to issue the Proclamation. On the 21st February, 1961,—as I stated— the Chief Minister offered the resignation of his Coalition Government. Now the Ganatantra Members also were not prepared to go on with the Government, either by forming a Government of their own, or in other ways. These were the two most important parties with a fairly large numerical strength that ultimately decided not to be associated with the Coalition Government and they pressed for the resignation of their members in the Coalition Government. I may also point out in this connection, Sir, that the total strength of the Orissa Legislative Assembly is 140. Now the membership of these two parties together comes to 110. Now,

if both these parties could not carry on the Government at all, either singly or together, the question arose whether the few other members would be able to do so. All the same, the Governor, after he received the resignation letter from the Chief Minister, naturally consulted not only the Congress Party and the Ganatantra Party but also other members of the other parties. To this I shall be making a reference very soon. Now all those who were consulted naturally could not form any Government at all, and the general consensus of opinion among the legislators was that the President should take over the administration of Orissa State. So after this, on the 22nd February, 1961, the Governor prorogued the Assembly and accepted the Chief Minister's resignation. Thereafter, on the 23rd February, 1961, after all his attempts at the formation of what can be called an alternative Government had failed, he made a report to the President on the 23rd February, 1961. In accordance with this recommendations, Sir, on 25th February, 1961 the President's Proclamation had to be issued, and it is this Proclamation that is now under consideration of this House.

Now, these are the facts which immediately led to the resignation and also to the Proclamation to be issued by the President. For a proper appreciation of the events that took place in the Orissa State and how the Ministry or Ministries were fairly in a precarious position, I should place certain facts before this hon. House.

As the House is aware, Sir, I need not go to the first Elections of 1952. Though after that Election, the Congress formed the Ministry . . .

SHRI BHUPESH GUPTA (West Bengal) : He said "precarious". But let him tell us whether it was precarious numerically, morally and otherwise.

SHRI B. N. DATAR: The hon. Member will understand it as I proceed

Now, Sir, I was pointing out that in the Elections of 1952, though no

[Shri B. N. Datar:] particular party was in a majority as such, still the Congress assumed power with the help of certain other parties and persons I would point out to this House the strength of the parties at the first General Elections with a view to understanding how the position changed in the second General Elections of 1957. In the first General Elections, Sir, the Congress had captured 61 seats and the Ganatantra Parishad had captured 31 seats. When the General Elections were held in 1957, the composition of the Legislature was as follows: —

Congress	56
Ganatantra Parishad	31
P.S.P.	11
Communists	9
Jharkhand Party	5
Socialist Party of Dr. Ram Manohar Lohia	1
Independents	7
	<hr/> 140

The Ganatantra Parishad thus increased their strength by 20. Here, again, may I point out, ironically enough, that there was no one party which had an absolute majority?

SHRI BHUPESH GUPTA: Why "Ironically enough"? What is the irony?

SHRI B. N. DATAR: All the same I have to point out that the Congress with its own strength, with the support of the Jharkhand Party and with the support of certain unattached independent Members formed a Ministry in Orissa in April, 1957 and they carried on the Government for 25 months.

As I have pointed out, Sir, oftentimes the difficulty unfortunately arose when certain hon. Members of one party crossed the floor and went to the other party. This was *vice versa* also. All the same the position continued and the Congress Ministry remained in power, as I stated, for 25 months. The Congress strength also on certain

occasions, naturally when the question of voting arose, had increased to a fairly high figure for the purpose of retaining the Ministry.

Then, Sir, on the 23rd February, 1959 there was a snap vote taken and the Congress Ministry was defeated. When the Congress Ministry was defeated, the Chief Minister offered his resignation, though he had, in a way, the majority with him because the largest number was then with him. About 70 Members out of 140 would give support to him. Therefore, he was persuaded not to press his resignation, and the Ministry continued to be in office till, as I stated, May 1959.

In the meanwhile, Sir, on account of the uncertainty of the position, the Chief Minister found it necessary to make an earnest appeal to the Members of the other parties in the Legislature with a view to seeing that the development of projects did not suffer at all and that all proper attention for developing this area was duly taken. This appeal he issued in 1959 with the idea, naturally, that by some process or evolution or an agreement or understanding there might be a possibility not only of carrying on the Government but of carrying on the developmental projects as well. Thereafter, Sir, negotiations were started between the Congress Party and the Ganatantra Party.

I may, in this connection, point out in a general way that so far as the strength of the Congress Party was concerned, it was to a large extent in the area which formerly formed part of the Orissa province since 1936. They were generally, Sir, the eastern districts of the Orissa State. In 1948 about 22 former Indian States merged in the Union and they were also subsequently added to the Orissa State. Now, so far as the western area was concerned, there naturally the Ganatantra Parishad was to a certain extent stronger so far as their strength was concerned. All the same, Sir, when there was this coalition, the east and west . . .

SHRI BHUPESH GUPTA: Met.

SHRI B. N. DATAR: . . . together joined and the Congress resigned on 15th May, 1959. By that time an agreement had been reached and a Coalition Ministry was formed on 25th May, 1959.

Now, this Ministry had first a strength of 3, which was subsequently increased to 11, consisting of 6 Congress Ministers and 5 Ganatantra Parishad Ministers. So far as this Coalition Ministry was concerned, I might also point out that this alliance proceeded on an understanding between them that certain agreed programmes for the purpose of developing Orissa should be undertaken.

Now, Sir, apart from other circumstances, to which hon. Members would be making a reference, this Coalition Government remained in power for 21 months and it carried out, to a large extent, the programme that had been chalked out by them by an agreed understanding.

[MR. DEPUTY-SPEAKER *in the Chair.*]

And to a certain extent at least this coalition was fairly successful. Then subsequently events happened which I should like to mention as briefly as possible.

I have already referred to the general feeling in November, 1960 that the Coalition might continue till about a few weeks or a month or 'two before the General Elections. That was the feeling, that most of the Members of the Assembly, and naturally of the Coalition, were of the view that the Government might be carried on.

Then, there were certain changes in one of the political parties, and they considered that it would be better to have a break up of the Coalition Government as early as possible. I would not narrate the circumstances just **now**, because here directly we are not concerned with what the party does

or what the party does not do or what the party does in a particular manner.

SHRI JASWANT SINGH: May I know, Sir, if this break-up was desired by both the parties?

SHRI B. N. DATAR: All the same, Sir, these differences arose and on 20th February, 1961, the Congress Legislature Party, which naturally was a party to the Coalition, passed a resolution. The resolution was to the effect that the Congress Party should not be a party to the Coalition. Secondly, they also further stated that the Congress should not form a Ministry at all even after the resignation of the Coalition Ministry. This was on 20th February, 1961.

SHRI BHUPESH GUPTA: That is, after the *coup d'etat* in the Orissa Congress leadership took place.

SHRI B. N. DATAR: We are not here concerned with the Congress leadership or any other leadership. We are concerned with the happenings as they took place. And so in accordance with the resolution that was passed by the Congress Legislature Party on February 20th, 1961, the Chief Minister Dr. Mahtab, naturally tendered his resignation the next day. I have to point out that this was done while the Assembly had been in session and had done some work so far as the first item of the Governor's Address was concerned. Before the second item of work could be taken up, this resignation was offered and naturally when the resignation was offered, the Ganatantra Party also felt that there would be no purpose in presenting the Budget, especially when the Coalition Ministry was going out of power. And therefore, the leader of the Ganatantra Party who was the Finance Minister in this Coalition Ministry, he also declined to present the Budget. Therefore, as I have stated, on the 21st February, 1961, the Chief Minister presented his resignation.

At this time, when this Coalition Ministry tendered its resignation, the

[Shri B. N. Datar]

party position was as follows. It may be useful for hon. Members to understand what the party position then was. There were 54 Congress Members, including the Speaker of the Legislative Assembly. Then there were 46 Members belonging to the Ganatantra Party. Eleven were P. S. P. Members and 8 were Communists and 5 were Jharkhand Members. There were two unattached independents and two Swatantra Party Members also. And then one was a Socialist and two seats had been vacant. This was the position and naturally when the Congress Party had passed a resolution that they would not form their own government and they would not be a party to the continuance of the Coalition Government, the Ganatantra Party was also not in such a strong numerical position to form their own government. As I have already pointed out, their strength was about 46. Thereafter, the Governor had to consider the whole position. Naturally he could not deal with both these parties, because he knew their views. He had discussions both with the Chief Minister and the President of the Congress Committee. He also had discussions with the Ganatantra Members. Thereafter, by way of just an attempt to see what were the reactions of the other Members, the unattached Members and the Members of parties with a smaller strength, the Governor called them for an interview also and discussed the matter with them. The general consensus of opinion, as I have pointed out, was that there ought to be President's Rule almost immediately, except for one hon. Member who had no strength at all—an Independent Member—and who suggested that the Governor should consider the question of bringing all the parties together for forming a coalition group. That was rather a difficult question, especially for the Governor, to tackle, and in particular when two parties had expressed their desire not to form a government and not to continue in the government at all. Therefore, under

these circumstances, the Governor had to make a report to the President, a brief summary of which has been supplied to hon. Members also. It was under these circumstances that the President had to take over the administration of the Orissa State.

There were certain earlier occasions also when the President had to take over when certain controversies were raised. But in so far as the present position is concerned, things happened or were allowed to happen in such a way that almost all the Members of the Legislature were of the view that the President's Rule was inevitable. Here I may point out that there were very few elements of controversy and the President's Rule had to come and therefore, this is a rather peculiar case where the general consensus of opinion was that the President had to intervene and take over the administration.

In the other House when that question was under debate, a number of points which, I might say, were more or less not germane to the point under consideration were raised. One was whether the coalition ought to have been formed at all. The second question was whether the Congress should or should not have formed a government. Also a number of other considerations bearing on, more or less, the attitude of a particular political party in the Legislature were duly considered. Here, I should like to point out that whatever might be the attitude, whatever might be the policy, whatever we might say on the propriety or otherwise of what the political parties did or did not do or what they did in a particular way, the fact remains that here we have to consider the results of certain actions or omissions in the Orissa State which had to be taken into account at the government level, by the Governor* in the first instance, and by the President subsequently. Here, as I have stated, we are not directly concerned with the propriety or otherwise of the action taken by certain political parties. After they had acted in a particular

way, into the propriety of which it would *not* be necessary for me to go nor is it germane here the President had to take the facts as they were. The facts were that the party that was in power tendered its resignation and the other party was not prepared to form a government. Under those circumstances, after taking all these things into account, a certain result was produced in the State of Orissa. These had to be taken into account and proper action taken by the President. That is the reason why in the President's Proclamation, in the Preamble of it, it has been clearly pointed out:

"I am satisfied that a situation has arisen in which the government of the State cannot be carried on in accordance with the provisions of the Constitution of India."

SHRI BHUPESH GUPTA: That is in every Proclamation; nothing new here.

SHRI B. N. DATAR: In the Preamble itself it has been pointed out by the President that under those circumstances and in that situation, he had to see to it that the government was carried on properly. That is what is intended in article 356. So far as the constitutional position is concerned, article 356 is there; but we have to consider article 356 with regard to the factual position that obtained in Orissa in this case.

I should like to appeal to hon. Members to consider this question in view of the various events that I have pointed out as briefly as I can. Was it possible for the Governor to see to it that an alternative government was formed? This is the very simple question that we have to consider. After the resignation of the Coalition Ministry, was it possible for any party in the first instance to form a government? As I had pointed out, two of the largest parties, which together had a total strength of 110 out of a House of 140, had declined to do so. And the other parties were very small. Under

those circumstances, no government could be formed at all. In other words, the Government of Orissa could not be carried on in accordance with the provisions of the Constitution. So naturally, the Government had to make a report to the President and the President had to intervene for the purpose of taking over the administration. These are the circumstances which should be taken into account so far as this point is concerned. If hon. Members appreciate the happenings, whatever they might be, as they were *on* the 23rd February, 1961, when the Governor had to make the report, the position would be very clear that what the Governor did and what ultimately the President did was absolutely inevitable in the sense that no alternative arrangement was at all possible. If this fact is taken into account, you would agree, Sir, that circumstances arose as a result of which it became absolutely unavoidable for the President to step in, and that is the reason why the President had to take over the administration of the State of Orissa.

Now, Sir, a number of points, more or less irrelevant, . . .

DR. H. N. KUNZRU (Uttar Pradesh): Could the hon. Minister tell us—as to when the Governor's Report was received here in Delhi?

SHRI B. N. DATAR: He posted it on the 23rd and we received it on the 24th, if I mistake not. We took action on the 25th. There was no delay on our part or on his part. We took action almost immediately.

SHRI BHUPESH GUPTA: You did not tap that letter.

SHRI B. N. DATAR: On the 25th February, 1961, the President's Proclamation was issued and published in a Gazette Extraordinary. If all these facts are taken into account, the House will find that it was not possible for the Governor to take any other course than the one that he did, in view of the determined view of the parties or

[Shri B. N. Datar.] the persons concerned. They were of the view that it was not possible to form any Government there by any party either singly or by a combination of parties.

SHAH MOHAMAD UMAIR (Bihar): Was it not possible for the Central Government to reconcile the situation?

SHRI B. N. DATAR: I pointed out how, on an earlier occasion, the Congress Party, even though it had a majority but because it was defeated in a snap vote, tendered the resignation of the Ministry. The Chief Minister tendered his resignation even though he had a majority; there were 70 members in a House of 140. In fact, one of them was in the Chair and, therefore, they had a majority. The Chief Minister was prevailed upon and he withdrew his resignation. The present situation is not like that. In the earlier case, technically the resignation could have been accepted, even though it would not have been proper, especially when he had a majority of votes in the Assembly. That was the reason why the Government continued after he had withdrawn his resignation. Let us analyse to a small extent the present situation. Now, the Congress and the Ganatantra Parishad who together had formed the Government and who had, between themselves, a total of 110 in a House of 140 Members, were not prepared to be parties either to the continuance of the coalition or to the formation, say, of a Congress Ministry or, alternatively, of a Ganatantra Parishad Ministry.

SHRI K. SANTHANAM (Madras): May I ask a simple question? Suppose a similar situation occurs here in Parliament, what would be the position?

SHRI B. N. DATAR: Now, that is an entirely hypothetical question,

MR. DEPUTY CHAIRMAN: It is a totally different Question.

SHRI B. N. DATAR: It would not be proper for me to answer a question which has no bearing on facts.

SHRI BHUPESH GUPTA: We have understood it.

SHRI B. N. DATAR: May I say that he also knows as to what the powers of a Governor are? He was a lieutenant-Governor and he knows best about the powers and about the limitations of a Governor. When the Governor found that the largest group out of 140 Members refused to form a Government, then naturally he has to take this action. Assuming, for the sake of argument, that all the others combined together, . . .

SHRI BHUPESH GUPTA: Sir, time being limited, he need not dilate on the obvious arithmetic of 110 out of 140.

SHRI B. N. DATAR: Even assuming for the sake of argument that all the other Members, composed of small parties and independents together were to be taken into account, they will form a small group of only 30 Members. Under the circumstances, what the Governor did was the perfectly proper thing.

Then, Sir, a number of questions are raised, . . .

SHRI BHUPESH GUPTA: I would just like to ask a question, and that is about the Ordinance that was issued by the Governor. It was taken exception to in the other House. We And now that the President has issued an Order withdrawing the Ordinance. We would like to know, because he did not refer to it at all, as to what the Central Government's position in regard to the Ordinance is. Was it issued in consonance with the provisions of the Constitution? If not, how did it come to be issued by the Governor? We should be told that, because it was not constitutional and it was an infringement of the Constitution. Disregard of the Constitution took place.

DR. H. N. KUNZRU: YOU can raise it in your speech.

SHRI B. N. DATAR: So far as this is concerned, it is not perfectly relevant to the discussion before the House. All the same, I would point out that when on the 23rd February, the Governor came to the conclusion that the President's Rule was inevitable, he made a report on the same date. He had also to issue an Ordinance for the simple reason that there was a supplementary Budget which had to be passed. The first Budget had been passed in the Budget Session of 1960-61. There was a supplementary Budget which contained certain other supplementary items and this was prepared by the coalition. If they were not immediately passed, difficulties would have arisen in regard to certain payments which would have adversely affected the work of developmental programmes that were going on there. Under these circumstances, on the 23rd February, the Governor issued an Ordinance.

SHRI BHUPESH GUPTA: Sir, I understand the point.

SHRI B. N. DATAR: On the 25th February, the President took over the administration. The question that arises is whether this Ordinance was in order or valid. The Law Officers of Orissa told the Governor that it was possible for him to issue an Ordinance. Here, Sir, a different view, . . .

SHRI BHUPESH GUPTA: Sir. I withdraw my question. A very long irrelevant answer is being given. I withdraw my question.

SHRI B. N. DATAR: When he found that my answer was inconvenient, much more inconvenient than he imagined, he is wanting to withdraw the question.

SHRI BHUPESH GUPTA: Sir, you tell him that I withdraw my question.

MR. DEPUTY CHAIRMAN: Have you anything more to add, Mr. Datar?

SHRI B. N. DATAR: I move the Resolution, Sir.

SHRI JASWANT SINGH: I had asked a question, Sir.

MR. DEPUTY CHAIRMAN: You make it in your speech.

SHRI JASWANT SINGH: I am not speaking, Sir.

The question was proposed.

DR. H. N. KUNZRU: Mr. Deputy Chairman, I congratulate the Home Minister on having come towards the end of Shri Datar's speech because it could not obviously add to his information. He might have, had he come here earlier, learnt something useful from Shri Datar. As I understood Shri Datar, he said, that we have to take the facts as they are; we have no business to go behind them and all that we have to do now is to pass the Resolution moved by him in recognition of the facts narrated by him standing in silence to mourn the death of democratic Government in Orissa. Now, I cannot, for my part, bring myself to accept that view of what has happened in Orissa. We have to go a little behind what happened in the Legislature in order to understand why it was that a coalition which commanded 110 out of 140 votes should have been dissolved. How was it that the parties composing the coalition came to the decision that the interests of the country or the interests of Orissa State demanded that the coalition should no longer continue? In order that the House may understand the significance of what has happened I should like to draw its attention to certain facts.

The coalition, as we have been told by Shri Datar, lasted for a little less than two years. I think he mentioned 21 months as the period during which it lasted and the Home Minister Shri Lal Bahadur said in another place the other day that while it lasted, it worked well. Well, Sir, if it worked well,

[Dr. H. N. Kunzru.]

the obvious conclusion is that it should have been continued but both the parties agreed to its discontinuance.

Another fact which I want to bring out is that the Chief Minister of Orissa announcing the dissolution . . .

SHRI HAEIHAR PATEL (Orissa): We had no option of continuance or discontinuance.

(Interruption.)

DR. H. N. KUNZRU: I shall deal with the point raised by my hon. friend a little later.

I was trying to draw the attention of the House to another fact. The Chief Minister of Orissa announced in the Orissa Assembly the dissolution of the coalition with great regret and I think both the parties to the coalition expressed their readiness either in the legislature or outside the legislature—I cannot say for the moment—to work together again after the next general election.

Now, Sir, if we take these three facts into consideration, the fact that the coalition had worked well, that the Chief Minister regretted its dissolution and that the parties concerned were willing to work together again after the general election, can one understand the real reason for the dissolution of the coalition? The hon. Minister, Shri Datar, very conveniently to himself, said that we had no business to have a peep behind the scenes, that we were concerned only with what happened in the legislature and taking that into consideration decide whether the Proclamation issued by the President on the 25th February assuming all the powers of Government to himself was inevitable or not. But I hope that either he or Shri Lal Bahadur, if he winds up the debate, will enable us to understand this dilemma.

Now, Sir, I come to the point raised by my hon. friend who said that the Ganatantra Parishad which was one of the parties to the coalition had no option in the matter, that it was forced to agree to the dissolution of the coalition. Now, so far as newspapers speak the truth, both the parties, the Ganatantra Parishad and the Congress, took stock of their chances in the next general election. The Ganatantra Parishad came to the conclusion that it had hardly any chance of commanding a majority after the general election and it wanted that the coalitions which had worked well should continue in the interests of the State. It could be dissolved a little before the general election but there was no reason why it should be dissolved 10 or 11 months before the elections took place. The Congress, on the other hand, judging from the information published in the newspapers, came to the conclusion that it had a chance of getting a majority in the legislature and, therefore, of forming a Government which did not depend on the votes of any other party for its continuance. This shows that while the Ganatantra Parishad was prepared to carry on the coalition, it fell through only because of the intransigent attitude adopted by the Congress. If the Congress felt that the coalition was not morally right, well, it should not have agreed to the coalition to begin with but if it agreed initially to the formation of a coalition Government, it had no right to drop it so early before the general election simply because it felt that it had a better chance than the Ganatantra Parishad of securing a majority in the Orissa Vidhan Sabha in the next general election.

Now, the next thing to consider is whether in spite of the politics of the different parties it was not possible for the Congress and the Ganatantra Parishad to form a caretaker Government. So far as I can see, there was no impediment in the continuance of the coalition as a caretaker Government. But neither of them agreed to

take upon itself the responsibility of forming a caretaker Government. Shri Datar has told us that as neither party was in a majority, it was obvious that neither was in a position to have a caretaker Government. I shall come to this point a little later but had this view been accepted, an important conclusion would have flowed from it. The coalition would not have been dissolved as hastily as it was done. The Legislature could have continued a little longer, so that the Budget might be passed, so that the supplementary estimates for the current year might be passed, and no action might have to be taken by the President and Parliament here to permit appropriation of funds for meeting the expenditure, either during the current year or during next year. The parties have, by their conduct, forced the President in the last resort to provide the funds required for carrying on the administration. I shall come to the part played by the Governor in this connection in a moment, but I am just now concerned with the result of the action taken by the parties, which formed the coalition, in dissolving it before either the supplementary estimates or the Budget were passed. Now, what is the reason for this? As I cannot agree to the advice of Shri Datar that we should not try to go behind the scene, I should like the House to consider for a moment what the real reason was for the refusal of either party to form a caretaker Government. The coalition could have continued as a caretaker Government in the first place. If that caretaker Government had been agreed to, then the party forming the caretaker Government should obviously have been supported by the other party to the coalition. It should have been specified that nothing of any major importance would be done contrary to its views and should therefore, have had no objection to supporting the caretaker Government, no matter by which party it was formed. But the fact that this was not agreed to showed that neither party was prepared to trust the other. Just consider the

implications of this proposition. If the two largest parties in the Orissa Legislature, which had worked well together for nearly two years, could not trust one another to conduct the Government fairly, so that neither party . . .

SHRI BHUPESH GUPTA: They sat in the Ministry with their hands thrust into each other's pocket.

DR. H. N. KUNZRU: . . . might derive an unfair advantage in the general election, which is to take place towards the end of this year or the beginning of next year, how does the Government expect any party to have faith in the Government of the majority party, either at the Centre or in any other State? How does it propose to persuade the other parties to feel that while the other parties might act unfairly, in order to improve the chances of their success at a general election, the majority party is so fair-minded that it would never take any step in this direction, to which any other party could ever have the slightest objection. If what has happened in Orissa is justified—and so far as I can see it has been justified—then, the Central Government here should see to it that, say, three or four months before a general election, the President assumes all the functions of the Governments in every State and at the Centre.

SARDAR RAGHBIR SINGH PANJHAZARI (Punjab): Why?

DR. H. N. KUNZRU: I have explained the thing very clearly, but the hon. Member, I think, was thinking more of the collection of votes in this House than of the subject under discussion, and I cannot now repeat what I have been saying for five minutes.

SHRI BHUPESH GUPTA: Votes are in his pocket.

DR. H. N. KUNZRU: It is obvious from what I have said that there was nothing in the situation prevailing in

[Dr. H. N. Kunzru.] Orissa, which required the discontinuance of the coalition. The coalition has been discontinued, so far as we can see, because one party thought that it would improve its chances of securing a majority at the next general election, if it decided to terminate the coalition long before the general election took place.

SHRI AKBAR ALI KHAN: (Andhra Pradesh): Both the parties thought so.

DR. H. N. KUNZRU: Not the Ganatantra Parishad. The Ganatantra Parishad was willing to continue the joint Government, till shortly before the elections were to take place, but the Congress was not prepared to do it. And it seems to me that there was a serious difference of opinion between the organisational and the executive wings of the Congress in Orissa on this point. It is the Congress which resigned, because of the disunity within its own ranks. It could not put its house in order and this brought about a situation in which democratic Government came to an end and President's Rule was forced on the State and on the authorities here. It is deplorable that those who were concerned with the Government of Orissa thought nothing of the interests of the State, but only of the interests of the parties. Again, I should like to ask, since the matter is of such importance, one question of the Government spokesman. Did the Orissa Legislature Congress party get the consent of the Congress high command here for its action before it insisted on the dissolution of the coalition? So far as I can gather from the newspapers, the Chief Minister was forced to tender his resignation and that of his Government before the high command here" could arrive at any decision. Generally it was thought—again, I must say that I gathered this impression from what has appeared in the news papers—that the high command here was against the dissolution of the coalition so soon before the general

election. But the organisational wing of the Congress party in Orissa did not wait to know the decision of the high command here before forcing the dissolution of the coalition. I ask this question not because I am interested in the fate of this party or that, but because it has a profound bearing on the manner in which democratic Government is to be carried on in this country. We should know what we are in for, when we think over the events that have led to the dissolution of the coalition.

There is only one more point that I want to deal with before I sit down. Shri Datar has told us that the resignation of the Government was tendered on the 21st February and the Governor's Report was received here in Delhi on the 24th February.

The Governor issued his own 1 P.M. Ordinance appropriating about Rs. 41 crores for meeting the expenditure during the current year. I should like to know why the Governor could not inform the President earlier than the 24th of what had happened in Orissa. Could he not have sent his report with a messenger by air to Delhi so* that the full facts might be known here on the 22nd at the latest? I do not know whether a report sent by wire or in cypher . . .

SHRI BHUPESH GUPTA: He said that a letter was received.

DR. H. N. KUNZRU: . . . would have been regarded as an authentic document. But if a report by wire or sent in cypher to Government could have been regarded as a valid document, why did not the Governor choose that method of informing the Government here at the earliest possible moment of what had happened in Orissa? How is it that the Central Government came to know of it as late as the 24th?

The second point that I want to know is how it is that the Governor decided to issue an Appropriation Ordinance on the 23rd February. Since the Governor thought that he alone

was responsible for carrying on the Government after the resignation of the Ministry, he came under the control of the President. Did he ask the President whether he should issue such an Ordinance? Even if his advisers gave him wrong advice, did they not point out to him that once the Government had gone out of office and he decided to act on his own authority, he was responsible to the President and to this Parliament for his actions, and that he should, therefore, take the previous sanction of the President for issuing an Appropriation Ordinance, if that was within his power to do so? Obviously the Central Government thinks that it was not proper on the part of the Governor, that it was not legal on the part of the Governor of Orissa—that is the question that my hon. friend, Mr. Bhupesh Gupta, was asking—to issue the Appropriation Ordinance. But the President's Order was issued cancelling that Ordinance on the 10th. What I want to know is whether any expenditure was incurred by the Orissa Government as a result of the issue of the Appropriation Ordinance by the Governor of Orissa either between the 23rd and 25th February when the President's Proclamation was issued or between the 23rd February and the 10th March when the President cancelled the Ordinance. I should like to have answers to both these questions'

I have dealt with the main points that I thought ought to be brought before the House, and it pains me a great deal that at a time when all of us, irrespective of the Parties to which we belong, should 'try to strengthen the Constitution and to strengthen the foundation of democracy in this country, things are allowed to happen which place party interests above the interests of the country and which make a farce of constitutional and democratic government. If such a thing happens again, I doubt whether anybody would believe in the sincerity of our political parties to act

in accordance not merely with the letter but with the spirit of the Constitution. I say, Sir, "the spirit of the Constitution" because I feel assured that the spirit of the Constitution has been violated in connection with the dissolution of the Orissa Government in every important particular, and the Constitution has been brought into contempt and democratic government has suffered a serious setback.

SHRI BHUPESH GUPTA: Mr. Deputy Chairman, Dr. Kunzru seems to be dissatisfied because the Coalition Government has gone out of office in Orissa. I am happy that it is no longer in office.

[THE VICE-CHAIRMAN (SHRI ROHIT M. DAVE)
in the Chair]

There shall not be any tears for this Government because this Coalition 'Government of the Congress and the Ganatantra Parishad was born in sin, lived in sin and went down in the act of committing sin:: Therefore, one need not shed tears even if Dr. Kunzru sheds tears for such an event in our political life.

DR. H. N. KUNZRU: My tears are over the fact that democratic government has been done away with and that the parties concerned have forced the President to take over the Government of Orissa.

SHRI BHUPESH GUPTA: That is my trouble with Dr. Kunzru. A Government which was born in sin, which lived in sin and which went down in sin could not be considered a democratic Government, according to my reckoning. Therefore, we differ on fundamentals.

Sir, Mr. Surendra Mahanti in another place said, and he said it very frankly, that not a dog barked in the streets of Orissa when this Government went down. He said that nobody expressed regret that this Government had gone out, and he said that he

[Shri Bhupesh Gupta.]

would be prepared to take the blame and share, it with all others, his allies, who formed the Government. He said that, and I think we should appreciate this confession even at this late hour. Both are responsible for what has happened in Orissa today, i.e. to say, failure of the normal provisions of the Constitution. Let there be no mistake about it.

Sir, it was already clear some time back that the Congress could not give a stable Ministry or Government in Orissa despite all its tall claims. Later on it also became clear that neither the Ganatantra Parishad could give a stable Government for the State. It is now abundantly clear before the public that the two of them, combined together, cannot give a stable Government in Orissa. I hope that the proper conclusion will be drawn by the people of Orissa who have been deprived for no fault of their own the right to govern themselves under the Constitution. How is it that that was not possible? We are just told that their strength was 110 in a House of 140. How is it that 110 people, with such a strength, fell out and the Ministry could not continue in office? The answer is to be sought not in the provisions of the Constitution but in the facts of our political life—There is a saying that when thieves fall out, honest men come to their own and I have no doubt in my mind that honest men on this side of the House as well as on the other side—honest men in the Congress—will come to their own and find the necessary answer. I am trying to come to my own. Now they fell out because there was no principle guiding them.

Here just I begin. This alliance was not a surprise to us, I tell you. Even before the alliance was formed in 1959, "The New Age" of May 24, 1959, published an article by Mr. Gurucharan Patnaik, Secretary of the State Council of our party in

Orissa. This article was written on the 15th May and he said:—

"Thus the coalition move will by no means be a permanent or stable solution of the unsettled political life of Orissa. All sorts of intrigues, manoeuvres and squabbles can be expected."

Can I not claim that comrade Gurucharan Patnaik made a prophetic utterance? And I would ask the prophets of the Congress Party to recognise the capabilities of making such prophecies on our part.

DR. H. N. KUNZRU: Shri Santhanam also made such a prophetic remark.

SHRI BHUPESH GUPTA: Shri Santhanam also made such a prophetic remark? I see, he is one of these people.

Then Comrade Gurucharan Patnaik pointed out again:—

"The news of the coalition has profoundly demoralised the Congress rank and file who do not know what to explain to the masses."

Then again he said about our task there and added:—

"Both the Congress and the Ganatantra Parishad will have to be exposed and fought."

This was what we said. Here was an unholy alliance which had got to be fought and exposed and the people were to be warned even before the Ministry was formed. Today events have shown that what we said was right, that the warning that we gave was correct.

Now, Sir, let us come to some aspects of the matter. In the 1946 General Election, the Congress secured 46 seats out of a total of 60. In the 1952 General Election, it secured about 60 seats or so.

SHRI HARIHAR PATEL: Sixtythree out of 140.

SHRI BHUPESH GUPTA: In the 1957 General Election, the number went down to 56. Still it was the largest party, that is to say, since 1946, there had been a decline in the position of the Congress in Orissa and it had been a continuous process.

I would refer to what Mr. V. P. Menon wrote. Mr. Menon at that time was, as you know, in charge of the reorganization of the States. He wrote something quite interesting in his book—I think it is called "Merger of Indian States"—and I would like the hon. Members to remember what he wrote. He is now in the Swatantra Party or somewhere near it. He wrote:—

"Orissa—With a new awakening among the States' subjects, there was no doubt that most of the rulers would be driven out*"

That is to say that the upsurge ■ in Orissa was so great then that these people, the Rajas and the Maharajas, would have been swept away by the tide of popular upsurge. Then he wrote in the same book as below:—

"When the rulers asked for legislative rights which they so long denied to their own subjects, Sardar Patel replied in the affirmative and added...."

These are Sardar Patel's words:

"Instead of diving in a small well, the rulers will be entitled to swim in an ocean."

Therefore, the affairs of Orissa were so handled that these rulers, petty ones, who were diving in a small-well—the gracious Government here made it possible for them to swim in the ocean.

SHRI DAHYABHAI V. PATEL (Gujarat): Like Bastar.

SHRI BHUPESH GUPTA: They have been swimming in the ocean. They have no boat. They are now swimming apart, each trying to get to the shore. I would request honest men in the Congress Party and other parties not to throw life-belts to them. Let them sink there because we want opportunism in political life to be sunk for ever.

Here is the beginning of flirtation with the Princes. Let there be no mistake about it. When the Government was formed, Mr. Mahtab was not there. After the Second General Election, the position of the Congress was such that it lost seats and the number of seats went down to 56 without having any majority—absolute majority. The Ganatantra Parishad came up next with 51 seats and the other parties were there and then they formed a Government although they did not have a majority there. Then when the oath taking ceremony was taking place on the 18th April, or so after the second General Election, Mr. Bhimsen Sachar, the Governor at that time, pointed out that the Congress could claim a solid majority of only 65 members, that is to say not an absolute majority in a House of 140. Mr. Bhimsen Sachar pointed out the weakness of the Congress Party in his address on the occasion of the oath taking ceremony. That was the beginning.

Thus after the second General Election, they lost seats and they formed a Government. What was their position? Initially the number was 58. Suddenly it jumped to 71. Horse-trading went on. And here is the hon. Home Minister—not the one that is sitting behind but the one that is in the forefront, the hon. Minister of State in the Ministry of Home Affairs—who was telling us, "Oh! this is a bad thing for people to cross the floor." Who crossed the floor and went away? Who was responsible for those who made political defections? It is the Congress Party which in office through inducements to other parties encouraged political defection!

[Shri Bhupesh Gupta.]

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on the part of members of the other parties and succeeded in bagging at least fifteen members by that method. Then they could claim that they had got 71. After having done this bit of horse-trading, it does not sound very well on the part of the ruling party, that is the Congress and its Ministers, to moralise on this kind of crossing of the floor. You flourished on it. Sir, the crossing of the floor started taking place, thanks to the Congress Party, so briskly that at one time we thought that there would be need for traffic control there, that Traffic police would have to be called in, policemen had to be called to control the traffic because almost every day crossing of the floor was taking place. I had been to Orissa in those days and I noted . . .

SHM ABHIMANYU RATH (Orissa): Do not your members cross the floor?

SHRI BHUPESH GUPTA: We expel them, we never take them back. If they go, let them go. We never allow such people to be in our party.

SHRI SHEEL BHADRA YAJEE (Bihar): But, Sir, they accepted the Congress programme when joined the coalition Government.

SHRI BHUPESH GUPTA: What can I do if they succeed in taking something from you? I do not know if they had taken anything from us. If they had taken something, ask them. Why indulge in such interruptions?

Now, that happened. When the Coalition Ministry was formed, Pandit Jawaharlal Nehru blessed it. He said at a Press Conference, I am told, that the Ganatantra Parishad was more than a Rulers' Party. Just before the Kerala elections, the Muslim League became a very reliable and acceptable party to be brought into the front to fight the elections. When a constitutional situation had developed in Orissa and when it became politically necessary for Mr. Mahtab to go in for a coalition, at once the Congress leader here, the High Command, the

highest of the high, blessed it by saying that it was something more than a Rulers' Party. Today they of course have fallen apart. Now this is how it was formed. Now they talked about the programme. Well, I will come to that later. But even before that, in 1958, Dr. Harekrushna Mahtab tendered his resignation as head of the Government, and I have got the whole correspondence that passed on that occasion, the original correspondence. I got it through the Members of our party in Orissa. The Chief Minister wrote a letter to the Governor on the 9th May, 1958:

"I have already spoken to you about the political situation which has developed in the State on account of the attitude of the Congress High Command towards the local Congress Assembly Party and myself. I have told you about the position of the Congress Party in the Assembly"

Like that he wrote. Then he wrote in the same letter giving his idea of his strength in the Assembly. He said that he had a slender majority. He said, "I resign, and you dissolve the Assembly." He said about the next step, "My advice to you is that the Legislative Assembly should be dissolved under article 174."

This is what Dr. Harekrushna Mahtab wrote to the Governor in 1958 when he tendered his resignation, and he said he was doing so because he had been forced to do so by the High Command. Now the copy of the original letter is with me. And the Governor wrote back. I need not go into all that. But what happened? At that time the Governor rushed to Delhi. He should have accepted the resignation letter of Dr. Harekrushna Mahtab. Instead of that he kept it pending, rushed to Delhi, had consultations with the Home Minister, and then went back and wrote a letter to Dr. Harekrushna Mahtab saying that he had assessed the strength and had found that he had the majority. Taking recourse to unbelievable and uncom-

titutional practices, the Governor goes out of his way to have consultations here with a member of the High Command and then goes back to Orissa to write a letter to the Chief Minister, who had resigned, to tell him, "You have the majority." This correspondence is also with me. We pointed out it was all wrong, imperfect and unacceptable unconstitutional practices. He did not apply the objective test of asking the other parties to form a Ministry and did not give an opportunity to the other parties to have a test of the strength of their parties on the floor of the House.

After all this, Sir, they changed their mind. Dr. Harekrushna Mahtab -withdrew his resignation and came back to his office. It continued till May, 1959, when he again found his position weak and he was faced with the problem of forming a Coalition Ministry, because the situation became serious.

It is not merely a question of minority and majority, because the Congress at that time had some nominal majority. They realised that they were getting discredited and that the democratic movement in Orissa was gathering strength. That is > why the reactionary elements in both the parties—in the Ganatantra Party and in the Congress Party—got together, and specially the Congress Party leaders, Ignoring the opinions and views of the rank and file Congressmen confabulated with the leaders of the Ganatantra Party and came to an understanding to have a Coalition Ministry in Orissa. It was opposed at the A.I.C.C. by Mr. Ansar Harvani and many others, and it was also opposed by the Congress Party at the State level, because they felt that it was a bitter pill to swallow. Yet it was formed. Here we exposed it, and comrade Gurucharan Patnaik wrote an article in the *New Age* which I may quote in this connection:

"At the same time it has to be realised that behind the coalition there is a certain unity of material

interests. These feudal forces found that this Congress-Ganatantra Parishad conflict enabled the democratic forces to make some headway and win some concessions. Under mass pressure spearheaded by the Communist Party and fearing a defeat in the Assembly the Congress was compelled to abolish the family allowances of the feudal rulers, to tax the rent-free lands of the Rajas and their families, to give some rights to the share-croppers who cultivate the lands of the feudal chiefs."

Now that is how they came together to face the growing discontent among the people, the coming together of the democratically-minded people, belonging to or owing allegiance to all parties for advancing their interests and for advancing the interests of Orissa. It was, therefore, a politically criminal and unholy and unprincipled alliance of the reactionaries of the two parties, who wanted to foist upon the State of Orissa a Government unworthy of the name. That is how it happened—let there be no mistake about it. Congressmen were disappointed; good Congressmen all over the country were disappointed and they asked, "How is it that the Rajas were now forming the alliance?" What hardened after that? After that the certain allowances to the families of the former rulers that had been stopped by the Congress came to be revived. The allowances that were stopped by the Congress came to be restored. The Home Minister was written to by the Ganatantra leader in which he requested the Home Minister to restore the allowances which had been stopped, and the Home Minister naturally obliged the allies and restored these allowances.

Then, Sir, I would refer to Unstarred Question No. 249 tabled in the Lok Sabha on the 20th December, 1960, in which you would find that 21 mining leases were distributed by this Coalition Ministry as patronage, and if you go through the list, you will find that these went either to Congress-

[Shri Bhupesh Gupta.] men or to the supporters of the Gana-tantra Party. This is what happened, distribution of patronage.

Then you will find that from Puri and Bhuvaneswar in Orissa a large quantity of fertilisers left and was black-marketed in Andhra. When it became known, a question was asked and the Food Minister said, "What can I do if such a thing happened?" And the co-operative society which indulged in this kind of blackmarket-ing was presided over by no other than a former president of the Orissa Pradesh Congress Committee. Such was the position.

Then again, Sir, even funds allocated for the Plan could not be spent in Orissa. We are told that they had formed the Coalition Government to implement the Plan programme, but if you go through the progress made you will find that there had not been much progress up to 1960-61. That year they could not even spend the Rs. 12 crores which had been allocated for the different projects. So efficient was the Congress-Ganatantra Coalition Ministry that it could not spend even the Rs. 12 crores which had been earmarked. That was the position.

If you see the revenue position, you will find that in Orissa bidi leaves were fetching a good revenue to the State, but the revenue from that source went down from Rs. 70-62 lakhs in 1958-59 to Rs. 12 lakhs in 1960-61. Such has been the decline in the State's revenue.

SHRI B. K. P. SINHA (Bihar): Mr. Vice-Chairman, what is the relevance of all this to the subject under discussion? I do not understand it. It is not an inquisition of the Congress Party or the Ganatantra Party that is under discussion.

SHRI BHUPESH GUPTA: It is an inquisition of the Congress Party and the Ganatantra Party. It is an inqui-

sition into their misdeeds and misrule which had brought about such a thing in Orissa, where the people of Orissa do not have even the right to govern themselves.

SHRI BISWANATH DAS (Orissa): Sir, I stand to protest against what he has said. He made a reference to the former President of the Provincial Congress Committee. Certainly he was the chairman of some society, but he had nothing to do with the scandal referred to, and which we have been agitating against. In that respect there was an official committee appointed and the report is there to see. It is very unfortunate to make such references against persons who are not here.

SHRI BHUPESH GUPTA: Please do not waste my time. It is not a question of anyone not being present here. Many people that way are not here.

Now, Sir, here is Dr. Mahtab and this is what he writes in an article, and it is the article that appeared in the *Amrita Bazar Patrika* on March 4, 1961. After resigning Dr. Mahtab went to the Press.

DR. H. N. RUNZRU: You cannot read from newspapers here.

SHRI BHUPESH GUPTA: I am quoting from a newspaper. What is the wrong there?

DR. H. N. KUNZRU: You cannot do it.

SHRI BHUPESH GUPTA: What is the wrong? I ask. I am simply-quoting it, and I believe there is nothing wrong in it.

SHRI AKBAR ALI KHAN: It is not allowed.

SHRI BHUPESH GUPTA: It is an article I have referred to. From this it will be seen, as Dr. Mahtab writes, "the Congress Party has changed its stand at every stage."

SHRI AKBAR ALI KHAN: On a point of order, Sir. Is it permissible to read from a newspaper?

SHRI BHUPESH GUPTA: Dr. Kunzru has raised an objection. Then, Sir, let the House adjourn, and I shall find out and show from the proceedings of the House on how many occasions both sides have read from newspapers. Let there not be any objection because I am reading from an article. Please do not take away my time like this. You know newspaper reports have been cited, and when the Kerala thing was there gentlemen were reading from too many newspapers. I can get over the procedure. That trick I know, but let us be reasonable over this matter, and I am surprised that experienced and expert parliamentarians are taking objection to my using the newspapers when I am dealing with a statement by an ex-Chief Minister of Orissa. If that is not relevant, what is relevant I do not know. Anyway, Sir, I shall not quote extensively from that article by Dr. Mahtab, but I would like to ask hon. Members to read this article where it *poa»t th«* question:

"That first is that a party in minority should not go in for formation of Government on the off-chance of securing some recruits later on. The scope for recruitment from other parties is bound to result in rank indiscipline in the party itself."

Well, now Dr. Harekrushna Mahtab is saying this thing, and Dr. Mahtab was brought to start this game and he had succeeded in raising his number from 56 to 71, and he also did go in for a coalition Ministry. Now, if he has realised this thing, it is a good thing. Nobody is opposed to coalition as such. But coalition for what? Coalition on what principle? Coalition for the sake of serving the vested interests and for exploiting the masses, or coalition for helping the people and for carrying out the reforms and radical measures?

This is the question. Therefore, it is not a question of coalition as such. Here was a coalition, as I said, with a view to serving the vested interests and for furthering certain reactionary ends, and Dr. Mahtab admits this indirectly.

Then, Sir, he says:

"... the method followed by the party was demoralising the entire body politics of the State."

Not only the pledge of the party, of the members of the parties, is broken but also the absurdity is shown to the electorate. Dr. Mahtab lives in a land of religion and temples, and naturally after his resignation he started telling truths, and I welcome it. Truths, even if they are spoken belatedly, are welcome. This is what he did.

Now, after that interesting thing what happened? This coalition went on for 21 months. We were told of the programme. What happened to that programme? Every step that the coalition Government took was taken from the point of view of serving the landholding class of Orissa; its Maharajas got the better of him, till Mr. Bijoyanand Patnaik got the better out of him. That is the position. In this way push and pull went on by the President of the Orissa Congress. He is a big businessman of Orissa, if Orissa has any big businessman! Therefore, Sir, you see the political picture? Who operate there? It is the big businessmen, millionaires, Maharajas, time-servers, political opportunists carrying on all kinds of alliances. And that has brought the Orissa politics to its present state. Let there be no mistake about it. Am I to understand that in the course of the next few months this will be altogether removed? I do not think so. The only thing I can think of is that all honest men from all the parties, learning from the bitter experience, should sit up and correct these things. Then

[Shri Bhupesh Gupta.] only probably some solution could be found.

Now, Sir, I need not say anything about the Governor's things. Aljout that the less said the better. An ordinance was issued, and the Governor is a retired I.C.S. officer. He should at least be knowing when and how to issue an ordinance because that has been their trade. Now, he ignored Parliament. He ignored the President. Is this right? The Government should make a forthright statement. Up till now they have not made it and we are asked to endorse the thing whatever he did.

Now, in this connection there is a talk of having mid-term elections. There should not be mid-term elections. There should be only regular general elections. Some people in the ruling Congress Party think that mid-term elections would be advantageous to them, but I think that this is again another manoeuvre that is going on. We should wait till the general elections come next year.

Then, Sir, the Central Government must find rupees ten crores for Orissa. Orissa's planned projects must not be curtailed. A sum of Rs. 10 crores should be found by the Centre for the simple reason that Orissa deserves to be supported. Secondly, Sir, if the elected Government is not there, it is not because of any fault of the Orissa people, it is because of the fault of the Congress Party and their allies, the Ganatantra Parishad. Therefore, Sir, that is another point that I would like to make.

Then, Sir, I come to the question of land reforms. They have tampered with the land reform legislation in order to give more land to the land-holding classes. Now up to 50 standard acres could be easily given to each family. This arrangement is made after tampering with the land reform legislation under the Congress-Ganatantra Coalition.

Then, Sir, there are certain other things. I suggest since the Government of Orissa has come directly under Parliament, the allowances which were restored to the Princes, to the families of the Orissa Rulers, should be cancelled again. These were restored by the Congress when they went into this kind of unholy alliance with the Ganatantra Parishad. Perhaps to please the allies they restored these allowances to the Princes. These should be curtailed. These should be taken back again and Parliament should direct this thing. It is very, very important from that point of view.

Sir, I would just conclude by saying that we do not want to say very much on the subject. Orissa is a classic example of how the Congress Party indulges at its convenience in all kinds of opportunistic alliances, when it suits some leaders of the Congress to ally with all reactionaries in order to throttle the growing sound, healthy popular democratic sentiments in the country. Now, this has also been revealed. Today it is a question of having a stable Government . . .

SHRI MAHESWAR NAIK (Orissa): Of all persons Mr. Bhupesh Gupta speaks of democracy.

SHRI BHUPESH GUPTA: I am glad that he is getting up. I did not see him get up during the course of 21 months of honeymoon, of flirtations, of alliances, of cohabitation and all the rest of it. Now, Sir, he is getting up. He gets up when the lovers fell out with each other after having misconceived their love.

SHRI ABHIMANYU RATH: It is a case of perverted love.

SHRI MAHESWAR NAIK: He is losing his balance. He is not fond of love, no more. You say "perverted". What is perverted? It is a marriage of inconvenience. I should not use the word "marriage". It is not a marriage. It is defaming the expression "marriage".

SHRI HARIHAR PATEL: How can bachelors speak about marriage?

SHRI BHUPESH GUPTA: How can I go into the question of marriage, especially when I deal with such things where the sanctity of marriage is not there? But it is a crime of someone else. I know that you understand this very well. All I can say is that we are glad that this unholy thing, this corrupt deal and opportunism has come to an end.

We sympathise with the people of Orissa and it has been a lesson for them, and we hope in the coming months the people of Orissa would deserve to be supported by us. They have been very badly let down by the Congress Party, leaders of the Gana-tantra Parishad, Rajas, Maharajas and millionaires. They should see to it that only honest men occupy important positions. When I say "honest men", I mean that honest men in Congress should also occupy important positions in their own party. I am not talking of certain top leaders of the Congress Party.

One of the reasons why the Orissa Congress has gone down is not because of its general policies only. It is because of the fact that Congress in Orissa has been more or less flooded with reactionary, vested interests and dishonest men. Honest men have been weeded out. Congress now runs more and more on machinations and misdeeds brought under the influence of the Ganatantra Parishad and the landlords. That is why today you see the Congress in such a state of moral and political poverty in that State of Orissa.

(Time bell rings)

Sir, I thank you very much. You have rung the bell. But I thought that we should express our jubilation, our rejoicing, our acclamations at what has happened in Orissa because these two parties, which formed the Ministry are outside the Ministry. Let them throw mud at each other. They

will do so. It is good. But out of that thing we must draw the lesson. Let them expose each other. It is a good thing that they are exposing each other. Many Press conferences have been held by this party and that party, very acrimoniously. It is a good thing. Let the Congress leaders opposite, especially the Congress friends sitting on the rear benches try to correct this thing. This is the question today.

THE VICE-CHAIRMAN (SHRI ROHIT M. DAVE) : Mr. Bhupesh Gupta, it is time to conclude.

SHRI BHUPESH GUPTA: Would they realise that such a thing debases the political life of the country, defames the Constitution, throttles its processes, undermines the Parliamentary institution and strengthens the forces of reaction and subversion both from within the party and before the public eye? They must realise it. The party which is in control of the Central Government should own the responsibility for this matter more than anybody else. It is a shame and that is what was done by the Congress-Ganatantra Coalition. We shall have to wipe out this shame by our own efforts.

SHRI N. K. DAS (Orissa): Mr. Vice-Chairman, Sir, I rise to support the Resolution that has been brought before the House. While doing so, I want to make a few observations.

Sir, the unfortunate turn of events that led to the sudden breakdown of the constitutional machinery in Orissa and the consequent taking over of the administration there by the President himself is a thing which is regretted by all of us in Orissa and I am sure it is regretted by all sincere friends of democracy all over the country. Sir, for a correct and proper appraisal of the situation that has arisen in Orissa, one has to go back to the early days of the year 1957 when the last general elections were held. As the results of the elections were announced, it was found that no single political party was returned with an absolute major-

[Shri N. K. Das.] rity so as to be able to form a government by itself. The Congress, though returned as the largest single party, did not have the requisite strength, to form a government. Rightly or wrongly, it did form a government with the support of a few Independent Members and some four or five Members belonging to what is known as the Jharkhand group.

AN HON. MEMBER: And the Communists also.

SHRI N. K. DAS: This government dragged on its precarious existence. But it was felt that a government which had to depend for its existence on such slender and precarious majority could not be expected to launch on any long-range programme or activities for the overall development of the country. The interests of the State suffered while the political parties struggled among themselves for power. Good sense, at last, dawned on the minds of the two leaders of the political parties, namely the Congress and the Ganatantra Parishad and as a result of that a happy understanding between the two able and farsighted leaders—Dr. Harekrishna Mahtab and the Maharaja of Patna—a decision was taken to join hands together and to form a stable ministry. A fierce controversy arose, not only in Orissa, but also outside Orissa, as to the utility, feasibility and even the desirability of having a coalition ministry, and doubts and fears were very widely expressed that this coalition would die a natural death no sooner than it was born. But with the blessings of all right-thinking persons in Orissa and outside Orissa, this Coalition Ministry was ultimately ushered into existence and it continued its administration very smoothly and successfully. This Coalition Ministry would have continued uninterruptedly, scoring success after success, but it was felt that in view of the general elections which were fast coming, there should be complete merger of the two parties and that the

elections should be contested with a more or less common front and programme. This led to a very bitter controversy not only among the leading personalities of the two parties, but also among the rank and file.

SHRI MAHESWAR NAIK: Particularly in the Ganatantra Parishad.

SHRI N. K. DAS: The two parties ultimately agreed to differ on the issue of the merger and the result was that the Coalition Ministry had to submit its resignation after twenty-one years of happy collaboration.

AN HON. MEMBER: Twenty months not years.

SHRI N. K. DAS: Yes, I am sorry, twenty-one months.

SHRI BHUPESH GUPTA: If they had remained there for twenty-one years there would be a desert in Orissa.

SHRI N. K. DAS: After this resignation, there were attempts made by the appropriate authorities to see if an alternative government was possible. These are stated in the Report of the Governor submitted to the President. Here it is stated:

"Nevertheless, the Governor considered it advisable to send for the leaders of all other political parties, including a few unattached members who were Independents, and ascertain their views on the situation which had arisen. All of them were unanimous that the present Coalition Ministry must go forthwith and the State should come under the President's Rule. The only exception was an Independent member, who advised the Governor to take the initiative to get leaders of all the parties together and form a new broad-based Coalition Government representing all the parties. As there can be no Coalition Government without the support of the Congress and the Ganatantra Parishad, the two largest parties in

the House, there was no advantage in pursuing this suggestion.

In these circumstances there was no scope left for the proper functioning of the constitutional machinery as provided for in Chapter II of the Constitution, since the two largest parties, namely, the Congress and the Ganatantra Parishad, who together made up a total of 110 members, had definitely declined to shoulder the responsibilities of forming a government either individually or in collaboration with one or more of the other parties. In these circumstances, there was no other alternative but to hold that a situation had arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution."

Sir, it will thus be clear that the President of India had no other go but to issue the Proclamation and take over the administration himself. It is clear also that all that has happened has happened as a matter of course and there has been nothing which can be called extraordinary or irregular in the whole process. Sir, I have already stated that we all regret the unfortunate turn of events which led to the breakdown of the Coalition Government. The time chosen for the resignation of that government was very unfortunate. The end of the last year of the Second Five Year Plan and the beginning of the first year of the Third Five Year Plan was certainly a time when a popular, government ought to have been in the saddle. But that was not to be. After Independence, Orissa is having the President's Rule for the first time. With the exception of Kerala, it is perhaps the first instance in the whole country. *(Interruption)* We had this in some other States also but the Presidential Rule in Kerala was preceded by a good deal of commotion and mass uprising. In Orissa, the change-over to Presidential Rule has been rather comparatively smooth and peaceful.

SHRI MAHESWAR NAIK: That is Mr. Bhupesh Gupta's grouse.

SHRI N. K. DAS: Let us hope that in the administration of Orissa under Presidential Rule, the spirit of democracy, as opposed to the form and letter of democracy, will not be lost sight of and that the Plan-frame of the Third Plan which must have been made by the Coalition Government will be honoured in all its relevant aspects. Politics in Orissa is now in a melting pot. Nobody knows what is in store for this unfortunate State in the future and a clear picture of the state of things that will emerge after the election is not in sight. Let us hope that the dark clouds that have arisen on the political horizon will melt away before the sunrise of the general welfare of the people and that the voice of the people will reassert itself before long—Sir, before I conclude, I should like to voice the demand of all sections of the people of Orissa that early steps should be taken by the Union Government to end the Presidential Rule and install a popular Government. That is all that I have got to say. I support the Resolution.

PROF. M. B. LAL (Uttar Pradesh): Sir, Mr. Bhupesh Gupta wishes us to be jubilant. I do not think the House would be prepared to share with him his joy and be jubilant at the state of affairs in Orissa—

SHRI BHUPESH GUPTA: No, Sir, that is not what I said. You are a very learned professor. The Congress—G. P. Coalition was thrown out, and that is the only thing. I feel sorry about Orissa.

PROF. M. B. LAL: He did use the word "jubilant" and I have repeated the word "jubilant". I personally, Sir, rise to speak with a heavy heart.

SHRI BHUPESH GUPTA: The stinking corpse has been removed!

PROF. M. B. LAL: I have a heavy heart not because I have love for the Congress, not because I have love for the Ganatantra Parishad, not because

[Prof. M. B. Lal.] I have any special love for a coalition of the Congress and the Ganatantra Parishad in Orissa but I am unhappy because I have love for democracy and for the dignity of the Indian people, and because I feel that the President's Proclamation, caused by certain manipulations of certain political parties has given a severe blow to democracy and has undermined the prestige of the people of India. Repeatedly we are told that India is a citadel of democracy in Asia, that India is to be preserved as a model of Parliamentary democracy for other countries of Asia—Can we claim to serve as a model of Parliamentary democracy for the people of Asia if we behave the way we behaved in Orissa? I feel, Sir, that the coalition between two reactionary parties may not be as good as the rule of my own party but, all the same, it is for the people of Orissa to decide which party should be in a majority and which party should form the Government. When I will go to Orissa, I will have my say about the policies and programmes pursued by the Coalition Government, but as a Member of Parliament, when I am dealing with the question of the President's Proclamation, I am only concerned with the question whether the President's Proclamation was or was not justified, whether the leaders of political parties which refused to shoulder responsibility when they were returned in good numbers by the people of Orissa were justified in doing so or not.

SHRI BIBUDHENDRA MISRA (Orissa): Would Prof. M. B. Lal kindly let us know whether or not the Orissa wing of his party passed a resolution welcoming President's Rule before the resignation of the Coalition Ministry?

PROF. M. B. LAL: I am just expressing my opinion—Listen to me and then say whether I am contradicting my party or not. I have not got the resolution of my party in Orissa in my

hand just now, otherwise I would have told you how my party behaved consistently in Orissa. My hon. friend, Shri Bhupesh Gupta, may have to regret that due to Dr. Harekrushna Mahtab's manipulations some of his party Members were lured to the Congress Party but my Party in Orissa has no cause to regret. While all these machinations and manipulation were going on, the eleven P.S.P. Members returned by the electorate to the Orissa Legislative Assembly stood as one; they could not be lured by this party or that party. They showed that they could remain loyal to the electorate, loyal to the promises that they made to the electorate. When this particular article was under discussion in the Constituent Assembly, Pandit Hriday Nath Kunzru expressed his apprehension, and felt that the power might be misused and maintained that it might lead to undemocratic situations. At

that time Dr. Ambedkar, the 2 P.M. then Law Minister, in charge of drafting the Constitution realised that there was a possibility of misuse of power but said that that possibility of misuse of power would be considerably reduced if certain practices were observed and he hoped then that the President of India would try to see that the powers were not misused. He said:

"The President would take proper precautions before suspending the Administration of the provinces and the first thing he will do would be to issue a mere warning to a province that has erred that things were happening not in the way in which they were intended to happen in the Constitution. If that warning fails the second thing for him to do will be to order an election allowing the people to settle matters for themselves. It is only when these two remedies failed that he would resort to this article."

Now, what do we notice today? We feel that the power has been so used and politicians have compelled us to so use the powers that democracy in

India is considerably disgraced. I have no doubt in my mind that the whole transaction was the most clumsy transaction and I have also no doubt in my mind that if this article had not been a part of our Constitution, even the politicians of Orissa would have thought a hundred times before surrendering their responsibilities to the Governor. After all, though the two-party system is an ideal arrangement in a parliamentary democracy, the multi-party phenomenon is not unknown to parliamentary democracies and these multi-party phenomena often led to the formation of coalition governments. And once coalition governments are formed, they are not thrown away the way the coalition Government was dissolved in Orissa. I know, Sir, it is difficult to run coalition governments. I know it requires considerable patience, considerable tolerance, considerable understanding of each other's point of view. I know, Sir, all this is needed but all the same I know also that often due to differences in policies and programmes on certain vital issues before the country, with all the goodwill coalition governments have broken down. But I do not know what matters of policy led to the dissolution of this coalition in Orissa. Sir, whatever may be the differences between certain leaders of the Congress Party and certain leaders of the Gana-tantra Parishad, we have not yet come to know of any vital difference between members of the Ganatantra Parishad and members of the Congress Party who were members of the Council of Ministers in Orissa. Sir, I might say that in spite of the fact that this coalition followed unjustified persecutions of Ganatantra Parishad leaders by the Congress Chief Minister, once the coalition was formed the persecutor and the persecuted went on well together and both, it seems to me, had the desire that the coalition Government should continue. But then the coalition is dissolved and I would have liked the Home Minister who must be in possession of all facts to let us know what were the differences in the policies and programme;

which led the two wings of the Government to be at loggerheads and which led to the dissolution of the Government. Sir, an hon. Member just told us that there was a question of merger. I am rather surprised. The two parties came together to form a coalition Government and soon afterwards one party begins to say that the other party should merge its identity in that party, otherwise that coalition would be broken. Sir, as a student of political science I can say that I have never heard of such a thing, never read of such a case in the history of political democracies in the world.

The DEPUTY MINISTER OF LAW (SHRI R. M. HAJARNAVIS): May I remind him of the manner in which a coalition was broken up after the speech made by Stanley Baldwin, a young Conservative, in the Carlton Club?

PROF. M. B. LAL: I do not think that Mr. Baldwin said that the Labour Party should merge its identity with the Conservative Party.

SHRI R. M. HAJARNAVIS: It was not the Labour Party. It was a question of the Conservatives continuing in the Unionist Party.

SHRI BHUPESH GUPTA: The hon. Deputy Law Minister reads things, I do realise that but does not read things carefully. In the context of the British politics the . . .

SHRI K. SANTHANAM: But the issue is not the breakdown of the coalition but the breakdown of democracy.

SHRI R. M. HAJARNAVIS: There is no breakdown of democracy because Orissa is still governed by democratic institutions.

PROF. M. B. LAL: I completely agree with Mr. Santhanam that the question is one of the breakdown of democracy

[Prot M. B. Lal] and I am sorry I do not agree with the Government Bench which feel that there is no breakdown of democracy because the power is in their own hands. I wish to make this clear that the Indian Constitution is the only Constitution which claims to be a democratic Constitution but which has such a nasty article and it seems to me that the question is much more vital than the imposition of President's Rule in Orissa. It is a question of keeping democracy healthy. This particular article is making the politicians irresponsible and is not enabling the people to understand that in a federation a State cannot be treated the way it is being treated here in Orissa. They have certain sovereign powers, plenary powers and plenary responsibilities assigned to them by the Constitution and it is their duty to discharge those responsibilities. They had no business to throw responsibility on our shoulders. As Dr. Ambedkar pointed out, certain steps should have been taken before the President's Proclamation was issued. From the speech of the Home Minister we have come to know that on the 24th February the Governor sent a report that the Government had broken down and on the 25th the President's Proclamation was issued. From this it is obvious that the Central authorities who advised the President to issue the Proclamation did not care to take note of the precautions prescribed or suggested by Dr. Ambedkar. No warning was administered to the Ministers who were relinquishing power; no threat was administered to them that if they did not behave properly and shoulder the responsibilities assigned to them by the people, the legislature would be dissolved and they would have to answer for their misdeeds to the electorate who elected them. I have no doubt in my mind that if the Central authorities had cared to administer the warning to Mr. Harekrushna Mahtab, the warning would have been taken due care of by him especially because in India as matters stand, the prominent members of the Central

authority who advise the President are also the chief members of the Congress High Command under which the Orissa Congress Party is also functioning. I do not know how it was difficult for the Congress Ministers of the Union Government to reconcile their responsibility as members of the Congress High Command and as chief advisers of the President in such a way as to keep the Orissa Government running in a democratic way.

[Mn. DEPUTY CHAIRMAN in the Chair]

I feel that if there was any occasion when Dr. Harekrushna Mahatab's resignation deserved to be accepted, it was when he resigned under the pressure of public opinion after indecent efforts at prosecuting the leaders of the Ganatantra Parishad. It was a most anti-democratic act by a Chief Minister. Just with a view to securing or keeping the majority in the Legislature, the Chief Minister was tempted to put in jail Ganatantra Parishad leaders, leaders of the main Opposition in Orissa. Can democracy function that way? If there was any occasion when the resignation should have been accepted and even President's Rule should have been imposed, it was when the major political party resorted to the persecution of the main Opposition party. Today was not the occasion for introducing the President's Proclamation. I feel that to save democracy from such manipulations, perhaps it will be necessary for us to delete that particular provision from the Constitution which enabled the leaders of the Congress Party in Orissa to behave the way they did and also our prominent Minister of the Union Government to say that democracy is still functioning in Orissa. If we go into the question in some detail, what do we find? Now, I have in my hand the correspondence exchanged between Dr. Harekrushna Mahtab and Shri Bijoyanand Patnaik. From this correspondence, it seems that Mr. Patnaik the President of the

(Jtkal Pradesh Congress Committee, •wished the coalition to be dissolved, because he felt that thereby, after some time the Congress Party would be able to secure an absolute majority. And from the note of Dr. Harekrushna Mahtab I also gather that he had certain schemes to build up the Congress Party in the State of Orissa. Dr. Harekrushna Mahtab says and these are the words—this was what was said to him by Mr. Patnaik: —

"In order to build up Congress organisation on a strong basis to be able to secure large number of seats in the next General Election, the 'Congress Organisation should be based upon some definite industrial programme. Each district, particularly in the ex-State areas, should have at least one industry which is to be run by Congressmen and through these industries Congressmen will come in contact with the people and thus exercise their influence over them.

About the second point, Shri Patnaik explained that the industries to be started in the districts will be managed by the Tube Mill Ltd. which will contribute controlling finance, the remaining finance is to be raised from the local people by Congressmen."

SHRI GOPIKRISHNA VIJAIVAR-GIYA (Madhya Pradesh): What is that book?

PROP. M. B. LAL: Here is a book quoted by no less a man than the •leader of the Ganatantra Parishad in the Lok Sabha. In reply to this letter, Mr. Patnaik denies having said such things, but even Mr. Patnaik •confesses that he talked of 'Party industries'. These are his words ■*Party industries'. Now, Sir, is this ■democracy? We are bemoaning capitalist monopolies in the country and we feel that if the monopolistic tendencies continued to grow, free society

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would be a difficult thing. But here we notice that a great industrialist, who has a good share in the Tube Mill Ltd., wishes to build up party industries. What will happen to this country and democracy, if each party tries to build up party industries? I have no doubt in my mind that the Ganatantra Parishad, Ministers of the Government, have done a great service to the country, when they refused to be parties to this sort of arrangement.

SHRI ABHIMANYU RATH: They are doubtful of this book, but we can produce photostat copies.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI M. GOVINDA REDDY (Mysore): What is the relevancy of that to the Proclamation?

PROF. M. B. LAL: The relevancy is this that the Congress Party, which was returned in good numbers by the people, did not shoulder its responsibility properly and it is today throwing its responsibility on our shoulders.

SHRI M. GOVINDA REDDY: The hon. Member is speaking about Mr. Patnaik, not the Congress Party.

PROF. M. B. LAL: I am telling you that Mr. Patnaik is mainly responsible for the break-up of this Ministry. Everybody in this country knows it.

SHRI SHEEL BHADRA YAJEE: What is the harm?

MR. DEPUTY CHAIRMAN: We are not concerned with Mr. Patnaik now. Order, order.

PROF. M. B. LAL: Some of you do not see any harm because you feel that the President's Rule is also a democratic rule.

SHRI SHEEL BHADRA YAJEE: Yes.

PROF. M. B. LAL: To me it is harmful. I feel that once you dissolv-

[Prof. M. B. Lal.] ed the Legislature, you did a great harm, to democracy. That is the difference between you and me. I feel so sorry about this. I would rather delete that provision in the Indian Constitution than allow, young men like you to have such, an idea about democracy..

(Interruptions.)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI SHEEL BHADRA YAJEE: It is very relevant to democracy.

SHRI R. M. HAJARNAVIS: The learned Professor of Politics may keep the difference between provincial autonomy and democracy quite clear. The distinction has been made clear since the day Lord Simon dealt with it in his report on it

(Interruptions J)

PROF. M. B. LAL: I am sorry to point out that he is not clear about the meaning of provincial autonomy. We are not in a unitary Government. The Provinces are not like district boards or municipal boards. They are separate units of the Federation. They have got plenary powers and plenary responsibilities and their powers and responsibilities cannot be treated the way the Government wishes to treat.

(Time bell rings.)

MR. DEPUTY CHAIRMAN: I have a large list of speakers before me.

PROF. M. B. LAL: I am sorry you have allowed him more time.

MR. DEPUTY CHAIRMAN: You have already taken 27 minutes.

PROF. M. B. LAL: Mr. Bhupesh Gupta was allowed 30 minutes and you allowed so many interruptions.

DR. H. N. KUNZRU: He is the leader of a party..

SHRI RAJENDRA PRATAP SINHA (Bihar): We have our own responsibilities to discharge in this House.

MR. DEPUTY CHAIRMAN: Everybody has responsibility to discharge; We have to apportion the time. I am, calling on the Minister to reply at 4 o'clock:

PROF. M. B. LAL: Mr. Deputy-Chairman; I do not feel that you can assign less time to the Praja Socialist Party than to the Communist Party.

MR. DEPUTY CHAIRMAN: Yes, you can continue. But I am appealing to you to help me.

PROF. M. B. LAL: If you, say that, I will not try to speak any words which, are irrelevant to the issue.

In the end, I have to appeal to this House that the question before us is a very big question. It is not a question whether the alliance between the Ganatantra Parishad and the Congress was progressive in character or reactionary in character.

The question before us is whether dissolution of the Ministry and the imposition of the President's Rule were proper or improper, whether they would lead to the advancement of democracy or would be harmful to democracy. I am sorry it seems to me that both, the Communist Party and the Government are at one in this respect. The Communist Party are happy and jubilant. The Government feels that democracy is running and: trying to reduce the powers of federal units into the powers and responsibilities of a municipal board or a district board. But I am sure that many men in the Congress Party agree with the Praja Socialist Party that this thing is against the basic principles of democracy that thereby the cause of democracy is undermined, that the Congress Ministers who were mainly responsible for this state of affairs were not justified in doing so, and that

the Congress Ministers who also constituted the Congress High Command did not discharge their responsibilities in the matter properly.

Sir, one word more and I have finished Shri Lal Bahadur Shastri said in the Lok Sabha that in the case of a coalition Government there should be dissolution before the General Elections. Can there be a void in administration? Is coalition Government a unique phenomenon of Indian democracy? Do they not have coalition Governments in other countries? Do they dissolve the coalition Government and hand over charge to the President of the country concerned or do they continue to administer the affairs of the country? I feel, Sir, as was pointed out by my leader, Shri Ashoka Mehta, in the Lok Sabha, that this doctrine is a dangerous doctrine. There can be no void in administration. Administration must be carried on, and carried on in a democratic fashion, not through President's Rule. Sir, I do feel that to dissolve the Ministry before providing the minimum wherewithal for running the administration was the height of irresponsibility. Whatever the attitude of the Finance Minister might be, it was the duty of the Chief Minister to see that necessary funds were allocated for running the administration before any constitutional crisis was brought about in the State.

With these words I condemn the attitude of those responsible for the dissolution of the Ministry. I feel that we have undermined democracy and that we have undermined the prestige of our country, and it is our duty to see that the clauses which are responsible for promoting this irresponsibility are done away with.

SHRI BISWANATH DAS (Orissa): Sir, I rise to support the motion so ably moved by the hon. Minister of State in the Ministry of Home Affairs.

SHRI RAJENDRA PRATAP SINHA: Sir, can a Congress whip be issued so openly in the House?

MR. CHAIRMAN: Why do you presume?

SHRI BISWANATH DAS: Sir, I was amused to hear certain speeches and reflections on the floor of the House this morning, and I felt how dangerous and how difficult it is to assess situations and to read them, sitting at thousand miles away from the place of occurrence and also without caring to read the local language newspapers and the views expressed by the fourth estate, I mean the Press, on important issues and questions. That was one of the greatest amusements that I was enjoying while listening to the speeches of some of my hon. colleagues.

Sir, it has been spoken as though all members of the opposition parties are Gods and the devils are only the Congress organisation and the Congressmen. I join issue with such talks and with such speeches. Sir, it is only the Communist friends and the P.S.P. friends' who were working hand in hand with the Ganatantra Parishad. There is no reason to call them reactionaries. They have got fine workers among them. I do not blame some of the youthful and enthusiastic young men that are there in their party. But I join issue with leaders of their party for the way in which they bring about a reorientation to the thoughts and actions of the party itself. When this coalition was undertaken, I was one of the few to oppose it, and along with my hon. friend, Shri Mahapatra I then stated that this was not the occasion when we should take up this coalition. Coalitions are not ordinary things, they are extraordinary things. They are for extraordinary conditions. Such conditions were not present. So I said that we should have to go slow with that idea of coalition with the Ganatantra Parishad. But our leaders thought differently. After due consideration that we should have a coalition and we had to submit to it and

[Shri Biswanath Das.] had to give a full chance to the coalition to work.

Sir, if I have understood aright, I would beg of my friends to recall the resolutions of the Congress in this connection. It was agreed on both sides that they would work the Congress programme and give their full support and do their best to implement the Five Year Plan. That was the understanding, that was the agreement on which this coalition was based-

SHRI BHUPESH GUPTA: Was it published?

SHRI BISWANATH DAS: It was. My friend, having quoted so much, wants me to state where it was published. I am only amazed. These are not hidden secrets. With this understanding the coalition started. But we saw to our dismay that the Ganatantra Parishad was not honestly giving effect to its professions but was only trying to get up the ladder by making use of ourselves and of the position which they had gained through the coalition and through our co-operation. That is what has pained us.

Having made the statement, it is fair that I should place the facts in justification of what I have stated. In this connection I would only refer to you the Budget of this year. Take even the Supplementary Demands. Hon. Members will please see that prohibition is one of the most important and basic principles for which the Congress stands. We stand or fall by prohibition. It is for the Ganatantra Parishad, having accepted coalition, to give its utmost and best trial to this. I now ask the Ganatantra Parishad Ministers and also the Party itself whether they have honestly gone on in this regard. Sir, the figures show that in 1959-60, the revenue under *State Excise* was Rs. 1,08,00,000. In 1960-61, under the revised estimates, it came to Rs. 1,25,00,000. And in the State Budget for this year, 1961-62, the income is taken as Rs. 2,57,00,000.

SHRI K. SANTHANAM: Who was the Minister in charge of prohibition?

SHRI BHUPESH GUPTA: Who was the Minister in charge and how does the . . .

SHRI BISWANATH DAS: I am prepared to give the figures from the financial accounts. This is a clear statement of facts to show how the Ganatantra Parishad has never believed in prohibition though it professes that it would give effect to it. It has never attempted to give effect to our programme.

SHRI ABHIMANU RATH: You encourage them and others.

MR. DEPUTY CHAIRMAN: Let him go on in his own way, Mr. Rath.

SHRI BISWANATH DAS: That is one aspect. Not being satisfied with this performance, in the last Development Council meeting the Finance Minister came forward, with a proposal, to scrap prohibition. My hon. friend, Mr. Das, was just now extolling that they were going on happily. Happily for whom? To what purpose?

SHRI HARIHAR PATEL: It is not correct.

SHRI BISWANATH DAS: Happily for the Congress Minister? Was he not one of those who opposed and said that we would oppose it to our very life?

SHRI ABHIMANU RATH: No, Sir. He must know it.

SHRI BISWANATH DAS: To say that they were happy, to say that they were going on very well, is merely disputing facts, is merely disclaiming facts, not facing the truth Sir, it is not only that. They were not only going against prohibition but they were trying to implement their programme. What was their programme? Well, the first thing they tried was *kendu* leaves. We had

taxed *kendu* leaves and were getting about a crore of rupees into the State exchequer. Their programme was to do away with this. Well, the Gan-atantra Parishad part of the Ministry exerted influence and they got it done. It came to such a pause that the Minister for Forests wanted to resign and get out. All these are matters of public concern, they have come out in the press. There is nothing secret about it. So I was surprised to learn even from my friends that they were happy. Who was happy? The Ministers were certainly happy because they wanted to go on uninterruptedly. The party could not be happy, the Assembly Party was not happy. That explains the trouble. Not only were they giving effect to their programmes but they were benefiting themselves. I mean the leadership, not the rank and file. In regard to *Kendu* leaves order, they did away with the order. Now instead of a crore of rupees, you get about twenty-five or thirty lakhs of rupees in this Budget and the result is that the loss is to be borne by the general public instead of the business. The result is heavy sales tax on very ordinary and essential necessities of life including even text-books for boys. That is Ganatantra Parishad's ■ Budget. How could you expect people to face the electorate in such circumstances? Having done, this, they propagate, that they are only minor parties, what are we to do? Give us a full chance. We will show ourselves. Is that fair? I ask. Could any party tolerate such a coalition in such circumstances?

SHRI BHUPESH GUPTA: If the Congress . . .

MR. DEPUTY CHAIRMAN:
Order, order.

SHRI BISWANATH DAS: And they want us to undergo a course of training in democracy.

SHRI BHUPESH GUPTA: I want to know from him *one* thing. Did the Congress ever protest when the

Ganatantra Parishad was implementing their programme excluding theirs? We never heard of such a thing.

SHRI BISWANATH DAS: That is my complaint. My complaint is that you are sitting thousands of miles away. I have stated that in the beginning. You are sitting thousands of miles away cut off from what is going on in the press and cut off from popular notions and views and sitting in judgment over questions. That is my complaint.

" SHRI M. GOVINDA REDDY: That is pretended ignorance.

SHRI BISWANATH DAS: I thought *my* friend knew all these things. Therefore, I say that this has come out today as a volcanic eruption because the leadership had no eyes to see. The Ganatantra friends are happy that their dream has come true because the Congress Party has to face the election. How are you going to explain things to the electorate? It took my breath away when I heard an hon. Member knowing nothing and talking as an authority that the Congress manipulated to emerge powerful out of elections. That is absurd. That is unfair to the Congress, to himself and to ourselves. He should have enquired whether it was a fact. It was not. All possible chances and opportunities were given to Ganatantra and they were found unhelpful. The only course that was open was to send them an invitation saying> "Could you at least come and join us?" There is nothing secret in this. They took a long time and ultimately said, "No, we do not want to join Congress."

Certain statements were made by my hon. Friend, Dr. Kunzru, rather in a genuine manner, what could be called righteous indignation, befitting his position, experience and attainments. Sir, in a milder way, the leader of the P.S.P. has stated the same thing, namely, if the Congress accepts coalition and then breaks it, i which is the party that will go to

[Shri Biswanath Das.] collaborate with them? That shows that our friends do not know the real truth and that truth has to be told. Otherwise, I was not in a mood to rake up past troubles. Sir, if you look into the proceedings of the Ganatantra Parishad's Conferences held at Hinjili-kat or at Koraput, you will see how vituperative, how critical and how abusive these resolutions and speeches are, including those of their leaders. Sir, need I say in this connection that the very day the Ganatantra Parishad took office as a partner in the Coalition Government the President of the Parishad issues a statement in the vilest possible language. Can my friends deny?

SHRI HARIHAR PATEL: What is that?

SHRI BISWANATH DAS: The day they issued the statement in that manner I thought that that day was the beginning of the end of Coalition. This was the statement issued by the Ganatantra Parishad President.

SHRI ABHIMANYU RATH: Where is the wrong?

SHRI BISWANATH DAS: It is not wrong. I simply thought that it was taking a usual turn.

SHRI ABHIMANYU RATH: We were not subordinate to the other party.

SHRI BISWANATH DAS: But it hurts me as a partner and I cannot be in the game. That is my difficulty.

(Interruptions.)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI BISWANATH DAS: Therefore, if the break has come, the break is not sudden, as my hon. friend, Dr. Kunzru, imagines. It is not sudden, it was expected. The trend was there, and these trends must have clearly shown themselves to the people, to the leaders of public opinion in India and

in Orissa that they were heading towards a crisis. And the crisis at last came, Now did it come.

My friend Shri Bhupesh Gupta, quotes Dr. Mahtab. Yes, I know Dr. Mahtab's position, and there is nothing to misunderstand him. He holds the view and he holds the view very frankly and honestly, namely, that coalition was a necessity for India, and that coalition in Orissa would continue during elections and after elections also. But then with that view we differed; we the Congressmen differed. You cannot control expression of opinions. That may be done in Russia. That may be so in communist countries but cannot be in India. Here one must have and has the right to express oneself freely.

SHRI BHUPESH GUPTA: And free political flirtations.

SHRI BISWANATH DAS: Then my hon. friend, the P.S.P. representatives, spoke of Shri Bijoyanand Patnaik as an industrialist and as one proposing industries for Congressmen. What has the Parliament or this House or the Assembly or the Congress Party or any other Party has to do with Shri Bijoyanand Patnaik's industries? He may be an industrialist himself. *(Interruption.)*

SHRI BHUPESH GUPTA: Is he not a multi-millionaire now?

SHRI BISWANATH DAS: Yes, he is the President of the Pradesh Congress Committee, and you must not forget that he is also a revolutionary. A man who had nothing once has something now and he may come to possess nothing again tomorrow.

SHRI BHUPESH GUPTA: In 1958 I was there and I know that he was at the root of the Ganatantra alliance . . .

MR. DEPUTY CHAIRMAN: Order, order,

SHRI BISWANATH DAS: There is nothing strange in it. He had a

scheme in which he wanted that the workers should collect some private funds as initial share money and said -that he himself would arrange with some industrialists who would contribute the rest, so that they could run small industries in all the districts. The income would be used for the industrialisation of Orissa and it would give a means of livelihood to the workers, and also they would be free to do party work without any want, being free from hunger. This scheme was discussed in the Working Committee of the Pradesh Congress Committee.

(Interruption.)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI BISWANATH DAS: I never interrupted you. This was discussed in the Pradesh Congress Committee.

SHRI AKBAR ALI KHAN: Home truths are always unpleasant.

SHRI BISWANATH DAS: This was discussed in the Pradesh Congress Committee. The Working Committee disagreed with it and disapproved of it. Where is the harm in it. I ask. And why should there be dancing for ten minutes over this issue? I do not see any reason for such demonstration, for a tempest in a tea pot. Therefore, Sir, I feel that unnecessary discussions have taken much of our time though we had certain important items for discussion.

MR. DEPUTY CHAIRMAN: It is time, Mr. Das. I have a very long list of speakers.

SHRI BISWANATH DAS: I am very sorry, Sir, but I had something to say

MR. DEPUTY CHAIRMAN: But you have taken twenty minutes.

SHRI BISWANATH DAS: This is unfair, Sir. We are discussing a very

important issue and you want us to speak on behalf of the public opinion of Orissa and you want that that should be stated only in twenty minutes and that in the midst of so many interruptions from friends. I have yet to say something which none of you know.

MR. DEPUTY CHAIRMAN: But then my time is limited.

SHRI BISWANATH DAS: All right, I have no objection, and I sit down.

MR. DEPUTY CHAIRMAN: Mr. Patel, your party, has thirty minutes and you have put up three speakers. Either have ten minutes each or divide the time between yourselves.

SHRI BAIRAGI DWIBEDY (Orissa): Let him have twenty minutes and let the others have ten minutes each.

SHRI BHUPESH GUPTA: Now give us the other side correctly.

SHRI HARIHAR PATEL: Sir, we are discussing today a subject in which the part played by two major parties in Orissa and their conduct are involved. Sir, I would draw your attention that there are a number of speakers from the other parties to speak in defence of the role played by their party, but from the Gana-taritra Parishad side we are not too many here to speak, and I would, therefore, crave your indulgence to give me a little more time.

Sir, I am really grateful to Dr. Kunzru for his very accurate understanding of the situation in Orissa ...

SHRI BHUPESH GUPTA: There is no doubt about it.

SHRI HARIHAR PATEL: . . . and to the one question he has posed I shall try to satisfy him with my reply in the course of my observations.

SHRI BHUPESH GUPTA: Make him honorary president.

SHRI HARIHAR PATEL: Professor M. B. Lal has also, to a great extent, assessed the situation properly. I have also attentively heard the speech of my friend, Mr. Bhupesh Gupta. I was not at all ruffled in my sentiments to hear him pour venom on our party, because I know sufficiently well that he is labouring hard under mistaken notions about our party. It is not only his habit; it is the habit of Communist Party Members, very often, to labour hard, even to perpetuate the mistaken notions that they have got.

SHRI BHUPESH GUPTA: There seems to be an agreement between Ganatantra and Congress again.

SHRI DAHYABHAI V. PATEL: The agreement is between the Congress and the Communists.

SHRI HARIHAR PATEL: It has already been pointed out that the instability in Orissa politics was not a result that came after the last General Elections only. It was inherent in the situation even before that. Even in the First General Elections, Sir, no single party attained a majority in Orissa, and yet the Government was formed by the Congress, and throughout the five-year period it had been necessary to resort to tactics of manipulation manoeuvring, and other tactics to keep the Government going. It is the wrong track followed since then that, in my opinion, has been responsible for the developments of today.

Then the hon. Minister has given a picture of what happened after the Second General Elections. In the Second General Elections also no single party in Orissa attained a majority. The Congress which had 63 seats in the First General Elections came down and could secure only 56 seats in the subsequent Elections.

MR. DEPUTY CHAIRMAN: All those figures have been given. You need not repeat them.

SHRI HARIHAR PATEL: I am only drawing pointed attention to it. And the Ganatantra Parishad which had won 31 seats in the First General Elections succeeded in winning 51 seats the next time.

Sir, after the General Election was over, it became quite evident that no single party was capable of forming the Government. Under such circumstances a sort of open negotiation or talk with leaders of political parties was necessary. But unfortunate things happened in Orissa. Incidentally, I happened to be the General Secretary of the Ganatantra Parishad at that crucial moment. I would like to give you a picture of what happened then.

Sir, instead of the Congress Party trying to contact other leaders to find out a solution to the situation they tried to win over many Members of our Party in a most questionable manner. In fact, my friend, Mr. Bhupesh Gupta, has spoken about Mr. Surendra Mahanty, a Member of the other House. He also happens to be a very great friend of Mr. Patnaik. Mr. Patnaik used to come to our office and make efforts to contact individual members by requesting them to be associate members.

SHRI BHUPESH GUPTA: You have survived it.

SHRI HARIHAR PATEL: . . . to participate in the Government and so on.

He came to our office one day to meet Mr. Mahanty. On that day I casually told him, "Mr. Patnaik, why are you just coming and making contacts with individual persons? You can formally send a letter to us from your party so that we can discuss about the situation and see if it can be resolved in any way." Mr. Patnaik is locally called 'Biju' and he said 'Biju Patnaik' means U.P.C.C. and U.P.C.C. means 'Biju Patnaik'. I told him. "Mr. Patnaik, it is all right to say so to your Congress Members, but how can I accept your proposition? Unless you formally write something to us, we cannot

discuss about it." But, Sir, the successes that they got during the past five years possibly prompted them to follow a different course. They depended on manipulations, manoeuvrings, winning over members from other parties and disregarded my advice. Then, Sir, as in duty bound, the Ganatantra Parishad, which was the second largest party invited the other party members to see if there could be any solution. To our invitation the Praja-Socialist Party responded quite favourably though they did not in clear words tell us whether they would participate in the Cabinet or not. But they were quite sympathetic. The Communist Members also were quite inclined and we were hopeful that even if they did not participate in the formation of a non-Congress Government, they would extend their support.

At that time, Sir another unfortunate thing happened. Mr. Mahanty was one day invited to a dinner by Mr. Patnaik.

SHRI K. SANTHANAM; Mr. Deputy Chairman, it is not quite fair to make personal references . . .

SHRI HARIHAR PATEL: I am stating facts.

SHRI K. SANTHANAM: . . . when those persons are not here.

MR. DEPUTY CHAIRMAN; Please do not bring in names of persons who are not here to defend themselves.

SHRI BHUPESH GUPTA; But we would like to know names. We do not know very much.

MR. DEPUTY CHAIRMAN: You can get these names privately.

SOME HON. MEMBERS: He need not mention names.

SHRI BHUPESH GUPTA; There is no question of the coalition Government now. After all, leaders of some parties fell out . . .

MR. DEPUTY CHAIRMAN: You can mention them by their designation.

SHRI BHUPESH GUPTA. Well, you can.

SHRI HARIHAR PATEL; A member of our party, who was neither the General Secretary nor had he anything to do in the management of the party, was invited to a dinner.

SHRI BHUPESH GUPTA: By the industrialist President.

SHRI HARIHAR PATEL: Of course, he is engaged in industry. He was a 1 member of the Party. He was invited to a dinner and there, I do not know under what circumstances, something was got scribbled and signed by him. That purported to be the willingness for a coalition with the Congress Party, indicating some sort of merger.

Now, Sir, it had not the approval of our party. What to speak of approval, we even did not know about it, and we were really surprised at this document going into the hands of the Communist Party before we had any knowledge of it whatsoever. At that time Mr. P. Ramamurti had been to Orissa to advise the Communist Party Members regarding the attitude to be adopted in the matter. He invited our party leaders and we had been to the Communist Party . . .

SHRI BHUPESH GUPTA; Mr. Ramamurti is being named. He is not here but we do not mind.

MR. DEPUTY CHAIRMAN; He is a Member of the House.

SHRI BHUPESH GUPTA: But he is not here. I am all in favour of naming. Well, Mr. Patel, you can do it. I do not mind.

SHRI DAHYABHAI V. PATEL: He is Mr. Bhupesh Gupta's lieutenant.

SHRI HARIHAR PATEL: Our President himself and some other

[Shri Harihar Patel.] Members also went to their office and we tried to explore the possibilities of evolving a common programme. We went there to find out if they could extend their support. Mr. Ramamurti made some enquiries about privy purse and other things, how much it was and so on. He was told that it was only Rs. 18 lakhs for 24 Rulers and their families and he himself remarked, "Rs. 18 lakhs for 24 families is nothing."

SHRI BHUPESH GUPTA: Sir, would a Communist ever say like that?

SHRI HARIHAR PATEL: Anyway, as a party we had nothing to do with privy purses. It was just a point answered by our President, who happened to be the Maharaja of Patna. He was the President then. After this reaction we were almost sure that the Communist Party was going to support the formation of a non-Congress Ministry. But, then the letter about which I have spoken earlier, somehow or other came into their hands and without seeking a clarification on it Mr. Ramamurti issued a statement on the subsequent day to the press saying that our party was a party of feudalists, reactionaries and so on and so forth and they could have no truck with our party and they expressed that they would tolerate a Congress Government. This is how the Congress came to form the Ministry after the second General Elections.

Sir, I have given you the history. I do not seek to involve anybody.

SHRI BHUPESH GUPTA: What about the dinner? Was there good food?

SHRI HARIHAR PATEL: Yes, you took advantage of the dinner.

SHRI BHUPESH GUPTA: Well, the Maharaja of Patna came to see us when I was there but I never saw him.

SHRI HARIHAR PATEL: Sir, in the meantime, seven members from our Party had already been won over by the Congress. Even one Communist member was won over and so the Coalition Government was formed.

SHRI BHUPESH GUPTA: What was your casualty?

SHRI HARIHAR PATEL: Seven in the beginning.

The result of all this manipulation and unethical conduct was what it should have been. Afterwards, the Congress members started playing their usual tactics, and Dr. Mahtab came to realise that he had followed a wrong course.

Sir, there were occasions when the Government was about to collapse. As a matter of fact, in 1953 there was voting on the discussion over the Ordinance in the Orissa Assembly in which the Congress Government was defeated. It was described as a "snap vote" and the Congress Party managed to remain in the Government. Even though the Chief Minister had resigned, for some time his resignation was kept pending and then it was explained that it was a "snap vote" and they need not resign. They thus managed to survive on that occasion and remained in power.

However, in course of time, Dr. Mahtab realised the futility of continuing in the Government. Being suppressed every day and being tormented in his mind, he made a fervent appeal in the Legislative Assembly on the 30th. March, 1959, that if such things went on, it would be difficult to give any benefit of administration to the people. He said that development programmes were being hampered and he pointed out a number of difficulties and made a fervent appeal to the parties to

consider about resolving the peculiar deadlock. And then he made a proposal to the Ganatantra Parishad about a coalition government and we eventually considered that proposal.

It was discussed in our meetings and, j Sir, here I would like to quote something from many of the reports prepared at that time and that will explain why we accepted this proposal for the formation of a coalition government.

"The *desideratum* of political and administrative stability as a prerequisite to the development and ordered progress of the underdeveloped State of Orissa is widely recognised by all parties and thinking men. That instability is inherent in the situation obtaining in the State, has been demonstrated by the results, voting trends and party pattern emerging after the two general elections of 1952 and ; 1957. It needs no political prophet to predict that the same pattern is likely to be repeated, at best with slight variations in party strength in elections at least in the foreseeable future. Hence, dissolution of the Assembly and re-election would provide no solution to the problem. Under the present circumstances, the only logical solution can be found in the coalition of the two major parties in the State, namely, the Ganatantra Parishad and the Congress.

It may be urged against a coalition that it suffers from certain disadvantages and is not the ideal in a party system of government. But it has to be recognised that in a State with multiple parties and splinter groups and independents, and no party having a straight majority, the only possibilities are a minority government tolerated by others, a coalition government or dissolution of the Legislature and re-election. But, where dissolution and re-election is not likely to ensure a straight majority for any party and there is likelihood of repetition of the same pattern, the question for consideration is, a choice between a minority and a coalition government. In other words, when the ideal of a single party majority

rule 13 not possible, the choice is confined as to which is the lesser evil between a minority and a coalition Government. In fact, there has never been any doubt about the choice as the opposition groups in Orissa have striven for an alternative government on the basis of a coalition. With the experience of the last two years, no sensible person can think of forming a minority Ministry which would be the fate of a Ganatantra Parishad or a Ganatantra Parishad— P.S.P. coalition Ministry, in the present context, as already discussed earlier.

It is not surprising that under the prevailing circumstances, at long last, the leader of the Congress Assembly Party has realised that there can be no progress in the State unless there is stability in the administration and has appealed to the Ganatantra Parishad for cooperation to end the political instability in the State. If the experience of the last two years has been an eye-opener to the Congress, it is no less a lesson for others also."

Sir, this is the background against which we decided on the formation of a coalition government there. My hon. friend, Shri Bhupesh Gupta . . .

MR. DEPUTY CHAIRMAN: You have already taken more than fifteen minutes.

SHRI BHUPESH GUPTA: You forget it is too late.

MR. DEPUTY CHAIRMAN: There is one more speaker from your side.

SHRI HARIHAR PATEL: Please let me have a little more time.

MR. DEPUTY CHAIRMAN: It was agreed that your party should have thirty minutes and no more. It is for you to divide the time between yourselves.

SHRI HARIHAR PATEL: My hon. friend, Mr. Bhupesh Gupta described

[Shri Harihar Patel.] this alliance as unholy and unprincipled. That is not a fact, Sir. Before we entered into this coalition, there was a common programme chalked out and signed by the leaders of the two parties. On the basis of that common programme we entered into this coalition. I would say it is wrong to state that there was no principle or that it was a coalition without any programme.

Then my hon. friend, Mr. Gupta, went on to state some instances which he described as misdeeds of the Coalition Government. Here I would like to say something which I would request the House to carefully take into account so as to understand the peculiar circumstances that exists in Orissa. In my opinion, Sir, the whole tragedy in Orissa is due to the unjust and undemocratic attitude shown towards our party by the other parties. They think that this is a feudalist party. Sir, it is not that. This party has come into existence, as a matter of fact, as a historical necessity. As the House fully knows, the integration of the former Princely States was first initiated in Orissa when some 24 of those states which formed practically half or even more than half the area of Orissa, came in and merged into the State of Orissa and under the rule of the then Congress Government. At that moment, if only the Congress had had the sense to exercise foresight, they would have taken proper steps to integrate the political life of those newly acquired areas with the rest of the country. But that was not done. Instead, there was utter lack of foresight and a sort of apathy towards those people and their problems and the attitude adopted by the leaders was something like that of a victor towards the vanquished. The people of those areas tried hard to put forth their grievances and seek redress. There were sporadic movements here and there and at that time the Congress Government did not try to understand them, but they resorted even to firing, lathi charges,

arrests and so on. In the area of my hon. friend, Shri Maheswar Naik—Mayurbhunj—there were indiscriminate firings for a number of . . .

MR. DEPUTY CHAIRMAN: We are not concerned with all that now.

SHRI HARIHAR PATEL: I am just giving the House the background so that . . .

MR. DEPUTY CHAIRMAN: You will spend all your time in the background ^{and} never come to the forefront. Leave at least ten minutes to the other Member.

SHRI HARIHAR PATEL: I am saying something which the House should know for coming to a dispassionate decision on the events taking place in Orissa and I would seek your indulgence for a little more time.

MR. DEPUTY CHAIRMAN: You have only ten more minutes left for your Party. You may take the whole time and no other Member of your Party will then get any time. I will leave it to you.

SHRI HARIHAR PATEL: Sir, I submit that these were the circumstances and situation in which the Ganatantra Parishad came into existence. The Congress was acting in a rather apathetic manner, so also the other parties. The Socialist Party had no organisation in our State and unfortunately they also did not take care to gather proper information about our party and they also took an attitude like that of the Congress that it was a feudalist party and so on. For a pretty long time they proceeded on that attitude. It is only in course of time and with more contacts with us that they have come to know about us and to realise our aims and objectives. Now there is no difficulty in properly understanding each other. The Communist Party also has not made any effort yet to understand us. They think that ours is a feudalist party, a reactionary party. I would humbly say that in this they are doing

an injustice to the people of Orissa which they should never do.

SHRI BHUPESH GUPTA: I say, there are many good people there. That is the tragedy of it.

MR. DEPUTY CHAIRMAN: We are not concerned with that now.

SHRI HARIHAR PATEL: Sir, I have a feeling that the Communist Party somehow or the other thinks that they have the monopoly of all progressive thinking, that that is their monopoly and that the other parties are not capable of any such thing. I would humbly request my hon. friend to get rid of this notion. Let them look at our policy. Let them look at our past attitude and even then if they level that kind of a charge . . .

MR. DEPUTY CHAIRMAN: You can fight it out there; just wait.

SHRI AKBAR ALI KHAN: They are trying . . .

MR. DEPUTY CHAIRMAN: Order, ■order.

SHRI HARIHAR PATEL: I would like to invite attention to the fact that my hon. friend here was criticising the action taken by the Coalition Cabinet with respect to bidi leaves. I submit that my hon. friend does not know what a bidi leaf is where these leaves grow and what are the problems there. *Bidi* leaves grow very well on tenants' lands in north Orissa only, and for a long time they had a law under which the monopoly was given to the merchants over the leaves and the proceeds were being enjoyed by the monopolists. The Ganatantra Parishad has been trying for the abolition of this monopoly so that the labourers may get higher wages and the tenants who own the land may also get a proper income. I have not the time to go into all these details here but I am prepared to discuss with him . . .

MR. DEPUTY CHAIRMAN: We are not concerned with all that here. We are concerned with the President's Proclamation.

SHRI HARIHAR PATEL: It is a question of thorough misunderstanding.

MR. DEPUTY CHAIRMAN: You may explain it in the proper place, not here.

SHRI HARIHAR PATEL: Anyway, Sir, I think that most of his criticism is based on wrong information and I would request him to take a little more interest in knowing things.

I would now refer to some of the criticisms levelled by Mr. Biswanath Das. He charged the Ganatantra Ministers with many misdeeds. He said that they were trying to use the Congress as a step for themselves to rise. He charged the Ganatantra Ministers with wanting to scrap prohibition. I would like to inform him that the Excise Department was under the charge of a Congress Minister and the Ganatantra Parishad never passed any resolution demanding the scrapping of prohibition. The Ganatantra Parishad never passed any such resolution; it never acted in a manner to make the people drink more. They had imposed partial prohibition in some districts and the coalition did not say anything about it. That thing continues even now in those districts. For this reason, I think it is unjust to say that the Ganatantra Parishad encouraged this. They say that the revenue has risen but then they have Rourkela and there are the Germans. I have myself seen it and that is why perhaps it has risen.

SHRI BISWANATH DAS: The number of licences has also increased, not only the revenue.

SHRI ABHIMANYU RATH: I think his own shop some times sells.

MR. DEPUTY CHAIRMAN: Order, order.

SHRI HARIHAR PATEL: This portfolio was under a Congress Minister and if he was so minded, he could have easily put it down. He also said that the Finance Minister wanted to do away with prohibition. I am sorry that that is also not correct. There was a meeting of the State Development Advisory Board in which this suggestion was made by someone and was unanimously supported in that Board. The Finance Minister simply communicated the result of the deliberations of that Board.

SHRI BISWANATH DAS: What was the resolution passed by the working body of the State Development Advisory Board?

SHRI HARIHAR PATEL: Anyway, it is completely wrong to say that the Finance Minister opposed prohibition and wanted it to be scrapped. As regards *kendii-bidi* leaves, I have already explained and I am prepared to discuss it with him or with anybody. It is really a pity. The whole thing is because the leaders of the coastal areas—I am not talking of the leaders of this or that party—and the leaders of the interior areas do not understand each other. I am really apprehensive that if this thing continues, it may lead even to a process of disintegration.

SHRI BHUPESH GUPTA: Do not embrace the Congress again, or *vice versa*.

SHRI HARIHAR PATEL: There is no question of embracing or of prejudice against anybody.

SHRI DAHYABHAI V. PATEL: It is free love, as in Russia.

SHRI HARIHAR PATEL: Sir, I have no intention of vilifying the Congress but my intention is that we should try to do something in Orissa whereby these conflicts and even lack of understanding between the leaders of one area and the other—I am not talking of this or that party but of

areas—may be removed and there may be closer understanding. This is the only way in which the political situation in Orissa can be improved.

Sir, I have not much time now.

MR. DEPUTY CHAIRMAN: You have taken the full time.

SHRI BHUPESH GUPTA: Leaving none *ior* his colleagues.

MR. DEPUTY CHAIRMAN: You have two minutes more, and you may finish that.

SHRI HARIHAR PATEL: That is, all, Sir.

SHRI MAHESWAR NAIK: Sir, I rise to support the Resolution which is under discussion at the moment but my reasons for supporting the Resolution are entirely different from the grounds offered by my hon. friend Shri Bhupesh Gupta. Sir, I have listened with great attention and interest to the two great speeches made by Dr. Kunzru and my hon. friend, Mr. Bhupesh Gupta. I could understand the stand which Dr. Kunzru has taken but it becomes really difficult to understand Mr. Bhupesh Gupta. Sir, holding, as he does, totalitarian ideas, it is difficult to understand how he is so very vocal in preaching sermons on democracy either in Orissa or elsewhere. On the one hand, he was extolling the steps taken by the President in promulgating the Proclamation in regard to Orissa while, on the other hand, he decried the democratic set-up that was there in Orissa either by way of a coalition or by way of Government by a single party. That is a really difficult position to understand. As he has made an inquisition into the background of the Orissa political situation, I am pained to say that if we want to go into all those details, naturally we will have to go not only into the situation which prevailed before the coalition broke up in Orissa but also into the details and background of what happened in Kerala. When Pre-

sident's Rule was enforced in Kerala, he was very much against it but now he is welcoming that. That is why I say that it is difficult to understand him. I am not going into all those details. Pandit Kunzru said that the coalition in Orissa was working well and that it was perhaps desirable that it should have been allowed to continue right up to the beginning of the next General Elections. Perhaps Pandit Kunzru does not know that when there was a talk of dissolution of the coalition, the Finance Minister, who happened to be the leader of the Ganatantra Parishad refused to frame the current Budget on the ground that unless he was given charge of implementation of that Budget, he was not going to present the Budget before the Assembly. In the face of this it is certainly difficult for the coalition to continue because unless the Budget is presented and passed I fail to understand how the coalition or any Government is going to carry on the administration. Anyway, I am not going into all those details. The reason I support this Resolution is that all possible democratic explorations failed and there was no alternative left for the Governor but to recommend to the President that President's rule should be enforced in Orissa.

Mr. Bhupesh Gupta has been opposing the mid-term elections. I have no quarrel with him as regards mid-term elections. All that I want the Home Minister to take into account is article 170(3) of the Constitution where it says:

"Upon the completion of each census, the total number of seats in the Legislative Assembly of each State and the division of each State into territorial constituencies shall be readjusted by such authority and in such manner as Parliament may by law determine."

Sir, our census operations are just over and provisional figures are already on hand and whether it is worth while at this moment to go in

for mid-term election before we make the readjustments which may become necessary in view of the increased population in almost each district of State, I would leave to the Home Minister to determine. But let not my friends understand when I say this that we are not prepared for mid-term election. We are prepared for anything which suits their convenience; not our convenience. We are prepared to accept their challenge whether it is mid-term election or the election in its usual course.

Sir, many things have been said in respect of the dissolution of the coalition. I am not going to enter into all these questions but I cannot conclude before I say a word about the ordinance which the Governor promulgated. The Governor must have acted according to the advice of the local officers. This ordinance authorising the expenditure of a little over Rs. 4 crores has become invalid and I am glad that it has been withdrawn. But what pains me is the feeling that these officers have been actuated by that bureaucratic mentality with which they seem to work even after independence. That is why I would urge upon the Government to expedite the formation of the Advisory Committee which the hon. the Home Minister has said in the other House is under contemplation. That is all that I have to say, Sir.

SHRI A. D. MANI (Madhya Pradesh): Mr. Deputy Chairman, Sir, I am sure the Members on the other side of the House would have realised as a result of the speeches made on this side that the action of the President in suspending the Constitution under article 365 has aroused widespread indignation. It has been said that the responsibility for this grave turn in events has got to be shouldered largely by the Congress Party in Orissa. Before going on to deal with that aspect of the matter I must say that when I listened to my hon. friend, Shri Datar, giving a recital of the events that led to the suspension of the Constitution, I felt that he was

[Shri A. D. Mani] reading from a statistical report of the Commerce Ministry of the Government of India. He spoke with so much of detachment as if he was speaking as an *amicus curiae*. I am afraid that this mantle of *amicus curiae* does not fit in with the members of the Government because the Government is very much an interested party in the matter, not necessarily as Government, not as members of the Government but as members of the ruling party which supports the ■ Government.

The coalition in Orissa was functioning satisfactorily and it is on record that the Governor of Orissa has paid a tribute for the manner in which the coalition functioned. I heard with very great interest my hon. friend, Shri Biswanath Das, speaking about the short comings of the coalition. He mentioned that the Finance Minister at one time thought of repealing prohibition in the State. Sir, quite a large number of sensible people are coming round to the view that the enforcement of prohibition at this stage in the various States has led to the instability of State finances. In the State of Uttar Pradesh itself prohibition has been enforced only in four districts and it has not been extended all over the State. In Madhya Pradesh only partial prohibition is at work. So whether the Ministry was prepared to repeal prohibition or not is not the standard by which the work of the Coalition Government should be judged.

Sir, it has been said in the debate that the Congress Party wanted the Ganatantra Parishad to merge itself within the party. I think this has been more or less made clear in a large number of press statements which have been published on this subject in the Orissa and the all-India newspapers. It is an unfortunate fact Sir, that the decision to dissolve the Ministry was taken not now but last year by the Congress Party. When the Congress President visited

the State of Orissa he made a statement at that time which has been published that the Coalition Ministry would be dissolved and the parties would go to the elections as individual parties. I do not agree with some of the Members who expressed the view here that the Coalition Government should have continued to function till after the elections because the general practice even in well-run democratic countries is for coalitions to be dissolved well before the elections. The time factor is very important. In Great Britain in 1945 as soon as the war with Germany came to a close Mr. Churchill announced that he was going to dissolve the coalition and his decision had the approval of the Deputy Prime Minister, Mr. Attlee, but as soon as the coalition was dissolved the country went to the polls. But what is happening now is, we are having a hiatus between the enforcement of the Proclamation and the holding of general elections and I think, Sir, this is a very unfortunate constitutional precedent to be set up. In this matter the Government of India cannot escape an indirect and a heavy moral responsibility for the turn of events in Orissa. When did they realise that events were heading towards a breakdown of the Constitution? For over a year the dissolution of the coalition has been freely discussed in Orissa. It is unthinkable that the Government of India and the Ministry were unaware that developments were taking place which would lead to the dissolution of the coalition. And it may be said here that the Orissa Congress Party took the decision to dissolve the coalition as far back as November last. What was the Government of India doing since that time? Did the Government of India and the various Ministries show any preparedness for meeting the situation which would arise in the event of the suspension of the Constitution? The Governor of Orissa issued an ordinance which was legally of a dubious character. What was the Law Ministry of the government of India doing all the

time? The Law Ministry is manned by two very able men, my hon. friend Shri Ashok S r, and my hon. friend, Shri Hajarna\ii. Did they make any enquiry from the Governor of Orissa as to what steps he was going to take in the interim period for carrying on the work? I am afraid, Sir, that in this matter there was a curious apathy on the part of the Government of India and the Ministries of the Government of India to what was happening in Orissa. It might be said that this is purely a State matter and it is not possible for the Government -of India to show any active interest in State affairs. But somehow Uttar Pradesh seems to get a good deal of immediate personal attention at the hands of the Government of India. When a leader for the Ministry could not be selected by the local people themselves, the selection had to be made from here. Why did not the •Government of India prepare themselves for the emergency which arose in Orissa, as it subsequently arose, and try to use their good offices, their good personal offices, in seeing that the work of the • Government was carried on at least till the end of the Budget session? The Congress Party of Orissa set up a standard of high irresponsibility in abdicating its ; power and advocating the dissolution of the coalition even before the Budget was presented. I know that it was their original intention to tender their resignation only after the Budget was passed by the State Assembly. But somehow what is said in public is not borne out by what is done in private. On February 15, the Governor of Orissa in his Address to the State Legislature said, quite piously, that political stability was required for the proper functioning of the State. The Ministers of the Government of Orissa must have had a hand in formulating this Address. So, when they spoke about political Stability, they were undermining the

very existence of the coalition Gov-
•ernment. And I do not think that in recent parliamentary history we have
come across a more pitiful ease—I
1110 RS.—6.

am using a very strong word—ot
hypocrisy in dealing with public
matters.

Sir, my friend, Shri Hajarnavis, spoke about coalitions and mentioned the case of Mr. Baldwin and the Union Ministry. I am afraid Shri Hajarnavis's knowledge of thes* transactions is a little defective and requires brushing up. In no part of the world has the leading party in a coalition forced the minority party to merge itself with it.

SHRI R. M. HAJARNAVIS: I have not said that. I have never heard from my learned friend any fact, which I mentioned, to be erroneous I still stand by what I said.

SHRI A. D. MANI: In 1931 when the National Government was formed under Mr. Ramsay MacDonald, the Labour Party refused to be a party io the cut in social services. It left the National Government, but Mr. Ramsay MacDonald formed his own party, the National Labour Party, and that was the party in the coalition. I do not think Mr. Churchill at any time asked Mr. Attlee to merge his party with the Conservative Party during the trouble some years of 1940 to 1945.

SHRI R. M. HAJARNAVIS: The hon. Member is not correct. Mr. Churchill asked Mr. Attlee to continue after the election. Mr. Attlee refused to do that. On that the coalition was broken.

SHRI A. D. MANI: That is a quite different matter. The point I am coming to is this. This is the first year of the Third Plan in Orissa. The Finance Commission was due to visit the State. The Government of India is committed to the wholehearted prosecution of the Third Plan. The other day the Finance Minister spoke about taxes being borne bravely by the people in order that the Third Plan may succeed. When the Third

[Shri A. D. Mani] Plan was going to be put in, was it not the duty of the members of the Government of India to use their personal offices and tell the people concerned, "You must carry on for some time longer and see that the Budget is passed"? I would like to ask the acting Home Minister—who, I am sure if asked privately whether all these things that have happened in Orissa were correct, might disapprove of them—whether any move was made by the Government of India in regard to tendering unofficial advice to the Ministers of Orissa and to the leaders of the coalition parties.

PROF. M. B. LAL: Why not official advice?

SHRI A. D. MANI: Official advice too can be tendered. They can make an appeal in the name of patriotism, in the name of the Third Plan, that the coalition should continue for some time longer.

I would like to refer to one other aspect of the matter, that is, the Governor's part in dissolving the Ministry. I know that the Governor's actions are given a measure of protection in the Constitution. I happen to know Mr. Sukthankar from the time he was made Assistant Commissioner in the old Central Provinces and I know that he is one of the most straight forward men in the Civil service in the country. But the crisis in Orissa showed that the Governor has got an important role to play in a crisis of this character. When the Government of India in the various Ministries is not functioning as well as it should in regard to State Ministerial crises, it is the Governor of Orissa who has got to bring both parties together. I am sure Governor Sukthankar must have done it, but it would perhaps help Governors to

play their part more effectively if the Governors are recruited from public life and are independent men, who command the respect of the people. Governorship should not be made the refuge for backroom gifts for men defeated in the general elections. The person who is appointed, as Governor must command the respect of the people at large and I am sure this is a matter where the acting Home Minister has got to consider the pattern of appointments in future. The Governor has got a very big part to play in crises of this character and he must see that the Governor is one who knows the ways and by ways of political affairs and bring to bear his influence on contending factions. I would like to mention here that we have always thought in terms of getting a majority for this party or that party. The only way in which a coalition Ministry can be kept is power is for the Governor to make it clear to the parties composing the coalition that in the event of any party seeking to break the coalition, he will have no alternative but to order immediately mid-term elections, because nobody likes mid-term elections. It is extremely costly affair and parties may not be prepared for a mid-term election. That is the only basis on which we seek to gather strength for a coalition Ministry. In November last the Governor knew that the Congress Committee in Orissa had adopted a resolution advocating the dissolution of the Ministry. I would like to ask the Home Minister whether any report was made by the Government of India to the Election Commission asking them, in the event of the Constitution being suspended in Orissa, how long the Election Commission would take to organise elections in the country. I know that the acting Home Minister said in the other House the other day that the Election Commission would have to be consulted. Why should consultation take place now? Why was not previous consultation entered into with the Election Commission to find out how long it would take to hold mid-term elections? I am sure if the

Electuon Commission had been alerted about the possibility of the Constitution being suspended in Orissa, steps would have been taken to have the ground-work prepared for the holding of immediate general elections.

I do not agree with my friend, Shri Bhupesh Gupta, when he said that we go to the general elections. It was somewhat curious that, there was a remarkable identity of views between my hon. friend, Shri Bhupesh Gupta and the Members on the other side. Both of them mourn the death of the coalit on. It is because both of them think in terms of a single-party rule. Our monolithic structure, and I am afraid this attitude of mind, which is shown in the action of the Government in suspending the Constitution, is not very conducive to the prosecution of our Third Plan. We have got to reconc^{le} ourselves to the fact that this is a big country and that there are many parties and that coalition is not a dilution of democracy but the strengthening of democracy.

SHRI K. L. NARASIMHAM (Andhra Pradesh): Coalitions are based on proper programmes.

SHRI A. D. MANI: Yes. The programmes are always based on the state of evolution. You talk of dynamism on the one side. You talk of a dynamic Third Plan. How can the programmes arise unless you go on working and try to push through the Third Plan?

I would like to make one other observation and that is that in future whenever any such situation develops, the Government of India should not adopt a passive role in the matter, as if they were waiting for a communication from the Governor of Orissa. The Ministers of the Government of India have a fleet of the Press Trust of India installed in their offices. They get to know the information about what is happening. They should "try, wherever coalitions are formed, to see that the coalitions are given a chance to work. And I think the

coalitions in Orissa—I have no reason to hold any brief far it—has done a good piece of work. It is just because the idea has not gone round that it is possible for men of various views to work together. It is just because of that that the Congress in Orissa acted like the lady and the tiger in the limerick—The Lady and the Tiger —she could only ride on the tiger and she was found later on to be in the stomach of the tiger. They wanted the Ganatantra Parishad to merge itself with the Congress.

I would like to make one other observation before I conclude and that is I believe that the Government of India is having under contemplation the setting up of a Committee which will advise the Government in regard to the transaction of Orissa affairs till the elections are held. I repeat my hope that mid-term elections would be ordere³. I know that there are the difficulties of the monsoon and that It is not possible to hold any election in July. Perhaps the elections may have to be staggered till October, but as far as possible we should try to hold the elections much earlier than the General Elections, if it is possible. I would like to know if any enquiry has been made from the Election Commission as to what would be the earliest date by which the elections would he held. I would like to mention, regarding the Committee which -s going to be set up to advise the Government of India in regard to Orissa affairs, that it is necessary to have Members of Parliament represented on it. It is necessary also to get the leaders of Parties to sit on the Committee. It will not necessarily be a Parliamentry Committee. It will be a Committee set up by P-Hiament, because in these matters we do not want a reversal of the democratic precess to be complete in Orissa. The leaders of political parties may have much to say about the immediate arrangements which may have to be made for carrying on the work till the General Elections. It is a little adjustment of terminology. I do not think that there are insuper-

[Shri A. D. Mani.] able constitutional obstacles for such a Committee to be set up.

I would like to conclude that on the whole this entire affair has given a bad taste in the mouth. Somehow the impression has got abroad, rightly or wrongly, that the Congress would suspend the Constitution if it is not in power, that the Congress would suspend the Constitution if it is in a minority and is not in a position to form a coalition Government. I am afraid that in the interests of orderly evolution of democratic institutions this impression must be removed, and I am afraid that in all these transactions we have shown great weakness. We have not shown that the Orissa affair was a serious matter. At least a Coalition Government formed for the first time in a State which had been known for its political instability should have been given the trial that it deserved.

SHRI B. K. P. SINHA: Sir, when I left the House some time back in the midst of the debate, I left with a feeling of satisfaction for, by then, the tears of Dr. Kunzru had been cancelled out by the laughter of the leader of the Communist Party, Mr. Bhupesh Gupta. The speech of Mr. Bhupesh Gupta convinced me, if I had ever any doubt, that the action taken by the President was the proper action, the only action, that could be taken in the circumstances. Instead of addressing himself to the matter under discussion he rambled in his usual fashion and turned the debate into an inquisition of the Congress Party and into an inquisition of the Governments that Orissa had had from 1952 onwards. There is a proverb in our areas that when a man, instead of advancing arguments, descends to abuse and vituperation, it means that he has no case. When I heard the speech of Mr. Bhupesh Gupta, I was reminded of that proverb and I realised how wise our rural folk were.

It is a sad thing to proclaim President's rule in a State. We have established a democratic system in this

country. We believe that democracy inures to the greatest good of the greatest number. But in the constitution-makers realised that circumstances might arise in which the President would have no option but to take over the administration of a State.

The point at issue in today's debate is whether the action of the President was a proper action or it could have been avoided. Sir, it was clear to me from the speech of the hon. Minister of State of Home Affairs that the two biggest Parties in Orissa which were shouldering the responsibility of government, at a certain stage refused to shoulder that responsibility either jointly or separately, and that the few other members who owed allegiance to this Party or that were not in a position to form either jointly or separately a stable Government in Orissa. In the circumstances it is clear that Government could not be carried on as contemplated by the Constitution, for the Constitution contemplates that Government will be run by the majority party either singly or jointly with some other party. In a situation in which this principle does not work, naturally the democratic system comes to an end, and the President has rightly intervened and taken over the administration of the State. I think this is such a simple issue that I am surprised there has been such a long debate over it. But if such a situation arises, I feel that the earliest possible effort should be made to restore the democratic Assembly of the State. I hope that the Election Commission and the President of India will take early steps to hold an election in Orissa. So far we have had simultaneous elections both for the Lok Sabha and the Legislative Assemblies. There is nothing, however, in the Constitution or in the laws which obligates us to have elections simultaneously. No doubt simultaneous elections have some advantages, but then if the choice is between a simultaneous election and an early restoration of the democratic system in Orissa, I have no doubt, that we

shall prefer to have an early restoration of the democratic system in Orissa and have elections as soon as possible. I do not know why my hon. friend, Mr. Bhupesh Gupta, the leader of the Communist Party, who is so sore over the suppression of the democratic system in Orissa, fights shy of having an election before 1962. I am sure he knows what will be the fate of his Party, and, therefore, out of nervousness he wants to postpone the day of doom as long as possible.

SHRI MAHESWAR NAIK: It is not propitious for him now.

SHRI B. K. P. SINHA: I feel, however, that the coalition should have continued for some time as a caretaker Government, because the Budget had not been introduced. There had been no Supplementary Estimates also and no appropriation. In the circumstances, if the coalition could continue for 21 months, I think it would not have been improper if it had continued for one month more and had appropriations or "on account" Budget. In breaking it when they did, I feel that they acted not with a proper sense of responsibility. On reading the report of the Governor it becomes clear that the responsibility in this matter is not that of the Congress Party but that of the other partner in the coalition. From the summary of the Governor's report which we have got "It is quite clear that the leader of the Congress Party and the Chief Minister, Shri Harekrushna Mahtab, informed the Governor on the 20th February that he was going to resign the next day, and the Governor advised him to carry on till some other arrangement was made. On the 21st February the Governor met the leader of the Ganatantra Parishad who was also the Finance Minister of Orissa, Shri R.N. Singh Deo, and he also told the Governor what Shri Mahtab had told him, that is, the end of the coalition. He said something more. He said that their Government would not present the Budget, on the 23rd. It was the Finance Minister who said this. Moreover, the Governor's report

makes it very very clear that this reluctance to present the Budget came from Shri R. N. Singh Deo, the leader of the Ganatantra Parishad, and not from Shri Mahtab. I do not know how in the face of this Report, Members on the Opposition Benches and even senior statesmen and leader-politicians like Pandit Kunzru, tried to paint the Congress Party as the devil of the drama. If this situation was forced on Orissa, it is more the responsibility of the Ganatantra Parishad than of the Congress Party. Anyway, it is unfortunate that the coalition broke up and they refused to carry on as a caretaker government at a point of time when they broke the coalition. I think it would have been better if they had continued for some time more.

Incidentally questions have arisen about the ethics of a coalition. Now, our ideas about coalition or about the proper functioning of a democratic system or of a parliamentary government are coloured by the experiences of the British people. It is only in Britain that the two-party system has taken deep roots and coalitions are not looked upon with favour there. But the history of other countries, especially the continental states of Europe, is entirely different. There are countries in which there are no two parties, but a multiplicity of parties. In such a situation, coalition is not the exception, rather it is the rule. The same may be said of many Asiatic countries where the democratic system has been given a trial. In India, we find that the pattern is different because one party, the Congress Party, has had an absolute majority, a very comfortable majority, both at the Centre and in most of the States. But at the same time we find that there is a trend towards the growth of multiplicity of parties. There is the Ganatantra Parishad, there is the Jana Sangh, there is the Swatantra Party, there is the Communist Party. So many groups are there. If this development goes on as it has so far, we must visualize a situation in which no party may have an absolute majority and in such a situation, coalition becomes

LSHri B. K. P. Sinha]. essential for the democratic system to work efficiently and I do not see anything unethical or improper in having a coalition. When we have a coalition, we must accept the consequences that flow from it. In a coalition, neither party could put through its whole programme. A new programme based on compromises between the principles and ideologies of the two parties should emerge. To call it unethical or undemocratic, in my opinion, is to ignore the experience, the democratic experience, of the other countries of the world.

Sir, lastly, I would again refer to the criticism of Pandit Kunzru. When a man of his eminence arraigns the Congress Party with the responsibility for the breaking up of this coalition, I feel sorry. Moreover, I fail to understand when he says that the coalition should have continued or that the breaking up of the coalition was an improper act. Let us scan the history of British democracy or the British parliamentary system. There have been, in times of national emergencies, coalitions in Great Britain. After the First World War, there was a coalition in Britain. It was working efficiently and smoothly under the leadership of Mr. Lloyd George who was the Prime Minister of Great Britain. Then came a stage when the Conservative Party which was the major partner in the coalition took a step to break that coalition. I do not think anybody at that time called that step of the Conservative Party unethical, immoral, unparliamentary or undemocratic. And to say that a party must not look to its own interest but should always be guided by interests which are not its own is to ignore fact altogether. The very basis, the very *raison d'être*, for the functioning of the parties is that they have a programme in which they have full faith. They consider that programme to be the best of all programmes and they try by all means at their command to implement that programme. When a situation comes where they feel that they cannot implement that pro-

gramme, then they enter into a coalition. But then at the earliest opportunity when they feel that a stage has arisen when they can single-handedly push through their programme either by continuing the same parliament or assembly or by going in for a new election and coming back with a majority, they take steps to break that coalition. That really advances democracy. That does not inhibit democracy. It is no use continuing a coalition beyond a period during which it is really useful. Therefore, to blame the Congress Party, to arraign it, to criticise it on the ground that it acted unethically, because it wanted to break the coalition in its own interest is not right. Every party in every democratic country of the world has done it. That is the history of every democratic party. Mr. Hajarnavis or somebody else referred to some other coalition. Coalitions are made by necessity. Coalitions in a democratic system are broken as soon as necessary in the interests of the functioning of that party and in the interests of the better functioning of democracy itself.

Sir, in the end, I would simply say that we feel sad for this take-over. We hope that early steps would be taken to have general elections in Orissa even before 1962, notwithstanding the nervousness of my friend, Mr. Bhupesh Gupta. We should take early steps to restore democracy there.

I have nothing to add, and I support the Resolution.

MR. DEPUTY CHAIRMAN: There are a few more speakers. The hon. Minister will reply tomorrow morning. I thought of calling him at four O'clock.

SHRI BHUPESH GUPTA: If the replies tomorrow, I suggest that we can devote the whole day to it.

MR. DEPUTY CHAIRMAN: Yes, we will go on.

SHRI BAIRAGI DWIBEDY: Mr. Deputy-Chairman, Sir, it is really surprising that we have to discuss this matter in this hon. House at a time when both the coalition parties—the Congress and the Ganatantra Parishad—are putting the blame on each other's shoulder. It would have been realistic if we had taken this issue in a spirit of sportsmanship and that would have given rebirth to a fair democratic administration there after this unhappy situation has ended. But to my surprise, Members of this House, much older than myself, have taken the issue in a different light and just have manifested their own mind which was reacting in the State. Members of this hon. House belonging to the other side have expressed their destructive mind at a time when it is not needed. Actually, this was the position in Orissa. Prior to the dissolution of the coalition, some members of the other party in Orissa were in favour of the Coalition Government, whereas others not. In his speech, Mr. Biswanath Das has expressed his view on many points, especially regarding prohibition. I would have remained quiet on this issue but when a responsible member of the Congress Party says such thing in this hon. House and expresses it to be a reason for the break-down of the coalition, I am surprised. Let him know that

after a few days the Budget 4 P.M. of the State will be presented in this hon. House for discussion and I would request Mr. Das to see that the amount provided in the Budget as receipt is scrapped from the Budget. I think this is the only solution to the point referred to by my hon. friend.

Sir, coming to this discussion it will be fair on my part to refer to some correspondence that has passed between Dr. Harekrushna Mahtab, the leader of the State Congress Party, and Shri R. N. Singh Deo, the leader of the Ganatantra Party. Sir, in a letter dated the 15th February, 1961, Shri R. N. Singh Deo has expressed his view to Dr. Harekrushna Mahtab.

"In view of the election of Shri Bijoyanand Patnaik as President of UPCC and his recent statements, which have appeared in the press, I had mentioned to you yesterday of the need for our knowing clearly the attitude of your Party so that we will know where we stand. Although I believe that you will not be a party to the formation of any weak Government susceptible to pressure tactics, nor support the formation of an alternative Government by dubious or unethical means, as an atmosphere of political uncertainty regarding stability of the present Coalition Government would have a demoralising effect on the administration and on the State, I hope you will agree with me that the position should be clarified at the earliest opportunity."

SHRI BISWANATH DAS: May I request the hon. Member through you, Sir, to place the letter on the Table of the House so that when we get the entire letter we would be able to see the real picture?

SHRI BAIRAGI DWIBEDY: Why not? I place it.

Again, Sir, Shri R. N. Singh Deo, in his letter No. 22/MF(Res.) dated the 18th February, 1961, has placed one more point in the last paragraph of the letter.

"Shri Bijoyanand Patnaik has been making vague and general charges against the Ganatantra Parishad Ministers in the Coalition which are baseless and mere shibboleths and slogans to camouflage his ambition to come to power in Orissa through any means. If as a result of the dissolution of the Coalition there is any setback in the progress, or there is any loss to Orissa, those whose personal ambitions, selfish desires and indecent manoeuvres brought about the present situation

[Shri Bairagi Dwibedy.]

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must be held fully and squarely responsible."

Dr. Mahtab in his letter No. 1407-CM dated the 24th September, 1960, has written as follows:—

"For some time past I have been thinking of the turn the political situation in Orissa is taking. Powerful pressure is working to bring about a Ministry which will succumb to various interests. In course of my talks with all my colleagues I have repeatedly made clear that I will never be a party to any arrangement which will make the Government a weak one. As you know, after a good deal of thought we decided to work together. There is pressure from our side that this arrangement should be brought to an end as soon as possible. Here something personal for me arises. At this age and stage of life I do not think I can make myself useful to the society by engaging myself in political manoeuvres to secure support and withstand pressure. I shall be happy if I could engage myself wholly in some tangible work which will do good to the society."

So on it goes.

[THE VICE-CHAIRMAN (SHRI ROHIT M. DAVE) is the Chair.]

Here is the reply to the above letter from Shri R. N. Singh Deo, the Finance Minister, to Dr. Harekrushna Mahtab, the Chief Minister. The letter is No. 47-MF/Res. dated the 24th September, 1960.

"While nothing with regret that powerful pressure is working to bring about a Ministry which will succumb to various interests, I appreciate your decision not to be a party to any arrangement which will make the Government a weak one. You are aware of the fact that we decided to work together to bring about a stable and clean administration. Any yielding to pressure tactics would amount to a negation of

the very purpose of our present arrangement. Since pressure from, your side to end the present arrangement as soon as possible is such as to induce you to wish to be relieved of your present position, it is difficult for me to visualise how the existing arrangement can continue to fulfil its objective."

This is all enough, I think, to show that neither Dr. Harekrushna Mahtab nor Shri R. N. Singh Deo is responsible for the breaking of this Coalition Ministry. It is apparent from these letters that there are some pressure tactics.

Reference has been made to the present PCC President, Shri Bijoyanand Patnaik, and the outgoing President, Shri Banamali Patnaik. Dr. Mahtab and Shri R. N. Singh Deo are the two veteran politicians with a lot of sincerity and goodwill in them, but then, from the letters that I have placed before the House it is clear that there exist a group in the Congress which worked to finish this Coalition to fulfil their personal ambitions. They were motivated by such ambitions. But there are other persons in our State who belong to the same organisation and are attached to Dr. Mahtab and Mr. Patnaik, and we stand as solid as ever and are still prepared to support a Ministry which will be formed in the State to fulfil our desired objective, namely, to accelerate the development programme in the State without any pressure tactics.

It will not be out of place if I say, after placing these four letters before the House, that an impartial enquiry be conducted if necessary to establish the genuineness of these letters and to prove my statement that there is a group in the Congress which was working to fulfil its personal aims and ambitions and to frustrate this Coalition Ministry.

SHRI BISWANATH DAS: May I, Sir, draw his attention to the statement by Dr. Mahtab where in he suggests the

application of a Coalition Ministry to other States also? That is his honest thinking.

SHRI BAIRAGI DWIBEDY: All right; there is nothing wrong in it.

Again, Sir, reference has been made by Mr. Biswanath Das regarding our party's proposal at the annual conference held at Hinjlikatu. I am prepared to place a copy of this resolution before the House. He just attacked that resolution perhaps because it was not so palatable to him, but any man who is responsible and sensible to understand the gist of the proposal we made at that conference will bear me out when I say that my party stands by the common programme which we in collaboration with the Congress were desirous to implement. So, this resolution which ranks No. 3 is written in Oriya.

The gist of this resolution is that our Party drew the attention of the Coalition to the common programme and reminded our Ministers in the Coalition to implement that agreement which they had reached amongst themselves before they joined the Coalition. At the same time our party expressed the view that they had joined the Congress in ~a coalition maintaining its identity as clearly as possible and without any intention of hampering the common programme agreed to by both the Parties before forming the Coalition. At the same time our party gave a warning to our members, Ministers in the Cabinet, to see that the programme which we had signed before joining the Coalition should be implemented. This was the only resolution which was passed.

SHRI BISWANATH DAS: The thing is not translated correctly.

Sam BAIRAGI DWIBEDY: I place the entire resolution before the House to be incorporated in the proceedings .of the House.

Sir, with a clear understanding and sincere motive we joined the Congress

to form a coalition. What was the unexpected reason that finished the Coalition in so short a period? When the Governor, while opening the Budget Session, in his Speech detailed the various activities of the Coalition Government, what necessitated the breaking up of this Coalition? It was nothing but the personal motives of the newly elected President of the P.C.C. who manoeuvred and created an atmosphere which created a misunderstanding both at the Centre and the State.

In this connection, Sir, I may mention that Mr. Bhupesh Gupta was very vociferous. He mentioned things which were neither to the point nor up to the mark. A spokesman of hrs *p*arty in the other House has mentioned this coalition as a "marriage of convenience". Anyway, the term "marriage" is there which at least can satisfy us. But in this unfortunate situation Mr. Bhupesh Gupta and his party have played the role of a concubine which was just prepared to pave the way for the dissolution of a noble administration. I think this is the way in which my friend, Mr. Bhupesh Gupta, is satisfied.

The role of the Communist Party after second General Election is quite clear to those who are associated with the Orissa problem. It may not be out of the way if I say that some of the members of this Communist Party

: are now working as journalists and
I Managers in the newspaper named "Kalinga" which has been newly started by the present P.C.C. President, Mr. Bijoyanand Patnaik. I should say, again, that this party just sided in the Zila Parishad and voted with Mr Patnaik's group which had already an overwhelming number in my district of Sambalpur. Therefore, I am/really justified if I say that the party, to which Mr. Bhupesh Gupta belongs, is also working as a concubine by helping a section of the Congress group
I here against this Coalition. Sir, it is
/ (Time bell rings.)
] up to this Government here to take-

[Shr; Balragi Dwibedy.] < ssary steps so that the democratic approach in Orissa does not suffer to any greater extent than is expected to.

Sir, I may not be out of my way if I say that there is a manoeuvre from the side of those persons who are responsible for breaking the Coalition to remove the present Governor who is working satisfactorily and who knows the minds of those who were fairly, squarely and sincerely prepared to run the Coalition. If they are able to remove the present Governor from his post, then I think their reputation of fulfilling their selfish motives will prevail and there will be no possibility of getting the people of Orissa out of the clutches of this imperialistic President of the Provincial Congress Committee. Thank you.

SHRI K. SANTHANAM: Mr. Vice-Chairman, Sir, the debate has largely centred round the character and conduct of the two political parties in Orissa. I do not say that it is not relevant, but in my view it is a minor issue and I wish to concentrate the attention of the House on what I consider to be the major issues involved in the resolution before the House. I think, Sir, they are as follows:

(i) Can there be a breakdown of the Constitution deliberately and voluntarily arranged by politicians and parties;

(ii) is article 356 of the Constitution intended to suspend the Constitution in these contingencies;

(iii) is the action taken proper; and

(iv) if the action taken is not proper, what was the alternative?

Sir, I shall answer briefly all these four issues.

It is altogether dishonourable on the part of any Indian politician to arrange the bringing about of a breakdown of the Constitution. Sir, I think though it may be in a State, a break-

down of democracy is a breakdown of democracy, and if the people of India can be accustomed to breakdowns in the States, slowly but surely their minds will be acclimatised to a breakdown at the Centre also.

Sir, I put a question to Mr. Datar. If in the Central Parliament there are two equal parties which get into a coalition and if the coalition breaks down, what would happen? It is fortunate that we are not in that position today, and I hope that we shall not be in that position for some time at least to come. But some day or the other it is bound to come and it is better that our mind is ready for such contingencies. There is no provision for any Presidential rule at the Centre. That cannot be. If a coalition broke down, then immediately there should be a dissolution and after dissolution, if the same situation occurs again, then one or the other of the parties should have the judgment and the good sense to say, "Let the other party rule. We shall submit to that rule till we are in a position to dissolve the House again and get in as the majority." That is the only democratic attitude, and I think it was open either to the Ganatantra Parishad or to the Congress Party to have said, "We do not want a breakdown of democracy." I do not blame them for breaking the coalition. It is open to any party to break the coalition if it does not suit it. There is nothing to prevent the breaking of a coalition. Having broken the coalition, why could not the Congress or the other party rule? Or why was not the Governor called upon to dissolve the Assembly so that it may come back to power?

SHRI GOPIKRISHNA VIJAIVAR-GIYA: It is as yet too early. They may do so.

SHRI K. SANTHANAM: It is not too early. Suppose it had happened at the Centre. That very day there should be dissolution, because you cannot have President's rule here. What is the intention of article 356? It is not to oblige political parties and

scheming politicians to bring about i an artificial breakdown of the Consti- | lution. It is provided for conditions in ' which the government has physically broken dQwn, where there is civil war, where nothing can be done and so the President, has to take power and bring about order and then restore democracy. It is not intended to * kill democracy in this manner. Sir, .l was there when the Constitution was being framed from the beginning ■JO the end and I was there throughout the discussions. There it was pointed out by certain persons that this might be used in the interests of political scheming by political parties and politicians. But We could not see any way out because we had to provide some emergency measure. Then it was argued that those who would be in charge of the working of the Constitution would have the far-sightedness and judgment not to resort to it, tf humanly such resort could be avoided.

Now I come to the third issue. Is the action taken legitimate and proper? I consider, Sir, it is not legitimate and it is not proper. If from the very beginning the Governor had stated to the parties, "The moment you break down, there will be dissolution and general election" things would have been different. Sir, my hon. friend, Mr. Mani, was speaking about the Election Commission being ready. The Election Commission, of course, is always ready, because the voters' lists are ready and there can be an election within six weeks of any breakdown. Therefore, the Governor could have told the parties, "If you people are not ready to function then I will put three members of the Orissa Legislature, as a caretaker government or ministry and dissolve the Assembly. Let the people of Orissa then judge." Sir, if he had said that, then I have not the least doubt that neither the Congress Party nor the Ganatantra Parishad would have been prepared for it. I say this because today what do they want? They want the Centre to hold the baby for eight or nine months so that

all their sins of Commission and Omissions might be erased from the minds of the people and they might not have to face the judgment of the indignant electorate. That is not the way to save democracy. Every politician should be ever ready at any time to go before the electorate and justify himself. If he cannot justify himself, let him step outside politics and do some other work. This sort of manoeuvring by which people get time and ask the President to hold the baby, suspend the democratic Constitution, and then prepare for election, that I say, is not honourable politics. This should not be encouraged in this way. Therefore, I say the Centre must have instructed the Governor to dissolve the Assembly and to hold general elections. Of course it was very bad of those people not to pass the Budget. In that case the Presidential Order should be confined to the passing of the Budget and immediate dissolution and re-elections should have been ordered. Then the principles of democracy would have been established and the people of India, not only in Orissa but throughout the country, would have been educated. That would have been a lesson to all the political parties in every State Legislature that if they misbehaved, they would have to pay the penalty immediately and they could not expect the President or the Central Government to go to their rescue.

Sir, much has been spoken about general elections. In the Constitution, there are no general elections. The five-year period is the upper limit. There is nothing to prevent the President and the Governor dissolving Parliament or the State Assembly at any time. It is only as a matter of convenience that we hold elections to Parliament and to the Assemblies at a particular date. As a matter of fact, there is not going to foe a general election for the Kerala Assembly. There was no general election for the Andhra Assembly in 1957. Therefore, if there had been a mid-term immediate election to the Orissa Assem-I bly. nothing would have been lost and

[Shri K. Santhanam] the country would have gained. If the Orissa politicians, those in the Ganatantra Parishad and the Congress, were not prepared for the elections, they should have had the wisdom and the sanity to get together till they were ready for the general elections. If not, they should have gone to the electorate and asked for its verdict.

I know, the Central Government in all this is absolutely bona fide. I am sure that they are as anxious for the working of democracy in this country as myself. But unfortunately, they have allowed themselves to set bad precedents and they are caught in their own precedents. I would earnestly appeal to my hon. friend, Shri Lal Bahadur Shastri, to turn a new leaf and set up a new precedent and tell every party that whether it be internal factions or external quarrels, they will not be allowed to come under the protection of the President, that their masters are the electors and we shall treat the State Constitutions as sacred as the Central Constitution and that the Centre will not interfere except when there is physical breakdown. Unless some such principles are established and scrupulously followed, I feel that the future of democracy is at stake. Sir, it is only our Constitution that is between us and political chaos. I am not surprised that my hon. friend, Shri Bhupesh Gupta, is so jubilant about the breakdown of the Constitution in Orissa. He will be much more jubilant if all the State Constitutions break down; and his jubilation will go sky high if the Central Constitution also breaks down, because after all the future of Communism in India is dependent on the breakdown of the Constitution.

SHRI K. L. NARASIMHAM: Question.

SHRI K. SANTHANAM: So long as the Constitution functions, you will only be questioning. You will

never come to the other side. That is why I want that this Constitution should function and function effectively. I would make an earnest appeal that this should be the last and the final proclamation for the defence of political parties.

Thank you, Sir.

श्री गोपी कृष्ण विजयवर्गीय : उपसभाध्यक्ष महोदय, जब यह कोलेशन हुआ था तो उसके ठीक बाद ही मैं उड़ीसा गया था और गणतन्त्र परिषद् और कांग्रेस दोनों के मिनिस्टर्स से मैं मिला था। उस समय प्रयोग शुरू ही हुआ था और आम लोग, दूसरे लोग और जो मिनिस्ट्री में थे वे, कह रहे थे कि अभी तो शुरूआत ही रही है, नतीजा बाद में मालूम पड़ेगा।

उस समय जो भाषण हुये हैं उनमें से कुछ लोगों ने यह भाषण दिया कि इस मिनिस्ट्री का गिरना गया एक तरह से डेमोक्रेसी का गिरना है। यह बात गलत है। मिनिस्ट्रीज तो आती और जाती रहती हैं और कोलेशन भी बनते हैं और टूट जाते हैं किन्तु कोलेशन के बनने और हट जाने का यह मतलब नहीं है कि उस प्रान्त में डेमोक्रेसी का डी खाल्ता कर दिया गया है।

PROF. M. B. LAL: What about Governor's rule?

श्री गोपी कृष्ण विजयवर्गीय : ठीक है, यह आपकी राय है और मैंने अपनी राय दी है कि कोलेशन जबरदस्ती नहीं चल सकता है। मिया-बीबी की राजी हो तभी वह चलेगा और मिया-बीबी में से दोनों अगर राजी न हों, तो वह जबरदस्ती नहीं चल सकता है। फिर यहां यह फंसला देना एकतरफा फंसला है कि यह कांग्रेस वालों की ही गलती है जबकि यहां ऐसे भाषण हुये हैं हमारे मित्रों के जो कह रहे हैं कि जब सब से पहले कोलेशन बना, उसके बाद ही गणतन्त्र

वालों की तरफसे ऐसे भाषण हुये, ऐसे स्टेटमेंट हुये जो उसकी भावना के विपरीत थे और दोनों एक दूसरे के लिये इस तरह से यत्न कर रहे थे, मेनोवर कर रहे थे। तो इसका मतलब यह है कि ईमानदारी या एक दूसरे के प्रति ट्रस्ट या विश्वास के आधार पर अमल नहीं हुआ। इसलिये यह बहुत कलमजबूत है कि एकतरफा फैसला दे दिया जाय कि कांग्रेस ने गलती की या इस कोलिशन को उसने तोड़ दिया। किसने तोड़ा, इसकी जांच करने का यहाँ मौका नहीं है। अभी संतानम् साहब ने जो भाषण दिया उसमें उन्होंने यह कहा कि इसमें कोई शक नहीं है कि इससे बड़ा नुकसान डेमोक्रेसी को हुआ है लेकिन जहाँ तक सेंट्रल गवर्नमेंट का सम्बन्ध है उसने ईमानदारी से बर्ताव किया है। वह और क्या कर सकती थी जब पार्टियों में लड़ाई हो, उनके अन्दरूनी झगड़े हों, पदों के पीछे के झगड़े हों? सेंट्रल गवर्नमेंट के पास यह वस्तुस्थिति थी कि वहाँ दोनों पार्टियाँ शासन चलाने के लिये तैयार नहीं हैं और प्रेसिडेंट को अपना शासन जारी करने के सिवाय और कोई रास्ता नहीं है। तो यह चीज थी।

प्रोफेसर साहब जिनकी मैं बहुत इज्जत करता हूँ उन्होंने यह कहा कि हमारा फेडरल टाइप का कांस्टीट्यूशन है और जो स्टेट्स हैं उनकी अपनी पावर्स हैं, सेंटर जो चाहे वह पावर नहीं ले सकती है। मैं मानता हूँ कि इसमें यह ढंग काफी है लेकिन अमेरिका के कांस्टीट्यूशन में भी, जो कि फेडरल है, इस तरह के अमेंडमेंट्स हुए हैं और उसकी प्रैक्टिकल वर्किंग इस ढंग से हुई है कि धीरे धीरे सेंट्रल गवर्नमेंट की पावर ज्यादा बढ़ गई है।

PROF. M. B. LAL: But not Governor's Rule?

SHRI DAHYABHAI V. PATEL: But not President's Rule?

श्री गोपी कृष्ण विजयवर्गीय : आप गवर्नर्स क्ल की मिसाल न दें। अमेरिका यू० एस० ए० का जो कांस्टीट्यूशन है वह भी फेडरल है और वहाँ भी अन्त में सेंटर की पावर्स ज्यादा बढ़ गई हैं और फेडल यूनिट्स की पावर्स घट गई हैं। तो यह चीज तो अमल में आनी होगी ही, इसमें कोई डॉगमा या सिद्धांत नहीं चल सकता है। इसको हमें प्रेगमेंटिक ढंग से देखना चाहिये। हिन्दुस्तान की परिस्थितियाँ ऐसी हैं कि न सिर्फ उड़ीसा में, बल्कि हो सकता है कि कल को बंगाल में, परसों को और किसी प्रांत में मल्टी-पार्टीज डेवलप हो जायं, अनेकों पार्टियाँ हो जायं और उस वक्त कोलिशन गवर्नमेंट बने और फिर टूटे। इसलिये कोलिशन गवर्नमेंट के टूट जाने से हमको धक्का नहीं चाहिये। यह जो घोषणा प्रेसिडेंट की हुई वह ठीक हुई है और इसमें जो यह कहा गया है कि इलक्शन जल्दी से जल्दी हो उसकी मैं भी तारीफ करता हूँ। इलक्शन जल्दी से जल्दी हो जाना चाहिये। किन्तु, १० या ११ महीने का यह जो वक्त है उससे यह तो नहीं कहा जा सकता कि इससे कांग्रेस ही फायदा उठायगी। इससे सब को मौका मिलेगा, पी० एस० पी० को भी मौका मिलेगा, कम्युनिस्ट को भी मौका मिलेगा और गणतंत्र भी फायदे में रहेगी। अगर १० महीने का मौका मिल जाता है तो वह कोई ज्यादा मौका नहीं है। फिर भी, अगर सेंट्रल गवर्नमेंट समझती है कि जल्दी चुनाव हो सकता है तो उसको कराने में इस घोषणा के निकलने से कोई बाधा नहीं पड़ती है। हमारे देश की हालत ऐसी है कि यहाँ भिन्न भिन्न पार्टियाँ हैं और उसको देखते हुए प्रेसिडेंट के द्वारा शासन होने का विधान रहना चाहिये। इसमें कोई खराबी की बात नहीं है।

[श्री गोप.कृष्ण विजयवर्गीय]

जब यह कोलिशन शुरू हुआ था उसी समय इस बारे में मुझे कुछ शक था। मैं भी उन लोगों में था। लेकिन यहां जो कहा गया कि हाई कमांड ने ऐसा किया तो वह ठीक नहीं है। कांग्रेस के हाई कमांड ने तो इस कोलिशन की इजाजत नहीं दी थी। बड़ी बहस हुई थी और बहस होने के बाद ए० आई० सी० सी० के सामने हरेकृष्ण महताब साहब ने यह कैसे रखा था कि किस तर से कोलिशन के होने से फायदा है और इसके लिये उनको इजाजत मिल गई और सभी भी जब कि कोलिशन तोड़ा गया तब भी हाई कमांड से नहीं पूछा गया। कांग्रेस हाई कमांड ने भी इसे बनवाया था और न इसे तुड़वाया है। यह जो हुआ वह तो लोकल मामला है। लेकिन मैं यह कहना चाहता हूँ कि इस तरह से कोलिशन के बनने या बिगड़ जाने से एकतरफा फायदा नहीं देना चाहिये कि कांग्रेस ने उस प्रान्त में डेमोक्रेसी का हत्या कर दी या डेमोक्रेसी को नष्ट कर दिया।

मैं समझता हूँ कि जो कुछ किया गया उसके अलावा कम से कम केंद्रीय गवर्नमेंट के पास कोई दूसरा रास्ता नहीं था और जो उन्होंने किया है वह वैधानिक ढंग से ठीक किया है। इसलिये, हमको, इस हाउस को, इस मोशन को सपोर्ट करना चाहिये।

SHRI BIBUDHENDRA MISRA: Mr. Vice-Ghairman, the debate has aroused considerable passion and has generated a lot of heat. Out of the speeches that have been made, Sir, some were good enough to be made on public platform and in the electioneering campaign. I do not mean to cast any aspersions but I wish there had been an awareness of the responsibility that we owe to the House in discussing a matter of the kind that we are discussing today. We need a clear and objective analysis of

the situation for a proper understanding of the facts as they unfolded in Orissa during the last few months and particularly just before the resignation of the Coalition Ministry.

Sir, various accusations have been made, some of them not on facts and even known facts have been suppressed. It has been said, to start with, that the coalition was an unprincipled one. There, Sir, as a party to the coalition, and coming from the State which had the Coalition Ministry, I beg to differ. The coalition, whether you like it or not, whether it was to the liking of other parties or not, had definitely a common programme. Apart from the general question of running the Five Year Plans to the best interests of the country, which is an all-India question, in the peculiar circumstances of the State, taking the background of the State as a whole, certain measures were also agreed upon. One of them was that there should be an attempt to ensure economy in the administration; the other was that there should be an endeavour to have the policy of State trading in foodgrains and there should be an endeavour by both parties to the coalition for the merger of the outlying Oriya tracts into the State of Orissa, including Saraikela and Kharsawan. These, Sir, in short, were some of the programmes on which the Coalition Government entered into office. Whether it was to the liking of certain political parties or not is immaterial but it was thought then that in the best interests of the State there should be a wider basis for the Government that political squabbles should come to rest so that political stability in the State primarily for working out the Five Year Plans and also to work out the other objectives may be established. Here, Sir, I would refer to a pertinent question that was raised by Dr. Kunzru. The Home Minister stated that the Coalition was working well, that it had the support of 110 out of 140 Members of the Legislature and in this connection Dr. Kunzru pertinently asked, if it had the support of 110 Members of the House, if it

was working satisfactorily, why it was considered necessary to get out of it and why it was not considered necessary to continue it till the end. I think, Sir, this is a pertinent question that has been raised by Dr. Kunzru. So far as the facts are concerned, I do not agree with the Home Minister that the coalition was working well. Unfortunately, it did not work according to the expectations. That was the most unfortunate part of it. The first day the Ministers went to Raj Bhavan at Cuttack to take the oath of office, the then President of the Ganatantra Parishad, Shri P. K. Deo, made a statement to the press—the first gesture from the coalition partner—and he said, "I came to this Raj Bhavan on the day of the liquidation of the Princely Order. I have come here again today on the day of the liquidation of the Congress Rule in the State". This was the first gesture. It alarmed many people and it created a feeling of disgust in many quarters but then it was thought that possibly that might be the personal view of the person concerned and that it was not or it could not have been the view of the party. Still, in good grace, the Congress wanted to carry on and for twenty-one months we did carry on the Congress-Ganatantra Parishad coalition. There is a saying that the parties to the coalition do not love each other and that the first twelve months of this rule just showed the highlights, the way the wind was blowing.

AN HON. MEMBER: 21 month?

SHRI BIBUDHENDRA MISRA: I am speaking of the first 12 months till May, 1959.

DR. A. SUBBA RAO (Kerala): You are showing how the trend was developing.

SHRI BIBUDHENDRA MISRA: You will find that not a single word was said about the merger of the outlying Oriya tracts. Nobody said a word about it. Instead of effecting economy in the Administration several posts were created and it was even necessary to create an additional post of

Inspector General of Police which has been discontinued now because of the incumbent having been raised to the position of Inspector General of Police. That is the sort of economy. And so far as lessening the burden of taxation is concerned, sales tax was levied even on the common consumption materials like potato and onion. And above all, the agricultural lands were exempted from the operation of the Estate Duty. You can very well realise to whose interest it is that the agricultural lands of the State were exempted from the operation of the Estate Duty.

SHRI DAHYABHAI V. PATEL: You must have had a very capable Finance Minister then.

SHRI BIBUDHENDRA MISRA: It is very well known who are those persons in the State and who are those persons in the ruling party who possess thousands and thousands of acre of agricultural land. While this process went on step after step, these highlights of the Congress-Ganatantra coalition, the common man, the rank and file not only of the Congress but also of the Ganatantra Parishad looked askance and aghast. They could not understand the way in which the wind was blowing. I am not making it a secret as Congressman. It may be said that the critics may take advantage of the fact and say that "you have committed a blunder by entering into a coalition." But we will have the pride that, whenever we felt that a wrong had been committed, that the trend is not proper, that things are not moving in the correct way, the Congress also had the good sense of halting, of questioning and of retreating to take the right step. There was questioning from all quarters. When Mr. Sanjiva Reddy, the Congress President, had been to Orissa in the month of May, I suppose, in 1959, these questions were put to him. "You decided in the A.I.C.C. that there should be this coalition. What are we to do now?" He realised the situation and he said: The Provincial Congress Committee decided it; the Provincial

[Shri Bibudhendra Misra.] greso "Parliamentary Party decided it and the A.I.C.C. also decided it. So if you want that it should break you have to go through the whole procedure. And the procedure started in the month of November, 1959. It was not only the Provincial Congress Committee; but the matter was also referred to the different District Congress Committees and they were all of the opinion that not only in the interest* of the Congress but also in the interests of the country this coalition must go. So this was a democratic opinion, not taken by a few persons who are engineering to capture power as has been stated; not by the Provincial Congress Committee alone, but it is the opinion of the rank and file of the Congress, of the different District Congress Committees. My friends in the Ganatantra Parishad have tried to show that there has been no difference amongst them, that there was a sense of amity. It was not true, Sir, otherwise the Resolution which was read out here does not carry any meaning. Why lay stress on 'You carry out the programme'. What happened at the meeting of the District Committee of the Ganatantra Parishad of Kalahandi District? In the presence of its leader Mr. P. K. Deo, it passed a Resolution saying that all is not going on well with the Coalition Ministry.

SHRI LOKANATH MISRA (Orissa): That was mentioned in connection with the Ministers of the Congress; not of the Ganatantra Parishad.

SHRI BIBUDHENDRA MISRA: What is Coalition Ministry? It is not an individual thing. If you held the Ministry responsible how is the Congress alone responsible? Your Ministers also are responsible. Then the President of the Parliamentary Party of the Ganatantra Parishad who has been sacked now—I do not know the reason—also issued a statement that it is not working well. So, Sir, it is wrong to say that this—call it constitutional breakdown, call it political breakdown came on the State all of a sudden. It has been there in the air for the last one

year. I do not know wherefrom the Home Minister got the information or carried the impression that the Coalition was to continue till one or two months prior to the election because the Governor's Report itself shows that it was quite a long time in the air that the 'Coalition would break but it was not anticipated that it would break even before the Budget was presented. That was the crux of the problem. Otherwise it was known for the last one year that the Coalition would come to an end because the people never wanted it; the rank and file never wanted it. It did not serve anybody; I do not know whom it served. Whatever might have been the mistake that the Congress has committed, I consider that it was the right step for the organisational wing of the Congress to have made a heart-searching and retraced its steps and to have had the courage to say that its earlier decision was not probably correct.

That being the position, the only point to be considered is that the Ministry could at least have been carried on till the passing of the Budget. To that point I would say that the much-maligned new P.C.C. chief had no objection. It is wrong to say that he was behind its back. He said, "Let the Budget be passed." He issued a statement on February 11 itself saying that the Budget be passed and that he had no objection but there was again this pressure tactics from the Ganatantra Parishad. The Finance Minister, because he held the portfolio of finance, had the key in his hands. He wanted not only an assurance that they would be there till the Budget is passed but also a further assurance that they will continue to see to its working for a few months more. He said then only he will present the Budget; not otherwise. In such circumstances what else could be done? Instead of asking for a breakup of the Coalition, what else could have been done? That being the situation, the coalition parties not agreeing to the continuance of the coalition, no single party willing to form a Government, there was no other alternative

in my opinion' for the Governor but to ask the President and there was no other alternative before the President but to take over the State. We may grieve over it very much. We do; it is really a sad thing that President's rule has been imposed on the State but then you have to take the logic of facts, the logic of the compelling circumstances. It is no use expressing pious platitudes either in ignorance of facts or crucifying them aside. So far as the friends of the P.S.P. and the Communist Party are concerned, they have waited over the denial of Democracy to the people of Orissa. I do not know what alternative they have suggested. I will only read out the opinion of the Communist Party which has come out in their paper also. They say.

"If the State; Assembly is dissolved just a year before the general election the alternatives are either imposing the President's rule on the State or to hold mid-term elections-In the first case the people of the State will be deprived an elected Government for over a year; in the latter case they will be dragged into an election before the rest of the country goes to the polls."

They do not suggest here any alternative. So far as the first portion is concerned, that is the imposition of President's rule, this was the stand that their party took before the resignation of the Coalition Ministry on February 21. On February 17, while speaking on the Motion of Thanks on the Governor's Address the Communist spokesman said that 'this Coalition Ministry should go. We welcome the President's rule.' So before the resignation of the Congress-Ganatantra Parishad Coalition Ministry they welcomed the President's rule. The first part is over. So far as the second part is concerned, that is, the general election, they say, 'it is advantageous to you; it is not advantageous to us. Please do not hold general elections.' The National Committee of the C.P.I. has passed a resolution to that effect asking not to

hold general elections because it is not convenient to them.

Similarly, what is the position of the P.S.P.? The Orissa wing of the P.S.P. Executive meeting in the capital of Orissa, Bhubaneswar, on 17th February passed a resolution. That was also before the resignation of the Coalition Ministry and they said: -

"However we may detest the imposition of President's rule in the peculiar condemnable state of Orissa politics it is advisable that the President should take over."

Sir, I am only translating in English from the resolution which is in Oriya. They further go on to say:

"The next alternative will be to hold a mid-term election and then the party who comes in a majority shall form the Government."

That was their view then on February 17. I do not know what happened in between. I do not know why they demand a change. The P.S.P. spokesman from our State in the other House said, 'Mid-term election is not congenial; please do not hold mid-term election' Sir, the only question I want to ask is, if all the political parties under the pressure of circumstances, or under the compelling logic of events, welcome the President's rule and if none of them- is willing to go in for a general election, then why wail over the people's plight because of your failure to rise to their expectations? If you are so very serious about people's democratic rights then you must say, 'hold the election; do not delay it. It does not matter whosoever comes into power. Sir, we have been accused by some important Members that the Congress wants to delay the elections because it wants that its misdeeds may be forgotten.

SHRI K. SANTHANAM: I think I never mentioned Congress or any party whatsoever.

SHRI BIBUDHENDRA MISRA: I did not mean you. I said some Members. I would only like to tell such Members that the Congress is the only party in India that reminds the people of its misdeeds, if any, by having discussions in the A.I.C.C., by discussions in the P.C.C. and by discussions among themselves. They do not want to keep it a secret. If they have committed a blunder, they always say that they have committed a blunder and try to rectify it. There is no secret about it. Therefore, if you are really sincere that there should be a mid-term election, that the people of Orissa should not be deprived of their democratic right, we are prepared for a mid-term election. On behalf of the Orissa State Congress I can speak for the majority view. Let the other parties who want it say that they are for mid-term elections.

SHRI LOKANATH MISRA: What are you in the Congress?

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SHRI BIBUDHENDRA MISRA: Much more than what you are in the Ganatantra Parishad- It is unfortunate that in this transaction the Congress has been maligned. I have stated the facts. I have not made a secret of it that the Coalition has failed. I have also quoted the mistakes of the Coalition. But it is unfortunate that this has been taken as an occasion to malign the Congress. I am sorry the role of the Congress in Orissa has not been properly realised. It is an unfortunate situation. It will be realised and it ought to be realised that in 1957 in Orissa the Congress was in power and could have continued in power. I am sure that it could not have been driven out, unless it had resigned. As has been stated by the Home Minister, it had the support of independents, of the Jharkhand people. It had the support of my communist friends as well. Because on their very thesis, they would support our Government. They would not support any other Government, except the Congress Government, because the Congress was the lesser evil, according to them, and they were also supporting the Congress.

i TY CHAIRMAN in the Chair]

The Congress could not have been i out of power. The communists thought that a broad basis was necessary for the working of the Five Year Plan. It could not have been driven out. Then, again, heading the Government having 110 Members in the House, it could have continued. But then it realised that probably things not going on well and it did not want to stick to power. Then, Mr. P. C. Joshi, the communist spokesman, had written an article saying that it would be better and constitutional right for us to form a Government. Had the Congress formed the Government, obviously in that case the communist support would have been there. But the Congress in view of its past experience did not like to do that and advised the Governor to take any step that he liked.

These are the three occasions on which the Congress acted true to its role, true to its tradition. It has been forgotten today in the heat of the moment. But I am certain that when the heat subsides and the dust settles down, the verdict of history will be in favour of the Congress.

SHRI K. L. NARASIMHAM: Mr. Deputy Chairman, I have carefully heard the speeches made by hon. Members on the President's Proclamation. I never wanted to speak, but as some Members have referred to the Communist Party and their attitude in the political situation of Orissa, I am forced to say a few words and I shall confine myself to a few remarks on the issues raised in this debate.

The first is that an hon. Member has compared this with the dismissal of the Ministry in Kerala and accused the Communist group that we were not as vociferous as we were when the Ministry in Kerala was dismissed. I want to tell that Member and the House that there is no comparison here. There the party which had the majority and the Government which commanded the majority in the House was dismissed undemocratically.

by the Government of India, taking advantage of the situation they themselves created in that State. Here in Orissa we are faced with a situation which is of a different type. The situation as narrated by the Members who preceded me was such that the Coalition Government could not even present the Budget to the House. Now, Congress apportion the blame to the Ganatantra Parishad and the spokesman of the Ganatantra Parishad accuses the Congress that they did not continue the Coalition for some more months to come. Anyhow, our point of view has been explained by Shri Bhuesh Gupta. He said that the leaders of both the groups, the Congress and the Ganatantra Parishad, in Orissa were responsible for the situation today in Orissa. Both the groups formed a Coalition Government, as rightly stated in the other House, as a marriage of convenience. They lived together for some months and they tried to continue. When they could not do it, now they have come forward with a proposition that they could not continue. The spokesman of the Ganatantra Parishad has accused us and he described us as concubines. I wanted to interrupt him when he used the word. I strongly protest against his abusive language. I want to say this to him: 'You have lived with the Congress and you have brought forth this baby. You want others to carry it. We will give it to you and you take it with you to show the people the baby you brought forth in coalition with the Congress Party.' This is the present situation.

A senior Member of this House, Shri Santhanam, has accused us that we are jubilant. I have to tell him that we are sad that the Congress position in Orissa was in such a state that they had entered into an unprincipled *coalition* with a group which stands for the interests of the landed aristocracy, which stands against any progress, which is in favour of continuing privy purses to the Princes. Without any programme they entered into a coalition with that group. They formed a Ministry and tried to work the Min-

istry against the interests of the people. The hon Member who preceded me . . .

SHRI SHEEL BHADRA YAJEE: They have accepted the policies and programmes of the Congress before joining the Congress in the Ministry

SHRI K. L. NARASIMHAM: The hon. Member who preceded me pointed out to you that certain proposals for taxation were made against the people, in support of the big landlords. They were not in favour of the continuance of the Ministry and they wanted that this Ministry should go. The hon. Member who preceded me from the Congress group rightly said that they had never wanted the Ministry to continue in that way, as they were advising against the interests of the people. Now, the only question is who is to be blamed. The Communist group, as rightly pointed out by Shri Bhupesh Gupta, will blame the leadership of both the groups. They are responsible for this situation in Orissa. You, as a party entered into a coalition with a reactionary group—the Ganatantra Parishad. Now, you have landed yourself into a situation wherein you had to come forward and say, 'We cannot present a Budget.' We are not jubilant. We are only sorry that we have to remind senior Members of the Congress and appeal to the honest Members the Congress Party to see to which situation they are leading. And so I have to answer Shri Santhanam when he accused us that we were jubilant. We are not jubilant. We are sorry for their lack of political sagacity and the way their policies are leading them to such a situation.

Coming to another point, about the mid-term elections, the Member who preceded me said that the Congress Party was in favour of mid-term elections and he accused us that the Communist Party was not in favour of mid-term elections. I have to say that all the groups, all the political parties in Orissa should be called and consulted about the elections, and that too about the mid-term elections.

[Shri K. L. Narasimham.] Our information is that the rains will start soon and the climatic conditions are not conducive to mid-term elections and the conditions in Orissa are such that immediate elections are not good for the State. If the Congress Party wants it, it can convene a meeting of the representatives of the various political parties in the State, take their consent and do things with the consent of all the political parties.

Coming to the last point, what is the alternative is the question posed by one hon. Member here. The alternative is shown by the group 5 P.M. which formed the Ministry, which could not present the Budget. So I need not say what the alternative is. The alternative shown by you is, you failed there. The alternative shown by you is that you could not function there. The alternative is that you should not have entered into a coalition with a group that could not work together with you. On the day when the coalition was formed, as was stated by one speaker . . .

MR. DEPUTY CHAIRMAN: That is not the alternative. What is your suggestion?

SHRI K. L. NARASIMHAM: The alternative is for the Government of India to take charge of the situation and see that things are mended properly there. The alternative is that the constitutional provisions have to take their own course. Though we do not want it, it is a sad thing that the President's rule has to be imposed there. But the President's rule has to be imposed because of the failure of the two Parties, of the leaders of the Congress Party and the Gana-tantra Parishad.

Coming to the last point I have only to appeal to the Government of India that they should not proceed with further taxation and that the deficit should be met by giving them loans. They should not curtail the development work there and they should help the State which has been neglected all through. The common man has been fleeced by the Ministry during its rule.

With these words I conclude my speech.

MESSAGE FROM THE LOK SABHA.

THE RAILWAY PASSENGER FARES (REPEAL) BILL, 1961

SECRETARY: Sir, I have to report to the House the following Message received from the Lok Sabha, signed by the Secretary of the Lok Sabha:—

"In accordance with the provisions of Rule 98 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Railway Passenger Fares (Repeal) Bill, 1961 as passed by Lok Sabha at its sitting held on the 15th March, 1961.

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay the Bill on the Table.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at two minutes past five of the clock till eleven of the clock on Thursday, the 16th March, 1961.