

'but regret the way the President's rule was brought about in the State of Orissa.'

The amendment was negatived

Mr. Deputy-Speaker: The question is:

"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."

The motion was adopted.

***SUPPLEMENTARY DEMANDS FOR GRANTS IN RESPECT OF ORISSA**

Mr. Deputy-Speaker: The House will now take up the Supplementary Demands for Grants in respect of Orissa. I might request hon. Members to intimate at the Table the number of the cut motions they want to move. I will treat them as having been moved if they are received within fifteen minutes and if they are otherwise admissible.

DEMAND NO. 2—JAILS

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 1,03,500 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Jails'." (2)

DEMAND NO. 3—POLICE

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 10 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will

come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Police'." (3)

DEMAND NO. 4—PLANNING AND RECONSTRUCTION AND OTHER EXPENDITURE RELATING TO THE PLANNING AND CO-ORDINATION AND POLITICAL AND SERVICES DEPARTMENTS

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 15 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Planning and Reconstruction and other expenditure relating to the Planning and Co-ordination and Political and Services Departments'." (4)

DEMAND NO. 5—COMMUNITY DEVELOPMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 20 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Community Development Projects etc.'." (5)

DEMAND NO. 6—RIVER VALLEY DEVELOPMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 15 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during

*Moved with the recommendation of the President.

[Mr. Deputy-Speaker]
the year ending the 31st day of
March, 1961, in respect of
'River Valley Development.'" (6)

DEMAND NO. 8—STAMPS

Mr. Deputy-Speaker: Motion mov-
ed:

"That a supplementary sum not
exceeding Rs. 16,000 be granted to
the President out of the Consoli-
dated Fund of the State of Orissa
to defray the charges which will
come in course of payment during
the year ending the 31st day of
March, 1961, in respect of
'Stamp.'" (8)

DEMAND NO. 9—MINISTERS, CIVIL SEC-
RETARIAT AND OTHER EXPENDITURE RE-
LATING TO THE FINANCE DEPARTMENT

Mr. Deputy-Speaker: Motion mov-
ed:

"That a supplementary sum not
exceeding Rs. 5 be granted to
the President out of the Consoli-
dated Fund of the State of Orissa
to defray the charges which will
come in course of payment during
the year ending the 31st day of
March, 1961, in respect of
'Ministers, Civil Secretariat and
other expenditure relating to the
Finance Department.'" (9)

DEMAND NO. 10—PENSIONS

Mr. Deputy-Speaker: Motion mov-
ed:

"That a supplementary sum not
exceeding Rs. 7,34,002 be granted to
the President out of the Consoli-
dated Fund of the State of Orissa
to defray the charges which will
come in course of payment during
the year ending the 31st day of
March, 1961, in respect of
'Pensions.'" (10)

DEMAND NO. 11—EXPENDITURE RELATING
TO THE EDUCATION DEPARTMENT

Mr. Deputy-Speaker: Motion mov-
ed:

"That a supplementary sum not
exceeding Rs. 120 be granted to

the President out of the Consoli-
dated Fund of the State of Orissa
to defray the charges which will
come in course of payment during
the year ending the 31st day of
March, 1961, in respect of
'Expenditure relating to the Edu-
cation Department.'" (11)

DEMAND NO. 12—TAXATION

Mr. Deputy-Speaker: Motion mov-
ed:

"That a supplementary sum not
exceeding Rs. 3,779 be granted to
the President out of the Consoli-
dated Fund of the State of Orissa
to defray the charges which will
come in course of payment during
the year ending the 31st day of
March, 1961, in respect of
'Taxation.'" (12)

DEMAND NO. 15—REGISTRATION

Mr. Deputy-Speaker: Motion mov-
ed:

"That a supplementary sum not
exceeding Rs. 5 be granted to
the President out of the Consoli-
dated Fund of the State of Orissa
to defray the charges which will
come in course of payment during
the year ending the 31st day of
March, 1961, in respect of
'Registration.'" (15)

DEMAND NO. 16—DISTRICT ADMINISTRA-
TION AND OTHER EXPENDITURE RE-
LATING TO THE REVENUE DEPARTMENT

Mr. Deputy-Speaker: Motion mov-
ed:

"That a supplementary sum not
exceeding Rs. 2,42,000 be granted to
the President out of the Consoli-
dated Fund of the State of Orissa
to defray the charges which will
come in course of payment during
the year ending the 31st day of
March, 1961, in respect of
'District Administration and other
expenditure relating to the Reve-
nue Department.'" (16)

DEMAND NO. 17—EXPENDITURE RELATING TO THE INDUSTRIES DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 5 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Expenditure relating to the Industries Department.'" (17)

DEMAND NO. 18—CIVIL AND SESSIONS COURT AND OTHER EXPENDITURE RELATING TO THE LAW DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 6,361 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Civil and Sessions Court and other expenditure relating to the Law Department.'" (18)

DEMAND NO. 19—STATIONERY AND PRINTING AND OTHER EXPENDITURE RELATING TO THE COMMERCE DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 6,72,899 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Stationery and Printing and other Expenditure relating to the Commerce Department.'" (19)

DEMAND NO. 20—LABOUR AND EMIGRATION AND EMPLOYMENT ORGANISATION

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 12,649 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Labour and Emigration and Employment Organisation.'" (20)

DEMAND NO. 21—TRIBAL AND RURAL WELFARE DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 8,03,489 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Tribal and Rural Welfare Department.'" (21)

DEMAND NO. 22—MEDICAL AND OTHER EXPENDITURE RELATING TO THE HEALTH DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 3,25,765 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Medical and other expenditure relating to the Health Department.'" (22)

DEMAND NO. 23—PUBLIC HEALTH

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 9,88,235 be granted to the President out of the Consoli-

[Mr. Deputy-Speaker]

dated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Public Health'." (23)

DEMAND NO. 24—IRRIGATION

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 20,35,222 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Irrigation'." (24)

DEMAND NO. 25—CIVIL WORKS

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 1,50,62,076 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Civil Works'." (25)

DEMAND NO. 26—STATE LEGISLATURE

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 69,800 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'State Legislature'." (26)

DEMAND NO. 28—ELECTRICITY SCHEMES

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 5 be granted to the President out of the Consoli-

dated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Electricity Schemes'." (28).

DEMAND NO. 30—TRANSPORT SCHEMES

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 29,005 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Transport Schemes'." (30)

DEMAND NO. 31—FOREST

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 1,10,511 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Forest'." (31)

DEMAND NO. 33—CO-OPERATION

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 15 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Co-operation'." (33)

DEMAND NO. 34—CONTRIBUTION TO LOCAL BODIES

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 5,14,170 be granted to-

the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Contribution to Local Bodies.'" (34)

DEMAND No. 36—PUBLIC RELATIONS

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 57,505 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Public Relations.'" (36)

DEMAND No. 37—AGRICULTURE

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 15 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Agriculture.'" (37)

DEMAND No. 39—HIRAKUD DAM PROJECT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 5 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Hirakud Dam Project.'" (39)

DEMAND No. 41—LOANS TO LOCAL FUNDS, GOVERNMENT SERVANTS, ETC.

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 15,00,015 be granted

to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Loans to Local Funds, Government Servants etc.'" (41)

DEMAND No. 43—ELECTRICITY SCHEMES OUTSIDE THE REVENUE ACCOUNT AND OTHER EXPENDITURE RELATING TO THE WORKS DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 5 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Electricity schemes outside the Revenue Account and other expenditure relating to the Works Department.'" (43)

DEMAND No. 44—AGRICULTURAL IMPROVEMENT AND RESEARCH

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 28,00,000 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Agricultural Improvement and Research.'" (44)

DEMAND No. 48—CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 6,82,505 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will

[Mr. Deputy-Speaker] come in course of payment during the year ending the 31st day of March, 1961, in respect of 'Capital Outlay on Industrial Development'." (48)

DEMAND No. 51—SUBSIDISED INDUSTRIAL HOUSING SCHEME

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 5 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961 in respect of 'Subsidised Industrial Housing Scheme'." (51)

DEMAND No. 55—CAPITAL EXPENDITURE RELATING TO DEVELOPMENT (CO-OPERATION) DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 1,80,000 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending 31st day of March, 1961 in respect of 'Capital Expenditure relating to Development (Co-operation) Department'." (55)

DEMAND No. 58—CAPITAL ACCOUNT OF OTHER WORKS RELATING TO THE PLANNING AND CO-ORDINATION (GRAM PANCHAYAT) DEPARTMENT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 4,000 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending 31st day of March, 1961 in respect of 'Capital Account of other Works

relating to the Planning and Co-ordination (Gram Panchayat) Department'." (58)

DEMAND No. 60—CAPITAL ACCOUNT OF CIVIL WORKS

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 1,17,71,023 be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961 in respect of 'Capital Account of Civil Works'." (60)

Mr. Deputy-Speaker Hon. Members may now move their cut motions.

Exclusion of the Rourkela Steel Plant Area from the jurisdiction of the Rourkela Civil Township

Shri Mahanty (Dhenkanal): I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs. 15 in respect of River Valley Development be reduced by Re. 1." (34)

Special Multipurpose Project Schemes and the diversion of the funds for purposes beyond its scope

Shri Mahanty (Dhenkanal): I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs. 8,03,489 in respect of Tribal and Rural Welfare Department be reduced by Rs. 100." (35)

Need to help the Scheduled Tribes people to build their houses

Shri Mahanty (Dhenkanal): I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs. 8,03,489 in respect

of Tribal and Rural Welfare Department be reduced by Rs. 100." (36)

Grant-in-aid to the Orissa Branch of the Indian Red Cross Society for setting up a mental hospital

Shri Mahanty (Dhenkenal): I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs. 3,25,765 in respect of Medical and other expenditure relating to the Health Department be reduced by Rs. 100." (37)

Smuggling of fertilisers from Orissa

Shri Mahanty (Dhenkenal): I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs. 15 in respect of Co-operation be reduced by Re. 1." (39)

Abolition of the post of the Press Liaison Officer at Calcutta

Shri Mahanty: I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs. 57,505 in respect of public relations be reduced by Rs. 100" (44).

Principle of investing money from the Consolidated Fund of the State in private enterprises in the shape of loans

Shri Mahanty: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15,00,015 in respect of loans to local funds, Government Servants, etc., be reduced by Rs. 100". (45)

Sir, before coming to consider these Demands one cannot help expressing one's regret at the manner in which the Orissa Assembly had to be dissolved, an Ordinance had to be issued and this House is being called upon to consider the Supplementary De-

mands. Even though in our own way we are intimately associated with the affairs of our State, I am afraid we will not be able to support the various demands which have been presented in the Supplementary Demands for the year 1960-61.

Sir, before I come to two specific Demands to which I would like to draw the particular attention of this House—there are other Members who may also devote sufficient time on other demands—I would like to invite the attention of Government to one basic fact. That is about the propriety of issuing the ordinance. We cannot forget the fact that through the ordinance the Governor of Orissa was seeking to appropriate a sum of Rs. 4½ crores from the Consolidated Fund of the State. Subsequently the opinion of the Law Ministry of the Union revealed, the ordinance was considered irregular and now the hon. the Home Minister is coming with these supplementary demands.

14.33 hrs.

[*SHRI JAGANATHA RAO in the Chair*]

From the Governor's Report which was presented to the House yesterday it would be found that on the 21st February the Chief Minister announced in the House that the Ministry consisting of the representatives of the Congress and the Ganatantra Parishad would not present the Budget as fixed for that day and he requested the Speaker to adjourn the House. I think my hon. friend Mr. Mehta will be interested in this since he had raised a specific point as to why the Budget could not be presented. I think he will be interested in this part of the Governor's report which says:

"On the 21st February the Chief Minister announced in the House that the Ministry which consisted of the representatives of the Congress and the Ganatantra Parishad will not present the Budget as fixed for that day and requested the Speaker to adjourn the House."

[Shri Mahanty]

Here is a situation. The Orissa Assembly met. The Governor was pleased to deliver his Address, debates took place on the Address and a motion of thanks was passed. The next item of business on the agenda was the presentation of the Budget. Therefore, one cannot say that a constitutional crisis was brewing all the time and the Governor found himself in a quandary overnight, necessitating the issue of an ordinance. The Government knew, the Governor knew and the Assembly know that after the motion of thanks had been passed the House would be seized of the Budget proposals. In the meanwhile the Chief Minister came to the Assembly and made an announcement that the budget would not be presented. I am sure the Chief Minister in coming to this decision, inasmuch as he himself made this announcement, will take the responsibility for it all alone. It cannot be shared with any other party. It was the Chief Minister of the Coalition Cabinet, Shri Harekrishna Mehtab who refused to present the Budget and that was how the Budget could not be presented and today the House is faced with these supplementary demands. Therefore it means that where party interests override higher dictates of public interest, the best interests of the State are sacrificed to satisfy petty political interests.

I am sorry I have to make this observation, but I wish it to go on record. In times to come coalitions may be necessary and inevitable in other States. I am coming to the genesis of the supplementary demands; therefore, the hon. the Home Minister need not feel perturbed.

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): You are trying to answer my point.

Shri Mahanty: What I am humbly submitting is that in times to come the pattern of coalitions may become inevitable. In those circumstances parties should not behave in a manner

as to throw away their responsibility to the winds, come to the Assembly and say: we have decided not to present the Budget. As I said yesterday, the responsibility fairly and squarely rests on the Leader of the Cabinet whose moral and political duty and obligation it was to present the Budget to the Assembly and get the demands passed.

An Hon. Member: Not on the Finance Minister?

Shri Mahanty: The Finance Minister after all was a junior partner. I am sure the Finance Minister would have been advised by his senior partner.

Be that as it may, I now come to the demands. You have noticed from the speeches which have been made from this side and that side of the House that a significant trend came over after the Coalition Ministry and that was anti-industrialist trend. So many speeches have been made that in our State after the Coalition Ministry came into being an anti-industrialist trend came to prominence. perhaps, it was in conformity with the socialist mood, which is the fashion of the day. Therefore, I was a little shocked when I found in one of the demands that a sum was to be appropriated to the extent of

An Hon. Member: What is the Demand No?

Shri Mahanty: It is Demand No. 41—Loans and Advances. Therefore, I was a little shocked to find that this anti-industrialist mood of the Coalition Ministry was abandoned in Demand No. 41 when it was sought to make provision of funds for grant of loans and assistance under the State Aid to Industries Act to large and medium scale industries to the extent of Rs. 15 lakhs. I really could not reconcile the anti-industrialist mood which was so much in evidence during the debate and formulation of

this particular demand. As you will find in the Supplementary Demand a sum of Rs. 15 lakhs is sought to be appropriated; the rest I am sure will be part of the committed expenditure and will feature in the Budget.

That means if this demand of Rs. 15 lakhs is approved, then the Orissa Government stands committed to pay the balance of Rs. 35 lakhs under the head "Loans and Advances". I cannot help recollect that the Orissa Government had also issued a similar loan to an industrial concern in Orissa, known as Dalmia Cements. I do not recollect at this point of time whether it was Rs. 40 lakhs or Rs. 60 lakhs. It may be Rs. 40 lakhs or Rs. 50 lakhs or thereabouts. At that time, a point had been raised as to why the Government invested in the shape of loans and why not in shares. Suppose the Orissa Government invests this amount in the shape of shares, then the Orissa Government will be entitled, and to that extent the tax-payer of Orissa will be entitled, to have representation on the Board of Directors of that particular concern. Therefore, there was no great merit in investing public money in the shape of loans in private industrial concerns.

On the top of it—I do not know, and I am speaking subject to correction—that particular concern has not been able to pay even a single naya paisa as interest which was due. I am speaking subject to correction but that is, by and large, my impression, namely, that this was the particular deal that the Orissa Government had made. At that time also, all kinds of wild rumours were thrown out, and it was suggested by some uncharitable persons that in this deal of Rs. 40 lakhs with the Dalmia Cements a substantial amount had accrued to a particular newspaper which was run and owned by the Chief Minister of Orissa. As you have said so correctly, we should not reduce this to a school of scandal-mongering. But I would only wish that somebody told me that it was absolutely wrong.

2123 (A) LSD—7.

With that experience, one would have expected that the coalition Government headed by Shri Harekrushna Mahtab should have taken steps to see that this kind of issuing loans to private industrialists in the private sector was stopped.

The Deputy Minister of Finance (Shri B. R. Bhagat): This cut motion relates to loans to be given under the State Aid to Industries Act, and such loans are given to smaller people.

Shri Mahanty: I am coming to that.

Shri B. R. Bhagat: They are small loans, and not Rs. 40 lakhs or Rs. 50 lakhs. Does the hon. Member say that Government should take equity shares? Most of them are not big companies. Some small people put up some small factories and the amounts may be Rs. 2 lakhs or so. If they are public companies, how is the Government to take shares in them? Does he mean that we should, instead of giving loans, take shares in them, when there are no shares?

Shri Mahanty: I am only sorry for the non-knowledge.—I could not find a better word—of the hon. Minister.

Shri B. R. Bhagat: The hon. Member referred to Demand No. 41 and he will realise that the small sums are given under the State Aid to Industries Act. So, the point that he made is not relevant at all.

Shri Mahanty: I hope I will be able to allay his doubts. When the hon. Minister says that these amounts are given under the State Aid to Industries Act, I am sure he will agree with me that the scope of assistance under the State Aid to Industries Act is limited to only small industries. Am I right?

Shri B. R. Bhagat: Yes.

Shri Mahanty: Therefore, I only pity the non-knowledge of the hon. Minister. Had he cared to go through the first line in Demand No. 41, he would have found these words:

"It has been considered necessary to make provision of funds for grant of loans assistance under

[Shri Mahanty]

the State Aid to Industries Act to large and medium scale industries"

Shri B. R. Bhagat: Then does he mean that . . .

Shri Mahanty: Let me finish. Now, I have cleared the first part of it.

Shri B. R. Bhagat: That is taken out.

Shri Mahanty: Yes; what remains is "large and medium scale industries", where they have not considered the question of propriety of the Government in investing substantial sums from the Consolidated Fund of the State in the shape of loans. I would have asked for participation in equity shares I would like to know what stopped the Government from having equity participation in the share capital. I would like to know in that context what considerations went into the forging of this clique against the taxpayers' interests in my State. I would like to get a satisfactory answer on the floor of this House as to how a Government which is running a deficit budget and which, according to the published figures, had a deficit to the extent of Rs. 10 crores, has dared to invest money from its revenues in such kinds of industrial establishments in the shape of loans. Had it been a participation in equity shares, I would have been the first man to have defended such measures, and that would have led to the industrialisation of our State. If, as was suggested, it was an anti-industrialist policy, which I have already indicated, and if against that background, some private industries in private sector are going to be benefited in this way, at the cost of the tax-payers of Orissa, it is high time we revised our opinion. I therefore implore, with all humility, that the Government should take steps to see that this demand is eliminated from the supplementary demands for grants and my cut motion is accepted.

Secondly, I take exception to the fact that the information which has

been furnished under Demand No. 41 is much too sketchy and hides much than it expresses. We know the newspapers in Orissa have published it: that the J. K. Industries of Kanpur have been sanctioned a loan of Rs. 50 lakhs from the Government of Orissa to set up paper plant in that State. I do not know since when the J. K. Industries of Kanpur, one of our leading industrial houses, have been short of funds so as to seek a loan from the Government of Orissa to the extent of Rs. 50 lakhs. (*Interruption*). We would also like to know if this loan was earmarked for the J. K. Industries of Kanpur as the newspapers had given out. Be that it may, I once again appeal with all humility to the Government to see that inasmuch as the President and the Parliament of India have assumed the financial responsibility of the State of Orissa, they should not play ducks and rakes with out resources by throwing out substantial amounts to private industrialists in the private sector in the shape of loans to promote their own industries.

I now come to another Demand which relates to general administration. It is Demand No. 36 under the heading "General Administration." I said yesterday that it was not so much the motives which resulted in the downfall of the coalition ministry as the objectivist frustration and cynicism that crept into the rank and file of the party. As to why that cynicism crept in, you can find a taste or an idea of it if you care to analyse Demand No. 36. I remember one of the common programmes of the coalition ministry which was sanctified by the approval of our Prime Minister, one of the most important planks of that common programme, was to avoid wasteful administrative expenditure and to conserve the resources for developmental work which may save the people from bearing the impact of further direct taxation. It was not only the common programme of the coalition ministry; that is what the Planning Commission has been ex-

horting on all the State Governments and that is what the State Governments are also professing adhere to in principle.

Now, after the formation of the coalition government in Orissa the Chief Minister thought it proper that there should be a press liaison officer in Calcutta for whom I think a total sum of Rs. 10,000 would be appropriated in the supplementary demands and which ultimately would come to Rs. 69,500. I am speaking subject to correction because there demands are very sketchy and do not give much information. Be that as it may, you find that a post of press liaison officer is being created.

The establishment would require annually Rs. 69,500. What is this all about? I would not have stressed this point had not our State been so much depleted in its resources and if we had not been indebted to the Government of India to the extent of crores of rupees. The bone of our people is being broken under the weight of heavy taxation. Otherwise, I would not have raised this point, because this a very small amount. The Press Liaison Officer was appointed for three months. The reason given was that the Government of Orissa did not enjoy much publicity. (*Interruption*). The real burden of taxation is borne by all, but comparatively more by us. Had our resources been more affluent, I would not have wasted the time of the House for the sake of Rs. 69,500.

The Government's view was that inasmuch as we did not enjoy good publicity in the Press, we must have a kind of Press Liaison Officer, who will go on briefing the Calcutta Press. Therefore, you will find all kinds of statements emanating from Calcutta and those statements are never made on the soil of Orissa. The Liaison Officer has to function, so that the Ministers of Orissa, particularly the Chief Minister, enjoys a better publicity in the Calcutta Press. I am not so much sorry for the enormity of it, but I am really sorry for the crudity

of it. I am sorry not one State in the Indian Union has got a Press Liaison Officer either in Calcutta, or Delhi or Bombay or anywhere. I could have understood if there is a Press Liaison Officer for Orissa in Delhi for conducting liaison work with the Government of India. In fact, every State Government have their liaison officers in Delhi, which is the capital of the Union. Really we fail to understand what would be the necessity of appointing a Press Liaison Officer in Calcutta, carrying this kind of fantastic salary.

An Hon. Member: What is the salary?

Shri Mahanty: Rs. 59,500 is for the whole establishment. I do not know his salary. As I said, I am not so much sorry for the enormity of it as for the crudity of it. The fact has to be remembered, viz., what are the credentials of the present incumbent of this post of Press Liaison Officer? The present incumbent was the advertising agent of the *Eastern Times* and *Praja Tantra National Times*, two newspapers owned by Shri Mehtab. Here was a post created which was not advertised through the Public Service Commission. So, what picture it gives? It gives the picture, to say the least, I think of a thief's nest. I think you are going to play ducks and drakes with our resources when you appoint a man with no credentials in the line of journalism. Then I should be told there were no experienced journalists. I am a journalist by profession. When I find that while there are any number of capable journalists, not a working journalist, but a walking journalist, an advertising agent of newspapers becomes the Press Liaison Officer, it becomes a painful and public duty to point it out. I, therefore, once again appeal to the Minister to see his way that this demand is removed from the supplementary demands.

There are many other demands to which I would have liked to invite the attention of the House, but there

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may be other hon. Members also who would like to speak. Before I conclude, I want again to appeal to the Government and to this august House to consider it in all seriousness. Having assumed the responsibility of seeing that the Consolidated Fund of Orissa is well guarded, we have to see that this kind of superfluous and frivolous expenditure is removed from the supplementary demands and our resources are really conserved for developmental activity, about which we talk so much.

Dr. Samantsinhar (Bhubaneswar): Mr. Chairman, Sir, being Members of Parliament, most of the time we are away from the constituencies and so it is very difficult for us to go into details of the State budget. However, while supporting the demands for supplementary grants, I would like to make a few observations.

With regard to Demands Nos. 3 and 23, the expenditure was required in connection with Govind Dwadasi Mela. I congratulate the officers who were there conducting the mela. You know this mela comes after 1,000 years. This year it came on 27th February. In a place like Puri where the population would be hardly more than 50,000, about eight to nine lakhs of people gathered and you will be glad to know that the arrangements were so nice that there was no accident. There was no epidemic. I am also thankful to the railways and to the District Collector. The arrangement was so nice that everything passed on happily.

With regard to Demand No. 4, there is a provision for granting an *ex gratia* payment of Rs. 10,000 to the family of late Shri S. S. Murty, IAS, who was Secretary, Development Department. It is said here in the note below the Demand as follows:

"Late S. S. Murty, IAS, met with a premature death while working as Secretary, Development Department. As Secretary, Development, he was in charge of five Heads of Departments. The

Development Department had formerly an additional Secretary and a Secretary in view of the heavy work-load. But the post of Additional Secretary was abolished and late Murty had to work single-handed. It is felt that he overstrained himself and thus had an attack of coronary thrombosis. He left behind two sons and five unmarried daughters and the family has been put to financial distress by his untimely death. In view of the hard and sincere work performed by late Murty, and to relieve his family from financial distress it has been decided to grant an *ex gratia* payment of Rs. 10,000."

So, I do not know why he was allowed so much workload and why the senior officials did not consider that matter. Here also they say that due to hard work and strain he had untimely death. At the same time, I want to know whether it was because he was an IAS officer that this exemplary grant has been given to him and whether there are any other hard working men in the Government of Orissa and their accounts have also been taken into account. I would also like to know whether such grants have been given to anybody in the past.

15 hrs.

Regarding Demand No. 5, I am glad, and I am sure the House will also be, glad, to know that in the whole of Orissa State the Zilla Parishads Act has come into force and Zilla Parishads have been formed and elections are being carried on very smoothly in the rural areas. While saying that, I also plead that Zilla Parishads should be given proper power and that they should be provided in the Act and the rules.

In that Demand there is one scheme for nutrition programme. On that scheme, the note says:

"For the expanded Nutrition Programme, the UNICER will

contribute a sum of Rs. 8,25,000 and the State Government will spend Rs. 27,40,104 in an area covered by 32 Development Blocks in this State. The object of the scheme is to provide better nutrition by stepping up production of fish, eggs and fruits, etc. through proper education."

I do not understand how by proper education these articles of food can be produced or their production can be increased. As you know, 30 per cent of the students of Orissa are suffering from malnutrition. Article 47 of the Constitution provides that the State should raise the standard of living and level of nutrition. In spite of that, 30 per cent of the students of Orissa are suffering from malnutrition. I do not know how by proper education these things could be done. So, I request the hon. Minister to make a little clarification of the provisions of the scheme.

While saying this, I would like to draw his attention to the fact that the greatest lake in our country is the Chilka lake, and also the largest fishery unit in the country. It is a pity that the production of fish had been diminishing and the fishermen there are now living under starvation. Since 1937 we have been hearing that there will be development of Chilka lake. But, in spite of repeated demands and requests, nothing has been done. I hope this time proper schemes will be worked out to develop the lake. The lake is now gradually silting up. That should be dredged. Its mouth to the sea is now being gradually closed. There should be perennial connection between the sea and the lake. Also, there should be a little control over the catches. As the fish production is being decreased during the breeding season, there should be control over catches. Therefore, while implementing this scheme, Government should look into this matter and try to improve the lake.

Regarding Demand Nos. 6 and 8, the working of the vigilance organisa-

tion and supervisory staff is not satisfactory. Judiciary is being separated from the executive. While referring to this, I have regretfully to give you an information which has come to my notice recently when I was in my constituency. You know, Sir, that judiciary has been separated from the executive in three of the coastal districts of Orissa, namely, Puri, Cuttack and Balasore. There is an SDM in my constituency at Khurda. I was told by very responsible officials and non-officials that the SDM takes bribes from the parties in the open court.

Shri Chintamani Panigrahi:
Through open negotiation!

Dr. Samantsinhar: People say that he auctions his judgment. No less persons than some of the gazetted officers and also a president of the Panchayat Samiti have told me this. It has come so far that even the SDO, a very nice young IAS officer wishes to be transferred from that place because of the SDM to avoid misunderstanding.

Mr. Chairman: Order, order. The hon. Member is making specific allegations against a magistrate, who is not present in the House to defend himself. I do not know whether the hon. Member has any evidence in his possession to substantiate the allegation. Otherwise, he should not make such allegations.

Shri Datar: That appears to be, on the face of it, hearsay.

Dr. Samantsinhar: This is my information. An enquiry should be held to find out the truth.

Mr. Chairman: The hon. Member will not repeat those allegations again.

Shri Datar: He said that certain judgments were auctioned. That should be expunged.

Shri Harish Chandra Mathur (Pali): Even if he has something specific with him, that should not be mentioned against an individual officer, particularly a magistrate, without previous notice.

Dr. Samantshahar: As regards the Hirakud land organisation, there is a provision of about Rs. 5-60 lakhs for repairing heavy machinery and spare-parts. The value of the spareparts and the heavy machinery is about Rs. 50 lakhs. As we all know, the work on the Hirakud dam has been completed two or three years back. I do not know why these valuable machinery and spare parts were lying there and why they were not disposed of earlier or utilized for other dams which are under construction. Now they require more than Rs. 5 lakhs on repairs so that they may at least fetch some fair price.

Coming to Demand No. 20 regarding labour, I would say that the part time labourers in Orissa who are going to the places of construction are being exploited by the contractors and middlemen and they do not get proper places for rest. They are made to work for more than 18 hours and they are not getting reasonable wages. They are small peasants and landless labourers who go out for a little income. The Labour Department should see that they are not exploited and that their service conditions are properly looked into.

As regards Demand No. 25, instead of having a separate cancer hospital now they are having a cancer wing in the Medical College Hospital at Cuttack. They are getting a cobalt beam therapy plant under the Colombo Plan. The original scheme was to have a separate hospital as the number of cancer patients in the State is very heavy. But they are now putting up a wing in the hospital with only 25 beds. I submit that there should be provision for having a separate cancer hospital in the State.

Shri B. R. Bhagat: What is the Demand number?

Dr. Samantshahar: No. 25.

It is good that under Demand No. 26 they have provided more money for the working and on-the-spot study tour of the State Public Accounts and

Estimates Committees. Because of this the people and also the officials will think that there is some public control over accounts and also execution. I appreciate that the State Government has done a good thing by providing more money on this account.

As regards Demand No. 31, there is no provision for the repair of flood damaged forest roads in the Puri Division. There is one very important road in the Balugan Range forest. It is called the Bibhutia Road. That road is neglected. I request that it should be repaired very soon.

As regards Demand No. 33, the regional marketing co-operative societies should have shops in different bazars in their areas so that they would be able to check the shopkeepers' exorbitant profits and by that shopkeepers will not be able to exploit the consumers by enhancing the prices of commodities.

About Demand No. 34, you know that the execution of MI projects in Orissa is not showing good progress. Many of the works are not executed in time. Much of the provision in the Budget is refunded. That is due to want of overseers and engineers. I know in my constituency there are block and non-block areas. For the last two years I am trying to get engineers and overseers, but they are not able to give them. In the block areas one overseer is asked to undertake works of more than Rs. 3 lakhs to Rs. 4 lakhs, but the standard is only of Rs. 1 lakh. The overseers cannot undertake works of about Rs. 3 lakhs to Rs. 4 lakhs. So there should be provision for more overseers and engineers.

With these words I support the Demands.

Mr. Chairman: Shri Dwivedy Absent. Shri Panigrahi.

Shri Chintamoni Panigrahi: I would like to move my Cut Motions.

**Purchase of Jeep-cum-Station Wagon
for the State Guest House**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15 in respect of Planning and Reconstruction and other expenditure relating to the Planning and Co-ordination and Political and Services Departments be reduced by Re. 1." (2).

**Large stocks of undisposed machinery
lying at Hirakud**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15 in respect of river valley development be reduced by Re. 1." (3).

**Huge expenditure on Arboricultural
Activities of the New Capital.**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 5 in respect of Ministers, civil secretariat and other expenditure relating to the Finance Department be reduced by Re. 1." (3).

**Question of giving grant-in-aid to
M.E. Schools**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 120 in respect of expenditure relating to the Education Department be reduced by Rs. 100." (4).

**Arrangements for centenary celebra-
tion of Tagor's Birthday in the
State**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 120 in respect of expenditure relating to the Education Department be reduced by Rs. 100." (5).

**Giving of grants to non-government
girls' M.E. Schools for construction
of buildings**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 120 in respect of expenditure relating to the Education Department be reduced by Rs. 100." (6).

**Question of establishment of youth
hostels**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 120 in respect of expenditure relating to the Education Department be reduced by Rs. 100." (7).

**Working of the Scheme "National
Water Supply sanitation program-
me—rural water supply"**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 2,42,000 in respect of District Administration and other Expenditure relating to the revenue department be reduced by Rs. 100." (8).

**Increase in the use of stationery and
printing**

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 6,72,899 in respect of

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stationery and printing and other expenditure relating to the Commerce Department be reduced by Rs. 100." (9).

failure to improve the economic condition of Scheduled Tribe and Scheduled Caste Weavers.

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 8,03,489 in respect of Tribal and Rural welfare Department be reduced by Rs. 100." (10).

Need to provide more facilities for T.B. patients

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 3,25,765 in respect of medical and other expenditure relating to the Health Department be reduced by Rs. 100." (11).

Need to improve the drinking water supply facility at Puri for convenience of the larger number of pilgrims

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 9,88,235 in respect of public health be reduced by Rs. 100." (12).

Provision of funds for grants of loans assistance to private industrialists.

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15,00,015 in respect of loans to local funds, Government servants, etc. be reduced by Rs. 100." (13).

Maintenance of luxury cars

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 57,505 in respect of public relations be reduced by Rs. 100." (24).

Question of opening a Press Liaison Office at Calcutta

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 57,505 in respect of public relations be reduced by Rs. 100." (25)

Slow progress in reclaiming the sand-cart areas affected by flood

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15 in respect of Agriculture be reduced by Re. 1." (26).

Need to speed up the construction of the Rural University

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15 in respect of Agriculture be reduced by Re. 1." (27).

Work of the Exploratory Tube-well Organisation in the State

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15 in respect of Agriculture be reduced by Re. 1." (28).

Administration of the Orissa Mining Area Development Fund

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15,00,015 in respect of loans to Local Funds, Government servants, etc. be reduced by Rs. 100." (29).

Failure to undertake urgent flood control works in the State

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 5 in respect of electricity schemes outside the revenue account and other expenditure relating to the works department be reduced by Re. 1." (30).

Failure to provide better hostel accommodation to the students of Ravenshaw College, Cuttack.

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 1,17,71,023 in respect of Capital Account of Civil Works be reduced by Rs. 100." (31).

Failure to provide adequate drinking water supply facility in the New Capital of Bhubaneswar

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 1,17,71,023 in respect of capital account of Civil Works be reduced by Rs. 100." (32).

Failure to provide good P.W.D. roads

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 1,17,71,023 in respect of capital account of civil works be reduced by Rs. 100." (33).

Irregularities on the part of the Orissa State Co-operative Marketing Society in respect of sale of fertilisers

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15 in respect of co-operation be reduced by Re. 1." (40).

Failure in supplying fertiliser to the agriculturists at market price in the different Block areas

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 15 in respect of co-operation be reduced by Re. 1." (41).

Failure to allot more funds to the Pari Municipality for improvement of roads

Shri Chintamoni Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 5,14,170 in respect of contribution to local bodies be reduced by Rs. 100." (42).

Slow progress in the implementation of the urban water supply and drainage schemes in the State

Shri Chintamani Panigrahi: I beg to move:

"That the Demand for a supplementary grant of a sum not exceeding Rs. 5,14,170 in respect of contribution to Local Bodies be reduced by Rs. 100." (43).

Shri Chintamani Panigrahi: Mr. Chairman, Sir, before discussion on the Demands was taken up I again enquired from the hon. Minister but I was not answered on those points. I wanted to know whether the Governor's Ordinance authorising these Supplementary Demands, if it is invalid, has been withdrawn and if it has not been withdrawn, a copy of that Ordinance must be laid on the Table of the House under article 213 of the Constitution. I did not get an answer to this.

Shri Datar: I shall reply to that.

Shri T. B. Vittal Rao (Khammam): Has he said that he will lay it on the Table?

Mr. Chairman: He has said that he will reply to that.

Shri Datar: I am going to reply to the point that he has raised about the Ordinance.

Shri T. B. Vittal Rao: He must say 'Yes' or 'No'.

Mr. Chairman: When his turn comes he will reply.

Shri Chintamani Panigrahi: Then I proceed with the Demands. At last these Supplementary Demands for Grants for 1960-61 which were going to be certified by an unconstitutional Ordinance of the Governor have come before this House. I do not know what the procedure of drafting the Supplementary Demands in the State is because so far as the Parliament is concerned we know everything in details, but here, if the hon. Minister will refer to the Supplementary Demands, he will find that the reports

are incomplete. They are too sketchy. They do not give any information as to how they are going to spend that amount by giving details of it. Under these circumstances, we are discussing the Supplementary Demands for Grants. When the General Budget comes up we will like to know in detail the informations so that it will be easier for us to discuss things. The State Government's officers are here. So I hope they can be impressed upon to do that.

Shri Bhagat: Fuller information.

Shri Chintamani Panigrahi: I refer now to Demand No. 6. It refers to the Hirakud Land Organisation. There is a Hirakud Control Board. The control of Hirakud Dam has now been transferred from the Government of India to the State Government. We have discussed the question of surplus machineries many times in this House and we have been told that the utmost efforts have been made to dispose of all the surplus machinery which is lying at Hirakud. But now because the President's rule is there and the Demands have come before us, we have surprisingly come to know that spare parts and machinery worth about Rs. 50 lakhs were lying undisposed during all these ten to twelve years of construction of the Hirakud Dam and after its construction in 1957 was complete they are still lying on the spot. What kind of machinery are they which have remained undisposed and which requires for its repair more than Rs. 5 lakhs? I think the Union Government should go into it. It should send its own officers to see whether actually the cost of repairing will be more than Rs. 5 lakhs. It must be looked into, otherwise there is no use in passing this Demand. They should see why those items of machinery have not been repaired for so long, what the State Government and its officers were doing so long and what the Hirakud Control Board was suggesting, when the Government of India was having control over it, for repairing this machinery. Why

suddenly, after the President's rule has come about, a sum of about Rs. 5½ lakhs became necessary for repairing all this machinery worth Rs. 50 lakhs? There is no detailed information about this Demand. We do not grudge this. The machinery must be repaired and sold. But we would like to know whether this Rs. 5½ lakhs is necessary or whether the amount that has been asked for is in excess of what is necessary. It must be looked into by the Government of India. Some officers should go there and with the help of the State Government's officers—they have very good officers there—it must be assessed whether this demand is necessary or not. I feel that ultimately the Government of Orissa is going to pay for all these things. After the control of the Board was transferred to the Government of Orissa, I think everything has been charged to the Orissa Government. It is by way of a loan that the Orissa Government has taken all this money for the Hirakud Dam. We would like to know from the hon. Minister whether when the interest on the loan is calculated all this money for the undisposed machinery and all these things that are lying idle will be taken apart so that no interest is calculated and is paid by the Government of Orissa for this purpose. The people of Orissa are poor. During these four long years of mismanagement of the State's affairs, it is only because the State's officers were there that somehow the administration was running. Otherwise, it was all collapsing. Therefore we would like to know all these things.

Now I refer to Demand No. 9. Orissa is a State which has the lowest per capita income and where many people do not get water to drink in the rural areas. I have seen in many areas during summer how very difficult it is to get even a glass of water to drink. And when this is the position in Orissa, you find that the Government has come forward and asked this House to sanction a sum of Rs. 70,000. For what? For beautify-

ing the new capital, for planting gardens, fruit trees, flowers, and avenues also. The Home Minister as well as the Deputy Finance Minister must be knowing the condition of Orissa. It is very difficult to supply the villages with drinking water. When that is the position, for beautifying the new capital at Bhubaneswar can we not wait for some time—this year six thousand, next year five thousand, next year five thousand, let us go on like that. Let us first meet the essential needs of the people. Not that we don't want to beautify it; if we are beautiful, our capital must be more beautiful.

Shri Jaipal Singh: Hear, hear.

Shri Chintamani Panigrahi: But let us first meet the needs of the people. I am glad that at least on one occasion I get appreciation from my hon. friend Shri Jaipal Singh!

Therefore it must be looked into and this demand is unnecessary, and I feel we cannot sanction this sum of Rs. 70,000. It may be sanctioned next year or the year after that. The amount can be safely spent on providing drinking water in the rural areas of Orissa.

Then I come to demand No. 11. This relates to the provision of some amounts of aid to the M.E. schools, that is Middle English school, in Balasore and Cuttack district, we have no objection. It is good that the Government has come to the assistance of schools which are not running well or are in deficit. We are very glad about it and we will sanction this amount. But we must have a principal that Government is going to formulate in this matter, that is when coming to the aid of schools which are running in deficit? I think in this matter no principle is being followed. If there is a certain area where the hon. Minister's man or some other party's man is there, only that school is being helped, and no regular uniform principle is being followed. So

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while according full sanction and supporting this demand for helping the Middle English schools, I urge upon the hon. Minister to see that a uniform policy is evolved, so that wherever a Middle school runs in deficit and needs help the State Government must formulate a general principle and must come to its aid. That will be more satisfactory.

I refer again to demand No. 11. I am glad that a sum of Rs. 15,000 has been provided for the construction of a Science Lecture theatre in the Samant Chandrasekhar College at Puri. It was very badly needed, and I am glad that this has been provided. But the State Government must be informing the Union Government by now that Puri lacks even a women's college. It is a district headquarters, but there is no college for women. There are a large number of girl students in Puri. I referred this matter to the hon. Minister of Education and the University Grants Commission. They say, "If the State Government had asked us for help in the Second Plan, in 1960-61 or even in 1961-62, then naturally we could have come to their rescue". Now, the year 1960-61 is gone, and there is no provision for this there. But the year 1961-62 is coming. I request the hon. Minister of Finance that they must provide some money for this at least in that year, because that is the condition of the University Grants Commission. Both the University Grants Commission and the Ministry of Education are very sincere. They want the spread of women's education. They wrote to me that "if only the State Government includes it in their Plan, naturally we shall come forward to help the authorities there with fifty per cent of the aid for the construction of a women's college". There is a committee for having this women's college for Puri; the District Magistrate of Puri is the Chairman of that committee and there are so many public men in it, and they are collecting money for it. It is a good thing.

So I hope that at least in the year 1961-62 Government will include this.

And then one point about the construction of youth hostels. Youth hostels are entirely a Government of India programme. I am referring again to demand No. 11. There you will find that the Government of India has gone to the extent of helping with Rs. 40,000 for one youth hostel at Gopalpur and with another Rs. 40,000 for another hostel at Khandagiri. The question is who is in charge of selecting the places? The places are being selected arbitrarily. They have formed a Youth Welfare Board. But it is only the people who support the ruling party in the State that are mostly represented in this board and their voice prevails. They have formed a youth welfare board in Orissa and in that board there are only the youths or professors whose ideas are akin to the ideals of the ruling party, that is the Congress—the other party has gone and only the Congress remains. They are the Secretaries or Presidents or members of the executive committee and they advise the Government in the matter of these selections.

I suggest there are other very beautiful places for construction of these youth hostels in Orissa. Take Puri, it is a grand place. Or take Konarak or Kapilas. Such beautiful places are there. So there must be a principle behind this, instead of a kind of a youth welfare board having no mass sanction behind it which advises the Government to construct these hostels at particular places. I think Government must give some thought to this matter.

I would then request the hon. Minister to look into demand No. 19. There you find that due to the implementation of the Plan schemes, the requirement of paper and other forms by the different departments and offices of the Government has considerably increased. It is estimated that Rs. 8,76,749 is the absolute minimum

amount required for immediate payment. Is the entire plan of Orissa being worked out on papers? Are we to understand that whereas the Government of India's plans are not in papers but in action, the plans of the State Government of Orissa are all in paper and therefore they require nearly Rs. 9 lakhs for this purpose? I think this is exorbitant. If necessary, let us write less and do more in work. This is not necessary in my opinion, it is too big.

Then I would refer to demand No. 21. It directly concerns the Home Ministry also, because there is provision to improve the economic condition of the Schedule Tribes and Scheduled Caste weavers. Well, Sir, with regard to the Tribals I shall leave it to my hon. friend Shri Jaipal Singh. But I shall say only one word. For improving the economic condition of the Scheduled Tribes and Scheduled Caste weavers, the Government of India asked the Handloom Boards of the States and Union Territories to formulate special schemes. Accordingly the All-India Handloom Board, Orissa Branch submitted a scheme to the Government of India which was approved at a cost of Rs. 4.25 lakhs during 1960-61 out of which Rs. 2.55 lakhs are to be spent for Scheduled Tribes and the rest for the Scheduled Castes. But I would like to submit one thing here. On improving the conditions of the Scheduled Tribes and Scheduled Caste weavers, so far as my knowledge goes, nothing has actually been done. For this Demand also, no detailed picture has been given. I cannot also ask the hon. Minister now to give a detailed picture. Any way, I would ask the hon. Minister to enquire from the State Government as to what schemes actually have been formulated for them.

With regard to the flood-affected areas, we had a debate in this House and Shri Jaipal Singh was very helpful to us at that moment. In the very serious flood of 1960, the most unfortunate thing is, many of the houses of the people belonging to the Sche-

duled Castes and Scheduled Tribes were completely washed out. It is good that the Government has asked for some grant for that purpose. We have seen and from different parts of the State representation have gone to the Ministers of the State Government. So far, very little help has gone to the people whose houses have been completely washed away in the 1960 flood. The flood was in August, 1960. It is now, 1961. During all these 8 or 9 months, how have these people, whose houses have been washed away, been living? How many houses have been built up to now by the State Government? No details are given here. We would like to know the number of houses actually built for these Scheduled Castes and Scheduled Tribes people, whose houses have been washed away or damaged in the 1960 flood and what flood control measures have been taken.

With regard to Demand No. 23—I shall refer to it briefly, Sir; you are getting impatient; it is a State Budget.

Shri Narasimhan (Krishnagiri): We are all taking interest.

Shri Chintamoni Panigrahi: I am very grateful. With regard to Demand No. 23, I have a suggestion to make to the Government. This Govind Dwadasi festival comes after 1,000 years and many people who committed sins all these years get rid of their sins after a dip in Puri. Therefore, it is a very important festival in respect of all the sinners of the country.

An Hon. Member: Sinners of the Orissa State?

Shri Prabhat Kar: There are so many sinners still.

Shri Chintamoni Panigrahi: This town has a population of nearly 50,000. The water works were built in 1924 when the population of the town was only 10,000. During all these years, no grant has been given to the Puri municipality for improving that drinking water facility in the town. Recently only, I got a letter from the Health Minister. He said that we have given

[Shri Chintamoni Panigrahi]

grants to the State Government under the Head, Urban watersupply and therefore, it is left to the State Government to sanction money to the municipality. I submit that in view of the importance of Puri, because it is a place of pilgrimage of all India importance. It is therefore necessary that the Union Government should make provision for drinking water supply facilities and give more money to the municipality to help it to overcome the difficulty.

Shri Braj Raj Singh: How much do you want?

Shri Chintamoni Panigrahi: Rupees four lakhs, at least. My hon. friends are very charitable.

With regard to the Press liaison officer, my hon. friend Shri Mahanty said that it was completely unnecessary. I request the hon. Minister to abolish that post. Because, the Government of Orissa will get enough publicity for all its acts of commission and omission as Members will discuss in Parliament. It will be better to invite some journalists from Delhi to Orissa. If Orissa wants publicity, the publicity must be here in Delhi and not in Calcutta. If there is any justification for maintaining press liaison, it should be in Delhi and not in Calcutta. If Orissa wants to publicise its activities, it must invite a group of journalists. The Finance Minister invited journalists from the U.K. and the U.S.A. Why not invite journalists from Delhi and get publicity? Our journalists will get money and not others. This Demand is completely not necessary. We do not sanction this Demand. I request the hon. Minister to withdraw Demand No. 36 which has been included to satisfy the demand of one particular political party to maintain its own man in Calcutta. Therefore, it must be withheld. As there is no party administration and the Parliament's administration is there, it will be necessary on the part of Parliament to withhold this Demand.

Then, I come to Demand No. 37, which is about reclamation of sand-cast areas. The State Government has completely failed in this work. In the last flood, more than 5,000 acres of good cultivable lands were sand-cast. The progress of work is very slow. We were told by the Ministry of Food and Agriculture here that they are supplying more tractors to the State Government to reclaim these sand-cast lands. We do not know how many tractors were supplied to the State Government. As far as the result is concerned, the work is not satisfactory. It is not progressing well. We request the hon. Minister to see that a large number of tractors are sent to Orissa and the Government of India takes more interest in reclaiming more sand-cast lands which were sand-cast during the last floods in Orissa. More than 5,000 acres of good cultivable land have been sand-cast.

With regard to Loans and Advances, my hon. friend Shri Mahanty said and for the information of the hon. Minister, I may just reiterate that it is not for small-scale industries. It is for large-scale and medium-scale industries. It is only for the large-scale industries of the J. K. group in Kanpur. It is only for a paper mill they are giving it. It goes against the principle of the Planning Commission. The Planning Commission has definitely said that if any private industrialist comes forward for setting up industries, there is the State Finance Corporation. There is the Investment Corporation and other State Finance Corporations. He can go there and have money. If really the Government of Orissa wanted to invite an industrialist, it is good to have a share in it, instead of inviting a person and giving him Rs. 15 lakhs on asking and the rest afterwards. I think it is unnecessary. It is better that the Government advises them to start the proposed paper factory through a Corporation over which they must exercise full control. If that is not possible, they should have a share in

the industry so that the interests of the State will be safeguarded.

With these words, I want, once again, to draw the attention of the hon. Minister to this. A very difficult time is coming for the people of Orissa. Now and then, the officers of the Orissa Government will be asked to come in the plane or train, I do not know, how many times, to this place. I do not know what is going to be the extra expenditure. The people of Orissa are going to suffer. It is better if it is reduced to the minimum. It is also necessary that the Government should come forward with a measure for having this Advisory Council of the Members of Parliament so that only when it becomes absolutely necessary, expenditure will be incurred on the State officers coming here and spending money. I do not want to say that they will mispend the money. Let us see that we do not spend more money on this. I make a request to the hon. Minister to request the President and the Governor. The officers' rule will be there for some more time till the general elections. There are very good and admirable Oriya officers in the State. Let us hope that these officers will come up to the occasion. The people of Orissa have suffered for four years. Let them not suffer for at least one year more till the general election comes.

Sbri Jaipal Singh: Mr. Chairman, I am very grateful . . .

Sbri Narayanankutty Menon: On a point of order, Sir, under article 213 of the Constitution, the ordinance making powers of the Governor are expressly conferred upon him when the legislature is not in session. In the case of Orissa, when the Ordinance regarding the appropriation of these Supplementary demands has been promulgated, it is expressly provided that the legislature was not in existence at that time. Because, with the President's Proclamation and taking over of the administration of Orissa State,

the legislature has been dissolved. Now, a very anomalous position has arisen, that there is an Ordinance passed by the Governor of Orissa, which is supposed to be valid in law; and according to our Constitution, when a law is passed either in exercise of the legitimate powers under the Constitution or purporting to act under the powers given in the Constitution, until and unless that law is declared void and inoperative by the judiciary in this land, that law is valid in this land. Now, what has happened is that the Home Minister has declared that law to be void and illegal, but, for all practical purposes, until that Ordinance is declared void by a competent court of law, that operates, and continues to operate.

Now, the very same amounts and the very same heads and items have been incorporated in the Supplementary Demands for Grants that have been presented before this House now. Now, powers have been conferred upon the Governor himself to expend money out of the exchequer under the provisions of the Ordinance promulgated by him under article 213 of the Constitution; the very same amounts are now being made the subject-matter of discussion and voting of grants by this House also. Therefore, there is an anomalous position, and my submission is that until and unless a categorical decision is obtained, as far as the Ordinance is concerned, this House is incompetent to proceed with these Demands. Otherwise, we shall be reaching into a ridiculous position that a Governor who is acting under this Constitution has passed a law, and the law is still in existence because it has not been declared void, and regarding the very same law, not with any sanction of the Constitution, we are re-enacting it by this procedure of voting on these Supplementary Grants.

This House should not be a party to such ridiculous behaviour by enacting a law which is already on the statute-book and which has not been.

[Shri Narayanankutty Menon]

declared void by any competent court of law. Therefore, my submission is that the passing of these Supplementary Demands is anomalous in the face of the provisions of article 213 of the Constitution, until the Ordinance is declared invalid, and, therefore, I place this point of order before you for decision.

Mr. Chairman: The hon. Minister.

The Minister of State in the Ministry of Home Affairs (Shri Datar): A number of points of a general nature have been raised.

Shri Narayanankutty Menon: What has the hon. Minister to say on this point of order?

Shri Datar: I am replying to that point first.

Mr. Chairman: If the hon. Minister has to say anything on the point of order, he may say it.

Shri Datar: About the Ordinance? Ultimately, it comes to the same thing.

Shri Narayanankutty Menon: Not about the Ordinance, but about the point of order.

Shri Datar: That is what I am trying to explain. In this case, let us understand the position in order to appreciate the circumstances under which an Ordinance was issued. I shall give only two or three dates.

Shri Jagdish Awasthi (Bilhaur): He could not understand the point of order.

Shri Datar: I am just explaining the position why the Ordinance had at all to be issued.

Shri Braj Raj Singh: You have admitted that it was illegal.

Shri Datar: I cannot go on with these interruptions.

Mr. Chairman: Order, order. Let us allow the hon. Minister to have his say.

Shri Datar: The Orissa Legislative Assembly started its session on the 16th February, 1961, and the work was stopped on the 21st February, 1961. By that time, two things had happened. The Coalition Government had prepared a supplementary budget and also the general budget, and copies of the supplementary budget and the general budget had been supplied to all the members of the Assembly. Before the budget was presented, and before the supplementary budget was placed before the Assembly, what happened was that the resignation was offered, and the Finance Minister refused to do anything. Under these circumstances, the Governor—you will kindly understand the position—had to consider the whole position. This happened on the 21st; and on the 23rd, on the advice of the law officers of the Orissa Government, he came to the conclusion that he could pass an Ordinance, and, therefore, an Ordinance was passed.

Shri Narayanankutty Menon: The point of order that I have raised is quite different, namely whether this House is competent to proceed with these Demands.

Shri Datar: I am explaining the position. Why should the hon. Member be in a hurry? The hon. Member should hear me first. When the matter came to us, our officers came to the conclusion that this Ordinance was entirely invalid, and that the Governor could not pass any such Ordinance at all. Let hon. Members understand this position first, and the Home Minister made this position clear, when there was an adjournment motion on this very subject. The question that arises now is this. When an Ordinance is entirely invalid, and it is entirely inoperative, is it necessary to lay it on the Table of the

House, or is it necessary to formally withdraw it? That is a question of which the Government of India are now seized. They have been assured that the Ordinance is invalid. The question that has been engaging the attention of Government at present is whether there ought to be a formal withdrawal of this Ordinance by the Governor or whether that Ordinance, though it is illegal, has to be placed on the Table of the House. This point has been engaging the attention of the Law Ministry just now; and as soon as we receive their final advice, we shall take necessary action.

Shri T. B. Vittal Rao: For the last fifteen days, they have been examining it.

Shri Datar: But this point should be understood namely that so far as the effect is concerned

Shri T. B. Vittal Rao: It is Government that should understand, not we.

Shri Datar: So far as the effect is concerned, that Ordinance was never given effect to at all, and no amount has been spent under that Ordinance.

Shri Chintamani Panigrahi: That is not the point. The point is that you have declared it invalid whether you have asked the Governor to withdraw it.

Shri Datar: That is what I have pointed out. The hon. Member is merely repeating it. So, I have clearly pointed out that no effect has been given to the Ordinance at all by the Governor or by any officer; no amount has been spent under that Ordinance.

The only legal question that now remains for consideration is whether it ought to be withdrawn by the proper authorities or whether it should be placed also on the Table of the House. These are the only two points which now have to be considered. They are more or less of an academic interest. They do not affect the sub-

stance of the supplementary budget that is now before Parliament.

Shri Narayanankutty Menon: May I clarify my point of order? This House, as far as the interpretation and the observance of the rules of the Constitution is concerned, is in the least concerned with whatever Government think over a particular position. The legal point is this. When a law has been enacted and it remains on the statute-book, unless that law has been declared invalid by a competent court of law, is this Government entitled to come before this House for re-legislating it, without that law having been repealed properly? It is a simultaneous enactment of a parallel legislation similar to the one enacted under the powers given under the Constitution or purporting to have been enacted under the powers given under the Constitution allowed or not? That is the point before you for decision.

Any person having the knowledge of the rudimentary principles of the Constitution could have very well understood this, and I am sorry that the hon. Minister's reply was with reference only to a matter of convenience which he could justify on behalf of Government, but the legal question involved, the constitutional question involved is whether a parallel legislation on the same principles, without repealing a particular statute, whether void or valid, could be proceeded with by this House. That point has not been answered by the hon. Minister. But that is the crucial question before this House.

Shri Radhelal Vyas (Ujjain): I am afraid that the point raised by the hon. Member is not clear to me. I think he will agree with me that what is illegal and invalid is void *ab initio*, and no formal declaration or decision by a court of law is necessary. So, there is no question of withdrawing it. When it is invalid, it has got no value at all. Therefore, I submit that the Supplementary Demands must be placed before the House, and it

[Shri Radhelal Vyas]

should be taken for granted that there is no law. So, I submit that the point of order does not arise.

Shri Mahanty: An Ordinance, whether it is valid or invalid partakes of the nature of a law legally passed by the legislature, because the President or the Governor is a part of the legislature. Now, it is open to a court of law to declare a particular piece of ordinance valid or invalid. It is not open to the Government, much less, to the Home Minister, to say that an Ordinance is invalid, because in the eyes of law, the Home Minister is of no consequence. It will be for a court of law to declare a particular piece of legislation or Ordinance valid or *ultra vires* the Constitution. Inasmuch as no court of law has declared it *ultra vires* the Constitution, and it is only the Government that considers that it is illegal, what they have done now is to allow it to lie and lapse.

15.50 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

It will lapse after a period of six weeks from the date of issue unless it has been approved by both Houses of Parliament. Therefore, it will be in operation for a period of six weeks from 24th February 1961. Hence, it cannot be said that the Ordinance is dead or invalid, because no court of law has declared it so.

Shri Narasimhan: It is dying.

Shri Mahanty: It is dying? It shall never die like that (*Interruptions*).

An Hon. Member: What is slow death?

Shri Mahanty: The point is that the Ordinance cannot die unless it is killed by Parliament.

Shri Radhelal Vyas: It has no legal validity.

Mr. Deputy-Speaker: If the life is fixed and that period expires, no killing is necessary.

Shri Mahanty: That is exactly my point. It has not been killed. It emanates from the Governor. Therefore it exists. It is not open to my hon. friend or to the hon. Home Minister to kill the Ordinance, unless it has been killed either by Parliament or by a court of law.

Now, my contention is that the supplementary demands are a *proforma* copy of the Ordinance, because what the Ordinance does is to appropriate or misappropriate under the given conditions from the Consolidated Fund of India....

Mr. Deputy-Speaker: Order, order.

Shri Mahanty: If it is illegal, what do you call it, appropriation or?

Mr. Deputy-Speaker: There is a standard of language that has to be used. We should not use such expressions.

Shri Mahanty: I am sorry. I withdraw it. What the Ordinance sought to appropriate is now being repeated in these supplementary demands. So our limited point is this: in the face of the fact that the Ordinance is not invalid—it is still there alive and kicking—how can we consider these supplementary demands which are a *proforma* copy of Ordinance? Government must first withdraw the Ordinance and then come to the House with the supplementary demands. Then it will be in order. I hope you will kindly give some thought to it because it is going to create an ugly precedent.

Shri Narayanankutty Menon: May I submit one additional point before you give your decision? Along with the main point raised, the most crucial question is whether the executive advising the Governor or the President to promulgate the Ordinance or pass a legislation could itself sit in judgment on the question of the validity or otherwise of that particular piece of legislation and then

step into the shoes again and legislate on parallel lines, or whether the judiciary is the only competent authority to declare a particular piece of legislation invalid or otherwise or the legislature itself should step in repealing that particular legislation and re-legislating on the same topic. As regards the theory propounded by my hon. friend, Shri Radhelal Vyas, that the legislation is illegal and void *ab initio*, it does not lie in the mouth of the executive itself which brought forward the legislation to say so, because even in constitutional matters the law of estoppel is applicable to the executive, and the executive cannot rope-dance with a particular piece of legislation and say at one time that this is the law prevailing in the country and the next morning come before the country and say, 'No, this is illegal' The very primary principle of the legislation is that there should be enough notice and certainty about it. Both are lacking in this case. Therefore, this particular discussion is invalid. That is the point I am raising.

Shri Achar (Mangalore): My submission is that this is not born at all. This has no legal birth (*Interruptions*). My hon. friend, Shri Mahanty, said somebody must kill it, and there should be a judicial declaration. That is not the correct position of law. I say this was not legally born. It had no legal existence. It is no statute. It is merely some words printed on some paper.

Shri Chintamoni Panigrahi: It is in the Gazette.

Mr. Deputy-Speaker: Can we not have patience to listen to others?

Shri Achar: If the person who promulgated it had no legal right to do so that means it is as good as no law. It is simply something printed on paper. I can also promulgate an Ordinance (*Interruptions*).

Mr. Deputy-Speaker: Order, order.

Shri Achar: I am mentioning this

analogy only to make this point: If I have no power to promulgate such an Ordinance or if any other person, it may be the Governor or the President, has absolutely no legal power to promulgate such a law, it is no law at all. It is not born. It is not a statute.

Take, for example, this analogy. There are alienations by Hindus under the *mitakshara* law, If the alienation is only voidable, not *ab initio* void, then the person has to void it. But on the other hand, if it is an alienation by a person who has absolutely no right to alienate, it is *ab initio* void. He need not go to a court of law to get it declared void. He himself can say that it is absolutely void.

In this case, it happens that the matter comes before this Parliament. So far as this Parliament is concerned, that so-called law was not born at all.

Shri Narayanankutty Menon: Then what will he do with the Governor?

Mr. Deputy-Speaker: Order, order. The question taken up by the Member is, who is to declare it void?

Shri Achar: No declaration is necessary.

Mr. Deputy-Speaker: Has the Governor who himself issued the Ordinance said that it is void?

Shri Achar: He has no power to issue it.

Mr. Deputy-Speaker: Then who is to say that it is void? If Parliament has to say it, then Parliament shall apply its kind and then declare that it is not valid.

Shri Achar: By adopting these demands, Parliament need not declare anything. As I said, in the case of alienations by persons who are not entitled to alienate, they need not go to a court or do anything of that kind. They simply treat it as void—

{Shri Achar}

ab initio void—and proceed. They ignore it. In the same way, Parliament has to grant these demands and while doing so, it has to ignore that illegal thing which was never born. We need not make a declaration or anything of that kind. We simply treat it as a mere paper. It has no legal existence.

Shri Narayanankutty Menon: It is the Governor who has promulgated it.

Shri Achar: It may be the Governor or anybody. If he had no power to do it, has no legal existence (*Inter-rptions*).

Mr. Deputy-Speaker: It is a constitutional issue. We should listen to others also and then decide. There are so many interruptions that I cannot follow it.

Shri Achar: I have almost finished. The only point is whether it is *ab initio* void and any declaration is necessary. My submission is that in a matter which is *ab initio* void, as this is, nobody need declare, no court need declare that it is void, neither the Government nor the Governor, because he had no power to promulgate it. We have simply to treat it as a scrap of paper, something which is legally void.

Mr. Deputy-Speaker: How does he presume that it is *ab initio* void?

Shri Achar: Under the Constitution....

Mr. Deputy-Speaker: He reads it like that. He thinks that it does not give any power. Let us hear another hon. Member.

16 hrs.

Shri Achar: The point is this, if a person, whoever he is, simply imagines that he has the power, and if he really has no power.....

Mr. Deputy-Speaker: Shri M. B. Thakore now.

Shri M. B. Thakore (Patan): I fully support Shri Narayanankutty Menon, and my hon. friend Shri Mahanty. The point is simple, whether the ordinance should be declared void or withdrawn by the authorities concerned who promulgated it: In this case, it has not been withdrawn, nor declared void, by a competent court. So, the ordinance stands. Therefore, discussion of the Demands which we are considering should be immediately stopped.

Shri Prabhat Kar (Hooghly): The point that has been raised by Shri Narayanankutty Menon, you will agree, Sir, is that while we pass a legislation here in this Parliament, this Parliament is not competent to decide whether a particular section of that law contravenes the provisions of the Constitution. It is always left to the courts to decide whether a particular section of a particular Act is *ultra vires* of the Constitution.

The Governor of Orissa has promulgated an ordinance. That ordinance may be valid or invalid. Unless that is decided by the court, it continues to be valid. If it is not decided by the court as invalid, there is nobody else, except the Governor himself withdrawing the ordinance, that can declare the ordinance invalid. Therefore, even if hon. Members decide to come to a unanimous decision that it is invalid, it shall not be considered invalid. Only the competent court can declare an Act, a statute, invalid or *ultra vires* of the Constitution, if a reference is made to it. Therefore, this matter cannot be decided even here.

Shri Braj Raj Singh: Could I just submit a point, in answer to what Shri Achar said? He said the ordinance was *ab initio* void. In this connection, I might cite an example.

The U.P. Legislature, some ten years back, passed a law, the U.P. Sugarcane Cess Act, which was re-

cently, in the last session when we were sitting here, declared void by the Supreme Court. For continuously ten years, the Act was in force. After ten years, it was declared void by the Supreme Court. Only then the Government could come to the conclusion that no action could have been taken under that Act.

In the scheme of our Constitution, an ordinance and an Act passed by Parliament or a Legislature, are on the same footing, have the same status. The only difference is that an ordinance remains in force only for six weeks, unless it is confirmed by Parliament or the Assembly, as the case may be.

So, even if the court afterwards comes to the conclusion that the ordinance was *ab initio* void, nobody here can say—not even the Home Minister or anybody in the executive—that the ordinance should be considered *ab initio* void.

The point under consideration in this House is this, that the Demands which we are going to consider, that we are considering, had already been passed so to say under the supposed ordinance passed by the Governor. So, when the Demands have been passed, we cannot for a second time discuss them here in the House so long as the ordinance remains in force. The Home Minister said they were considering the matter whether the ordinance should be withdrawn, or whether it should lapse by itself. Unless the ordinance is either withdrawn or laid on the Table of the House and rejected by the House, the Demands cannot be considered.

Shri Datar: What I want to add is this. The hon. Members have raised the larger question of the invalidity of the ordinance, or the validity, whatever it is. So far as that question is concerned, the practice of this House is not itself to declare whether it is invalid. It is for the courts, and we have to proceed on that footing as it is.

Mr. Deputy-Speaker: The point of order has been raised by Shri Narayanankutty Menon that an ordinance was promulgated by the Governor, and that has all the status that we assign to law, and so long as that is there, no other legislation, parallel legislation, can be passed in this House. He has also said that it has neither been declared void, nor withdrawn, and that it stands as a living law, unless something is done by this Parliament. This is the point that has been raised. I suppose I have summarised him correctly.

Shri Narayanankutty Menon: Yes, Sir.

Mr. Deputy-Speaker: The Home Minister had expressed the view the other day, when we were discussing that adjournment motion, that that ordinance was invalid. That is the Government's view. But, as I observed a few minutes ago, that declaration of the Home Minister does not make that ordinance invalid *ab initio*. Something more has to be done.

Now, it has been said that unless a judicial court declares it invalid, there is no other authority that can do it. It can either be withdrawn by the authority that has promulgated it, or declared invalid by a judicial authority. There is no other power that can declare it invalid.

Shri Narayanankutty Menon: I may add, Sir, that it can be repealed by the same authority by a subsequent legislation also.

Mr. Deputy-Speaker: Withdrawn or repealed by the same authority. I stand corrected so far as that is concerned.

Whereas the Home Minister has stated that it is invalid, he has not given indication that it would be withdrawn or some other steps would be taken. Confusion has rather arisen when it has been now stated here by the spokesman of the Government that the Government is still considering whether to lay it on the Table or do

[Mr. Deputy-Speaker]

something else with it. So, we are still uncertain what the attitude of the Government is going to be.

Unless there is a party to support that ordinance, so far as I can see all sections say and allege that it is invalid, and the courts can only declare when there are two parties making opposite assertions. Unless there is some party to say that it is valid, that it has force and it is being given effect to, the courts cannot declare that it is invalid. If it is agreed on all sides that it is invalid, then there is no party to go to the court.

But there is another thing that I am coming to. The Chair in this House has never taken upon itself the responsibility of deciding constitutional issues, whether this House is competent to proceed with a legislation which might subsequently be declared unconstitutional. This decision has always been left to the House. This House is sovereign to pass constitutional as well as other laws which might subsequently be declared unconstitutional. That has been the practice always.

Now this question has arisen, and it is for the House to take a decision whether it would really pass these Supplementary Demands which might have that effect, or they might not pass them. I would leave it to the House.

Shri Braj Raj Singh: You may leave it to the House for the passing or not passing of the Demands, but the point is this. The House cannot consider the Demands. The Demands have already been passed.

Mr. Deputy-Speaker: Therefore, the House would also take a decision as to whether it can consider or cannot consider. This question also is within the competence of this House, and this House would, by its vote, give its decision as to what it thinks is proper under the circumstances. I would not take the responsibility upon myself and the Chair has never taken it upon

itself in the previous decisions also. I perfectly remember that.

Therefore, now we can proceed, and the Members would also consider this question, and keep it in their mind, when they are exercising their vote.

Shri Narayanankutty Menon: On a point of order, Sir.

Your ruling is accepted, but there is only one difficulty, not regarding the constitutional interpretation, but in the procedure itself. Under article 213, when an ordinance has been promulgated, unless that ordinance is laid on the Table of the House...

Mr. Deputy-Speaker: That ruling I have given now. I do not think there is anything that has been left now unless some further points arise.

Shri Narayanankutty Menon: My point is this. It is not about the constitutional interpretation whether the legislation is valid or not, but about the procedure in this House. Unless the ordinance which is either valid or invalid is laid on the Table of the House, that ordinance itself will expire within six weeks of the assembling of this House.

Mr. Deputy-Speaker: That is now a hypothetical question. When the Government decides whether it is going to lay that on the Table or not, then, that question would arise. The Government would take a decision as early as possible and make an announcement here. Then this objection can be raised and I will give the decision.

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): Mr. Deputy-Speaker, Sir, I wish to steer clear of the constitutional pandits. Even if we should be doing anything unconstitutional, we can always indemnify ourselves later on. So, I would like to leave the position at that.

The Minister of Law (Shri A. K. Sen): Sir, the expression 'constitutional pandits' is not quite a proper

expression to be used with regard to the members of this Parliament.

Mr. Deputy-Speaker: That is usually used. We have been using it so many times and that gives credit and no detraction.

Shri Jaipal Singh: I would like to remind my learned constitutional (Some Hon. Members: Pandit) Law Minister that there are other pandits also in this House and I think he had better recognise this fact. I wish he were here present early to understand all this. I hope to get a few more minutes because I am afraid time was running out because of this dispute. I will speak for a few minutes.

I was grateful to my hon. friend Shri Panigrahi for leaving this item, Demand No. 21 pages 60 and 61 for me to expand upon. It is an extraordinary picture. Here is a coalition ministry of the Congress Party and the Ganatantra Parishad. But in this Cabinet we do not find any of the Scheduled Castes represented. There is no Scheduled Caste Minister; there is no Scheduled Tribes Minister. And, as far as I can see, Orissa is one of the States where there is a substantial percentage of the population who are Scheduled Tribes.

If you look at page 61, you will find that in the flood of last year the Adivasis in the flood affected areas became homeless and, in some cases, their houses had been severely damaged. There was a rehabilitation scheme. From this Demand No. 21 it seems that the Government of Orissa completely failed to rehabilitate these homeless people. Now, here, this Parliament is asked to do an extraordinary thing. Not only was nothing done to rehabilitate these displaced persons, persons whose homes were severely damaged, but there was a sum of Rs. 10,76,000 under the specific head of Special Multi-purpose Project Schemes. The Government of Orissa has failed to spend anything out of it. Today in this supplementary Demand we are being asked to divert that to

something else, housing for Scheduled Tribes.

Sir, this is a very dismal picture. The money that was ear-marked for a specific purpose, to give them homes, was not used. In addition to that Rs. 10,76,000 which was there for the special Multi-purpose Project Schemes has also not been spent. Today we are asked to give a token grant of Rs. 5 to make up that Rs. 10,76,000.

In page 60 also we find that during the 1960 floods the Scheduled Tribes of the affected areas were put to loss to a great extent and as such on a proposal of the State Government the Government of India have agreed for diversion of the savings. Our own Public Accounts Committee has again and again been confronted with the situation where the departments of the Government of India have been taking vast sums and have not been able to spend them. The same picture is being repeated in the State of Orissa. I think this is something that should be looked into very seriously because it is a question of freezing certain sums which may be badly required under other heads. As far as I am concerned, I would like to say outright that I do not oppose these Demands because the President must have funds to carry on the Administration.

Shri Mahanty: Sir, I am sorry I have to raise a point of order.

Shri Datar: Again?

Shri Mahanty: Yes; another point of order.

Mr. Deputy-Speaker: On the speech of Shri Jaipal Singh? That is the only thing that has happened.

Shri Mahanty: No, Sir. According to me what is happening is not correct, according to our own rules and the Constitution. I do recognise that the Chair is not taking the responsibility in this House of declaring a particular thing *ultra vires* or *intra vires* the

[Shri Mahanty]

Constitution. But this House is competent to consider it if there is any technical deviation of the constitutional procedure. My limited point of order is only this.

Now, according to the Ordinance passed by the Governor which is independent of the authority of the Government of India or Parliament, that Ordinance has already appropriated Rs. 4½ crores which is covered by these Supplementary Demands. All these Supplementary Demands have been passed under that Ordinance. Until and unless that Ordinance is repealed or rejected or whatever happens to that, there is no necessity for taking a vote on these. Therefore, all our deliberations are futile because the Demands have already been passed. That is my contention. It is a point of procedure; it is not a question of fundamentals or interpretation of the Constitution. It is a question of procedure and you can well appreciate that. When all these Demands have been passed what are we going to consider? It is going to create a very bad precedent. Therefore, I humbly beseech you to see that further discussion of these Supplementary Demands is postponed until the Governor withdraws that Ordinance or the Government does it on his behalf.

Mr. Deputy-Speaker: It is not that Ordinance of the Governor passing these Demands that gives us the authority today to proceed with the discussion of these Supplementary Demands. That has been done independently; when the President took over the responsibility, this Parliament became vested with all those powers. The powers that we are vested with arise out of the action taken by the President under article 356 of the Constitution. So, we are independently authorised to proceed with putting the Demands. All that can be said is that the Governor has already granted them and that it is for a second time that this Parliament is granting them. There is no harm even in that.

This Parliament can do it. (*Interruption*):

That is my ruling.

Shri Datar: Mr. Deputy-Speaker, Sir, I have heard very carefully the suggestions that hon. Members have made on the Supplementary Budget and also for adding to that in certain ways.

My hon. friend, Shri Jaipal Singh pointed out that certain amounts had not been spent and they ought to have been spent by the Orissa Government then. Now, so far as the present supplementary Demands are concerned, I was pointing out certain circumstances to show that the time at our disposal for preparing a new set of Supplementary Demands was very short. (*Interruption*).

Mr. Deputy-Speaker: Order, order.

Shri Datar: That was the reason why, I had been pointing out to this House that when the Orissa Legislative Assembly met for the Budget Session on the 16th February, 1961, all that it did was the passing of a Vote of Thanks to the Governor. Secondly, they also circulated the Supplementary Demands which have now been placed by us before the hon. Parliament.

They had also prepared the Annual Budget. Copies of both the Annual Budget and the Supplementary Demands had been supplied to the hon. Members of the Legislature in the natural expectation that the Budget would be duly taken into account and the Supplementary Demands also will be considered by the Orissa Legislative Assembly. But, on the 21st itself, certain unusual things happened as a result of which the House had to be prorogued. One was that the Chief Minister tendered his resignation and the Finance Minister felt that in the new situation created, it would not be proper for him to present the Budget or duly

get it passed; he also did not agree to have a resolution on the vote on account. All these happened on the 21st and naturally on the 25th the President issued his Proclamation. After that all the powers are vested in Parliament. In these circumstances, these supplementary demands had to be presented by us in the form in which they had been prepared by the former coalition Government of Orissa. A number of hon. Members interested either in the Congress or the Parishad raised objections without knowing the fact that the former coalition Government had itself prepared this Budget and also the annual Budget for consideration by the Orissa Assembly.

Shri Chintamani Panigrahi: There are other Members, neither interested in the Congress nor in the Parishad.

Shri Datar: On the 23rd the Governor issued the Ordinance and immediately it was found that it was not proper as it was, as the hon. Home Minister pointed out, an illegal document. So, we had to come before Parliament at the earliest moment and the earliest moment is the moment immediately after the Proclamation had been duly approved by this House. I would assure the hon. Members that the various very constructive suggestions made by them will be duly taken into account and to the extent possible if something could be done, it will be done. The annual Budget will also be examined. After all the time is very short and this had to be done immediately. Now, the expenditure so far as has actually been incurred by the Orissa Government on the authority of the annual Budget passed last year by the Assembly. There were also the supplementary demands passed in August, 1960. No amount was spent on the basis of this Ordinance. Only after this hon. House is pleased to accord its sanction to these supplementary demands, the amounts will be spent as and when necessary.

I would be very brief in making

references to a few items that had been referred to. My hon. friend pointed out that the economic conditions of the Scheduled Tribes and Scheduled Caste weavers had not improved properly. We are very anxious that they improve as early as possible and the Government of India are themselves making large grants to improve their conditions in general and the workers in particular. The All India Handloom Board, Orissa branch had submitted a scheme to the Government of India and it was approved at a cost of Rs. 4.25 lakhs during 1960-61. Out of that amount Rs. 2.55 lakhs was required for the Scheduled Tribes and Rs. 1.70 lakhs for the Scheduled Caste weavers. It has been decided to open six collective co-operative societies for Scheduled Caste weavers at a cost of Rs. 1.66 lakhs and 12 collective societies Scheduled Tribes weavers at a cost of Rs. 2.49 lakhs during this year.

Shri Chintamani Panigrahi: What is this collective society?

Shri Datar: Let me now complete; this is all that I have got.

Mr. Deputy-Speaker: The hon. Member says that he does not follow what exactly the adjective 'collective' means.

Shri Datar: I shall try to throw some light on this, later. It may be as the hon. Members say that it may have a general meaning or a specified meaning also.

There was considerable damage in Orissa State last year due to floods and the State Government spent about Rs. 3 crores over flood control measures. There is a proposal to spend a fairly large amount in 1961-62 and the desire is that as far as possible something should be done to avoid recurrence of these things.

Shri Mahanty raised some objection to the appointment of a press liaison officer. He will note that this particular officer was appointed and stationed at Calcutta in June 1960 and the very coalition Government of

[Shri Datar]

which my hon. friend spoke so warmly had appointed him and his office had been stationed at Calcutta because it was considered that Calcutta was the nearest—and one of the biggest cities—place in India and therefore it was felt that it would be better to have a press liaison officer there.

Shri Mahanty: Sir, on a point of order. My belonging to a particular party does not take away my right to present a particular objection and then bring it to the kind notice of the hon. Minister and the hon. Minister is expected to bring to bear his very sympathetic consideration on that point and not just dismiss it saying that because I belong to a particular party, I have no right to bring forward that point. My point of order, therefore, is that if the hon. Minister's consideration is clouded by such things, the debate would be futile.

Shri Datar: They are not clouded at all.

Mr. Deputy-Speaker: There is really no point of order. But I think his vision is not clouded but rather brightened by the feelings that he has for that party to which the hon. Member belongs. He thinks that that party could not do anything wrong and that whatever might have been done by them must be correct. That is the answer that he has given.

Shri Datar: That is an argument in my favour, Sir. Theoretically the hon. Member has every right but in substance that right has very little value because the coalition Government considered it necessary to have a liaison officer and they must have done so on account of certain reasons. Therefore, for us at this stage to drop the whole affair, the whole work carried on by them would not be proper.

Shri Chintamonj Panigrahi: I do not belong to either of the coalition parties. I would like to know the reasons. Shri Mahanty could be answered that way.

16-29 hrs.

[MR. SPEAKER in the Chair]

Shri Datar: The next item is about the establishment of the youth hostels. The Orissa Government had decided to establish two youth hostels, one each at Bhubaneswar and Gopalpur during the current financial year. As regards Bhubaneswar, the Government of India have already sanctioned Rs. 20,000, out of the grant of Rs. 40,000, to be given to the youth hostel scheme. Regarding the remaining grant, they have been moved to release the same. The entire grant of Rs. 40,000 will be utilised in making the necessary additions and alterations to the existing dak bungalow at Khandgiri and make it suitable for use as a youth hostel.

As regards Gopalpur, the Government of India have been moved to sanction Rs. 40,000 during the current financial year and that question is now under the consideration of the Government of India. The moment the Government takes a decision, further action will be taken in that respect also. These are some of the important points on which I have tried to throw such light as I could do at this stage.

Lastly, I may refer to the question of printing raised by my hon. friend. So far as printing is concerned, naturally, paper is required and the former Government there considered that it was essential. Therefore, it would not be proper to deprive the present administration of that amount of paper which is essential.

One hon. Member raised an objection and I wish to make a reference to it more or less in a lighter vein. My hon. friend contended that a number of officers from the Orissa Government will have to come to Delhi. That is true to a certain extent, but for that, if I may say so, my hon. friend is equally responsible, because he naturally raises—and he is

entitled to raise—a number of questions for answer on the floor of the House, and we have to get information from the State officers also. All the same, I would assure this House that Government are anxious to see that proper economies are effected to the extent possible.

These are the various important points that were raised by hon. Members and I hope the House will agree in sanctioning these amounts.

Shri Mahanty: Our views regarding the press liaison officer may kindly be communicated to the Orissa administration for applying second thought to this question.

Mr. Speaker: Government is always watching whatever is happening.

Shri B. B. Bhagat: I wish to say a few words. My hon. colleague has replied to almost all the points raised in the course of the debate on the supplementary demands for grants. But there are a few points left over for me to reply. The pattern of supplementary demands for grants as mentioned in these papers is more or less the same as we have in this House for the Government of India. The foot-notes also give the details regarding the specific items.

The hon. Member, Shri Chintamani Panigrahi, raised the question as to why the foot-notes are not complete. He suggested that the foot-notes should be more full and the picture should be clearer. His suggestions can only apply to the demands in future.

As for other points raised, my hon. colleague has replied and tried to give as much information as he could, and I shall endeavour to reply to some of the points left over. If necessary, in future, if such demands come, we will see that the suggestions made by the hon. Member are communicated to the Orissa Government, whether they are made in this House or in the next Assembly of the Orissa State, namely, that the information should be supplied in full.

In the present list, we have the supplementary demands amounting to a total sum of Rs. 440.9 lakhs as a gross figure, of which Rs. 243.29 lakhs is on revenue account and Rs. 197.2 lakhs is on capital account. But a large part of it is met out of the savings, receipts and recoveries during the year. So, the net figure of additional expenditure that is sought to be covered under these demands is only Rs. 156 lakhs. About Rs. 3 crores are met by savings. If you see the total budget of Orissa, which is about Rs. 62 crores Rs. 42 crores are on revenue account and the rest is on capital account. So, the supplementary demands come to two to three per cent. only of the original grant. Therefore, this is not a very extraordinary state of affairs. It is quite normal that such excesses occur which are covered under the supplementary grants. The House knows that even the various supplementary demands for which we come to this House in respect of the Central budget present more or less the same picture. I only wanted to say that so far as these amounts or the supplementary demands are concerned—the political situation may be extraordinary—there is nothing extraordinary; and so far as the financial or other situation is concerned, the position is not extraordinary.

Shri Mahanty raised a point about the loans and advances, and particularly about the loans given to large and medium industries. He made that point, although he did not object to assistance being given to industries for the speedy development of industries in the States of Orissa. Obviously he cannot object to it. But what he said was that instead of loans, the State should resort to equity participation. As a principle, it may be good. I may have a difference of opinion, but I am not disputing the principle he has raised. But the special conditions in Orissa are such that the State is obliged to come to the assistance of the industries in the shape of loans and not in the shape of equity participation. (*Interruption*).

Some hon. Members rose—

Shri B. R. Bhagat: Let hon. Members bear with me for a minute or two. The experience of the State Government is that they have burnt their fingers in equity participation. For example, I am told that they took some shares in Orissa Textiles or some other unit. I think several years have elapsed by now and they have not got any dividends. Therefore, for a State like Orissa, which is interested in raising the living standards of her people, particularly through speedy industrialisation—a large part of Orissa is very backward, with tribal people living in forests and other areas—what is needed is no doctrinaire or ideological approach, nor questions as to how participation in industry should be done. The more important point is, how speedily and how quickly the industries are to be developed there.

So far as the smaller industries are concerned, the hon. Member also agrees that loans may be better and not equity participation. But even for large and medium industries, purely on practical grounds, the Orissa Government should feel that loan is better than equity shares. That is the pure consideration which should weigh.

Some Hon. Members rose—

Mr. Speaker: I am not going to allow such interruptions. Hon. Members must feel that there can be honest difference of opinion in this matter.

Shri Chintamani Panigrahi rose—

Mr. Speaker: Order, order. It is a question of experience: loans or equity. The hon. Minister may go on. There could be a hundred suggestions. But there ought to be an end to this.

Shri B. R. Bhagat: Another point raised was about the Hirakud project and the disposal of the machinery. We want a sum of Rs. 5 lakhs for setting up a repairing unit for making the disposal machinery, which

was left over after the completion of the Hirakud project, usable. It has been alleged, and some complaints have been made, as to why, after all, so much time was taken and yet why we have not been able to dispose of them. The fact is, Hirakud project is a project to the value of Rs. 64 crores. After completion, whatever machinery could be used in other projects were disposed of on account. Then, some of the machinery which could not be used were in category B. Good machinery were disposed of for use in other projects. Certain recoveries were credited to the project. But Rs. 50 lakhs worth of machinery in a project of Rs. 64 crores are such that they cannot be used without repairs and without making them usable. That is why an amount of Rs. 5 lakhs has been asked for setting up a new unit where this machinery could be made usable.

The hon. Member may know that the State Government took charge of this project only on 1st April, 1960. Meanwhile they had been speedily disposing them of. Now they have come with the request for this amount for making this machinery usable and disposable. Whether this amount is much or low, I am not in a position to say. But so far as my information goes, there has been proper estimating and Rs. 5 lakhs would be needed for setting up this factory to make adequate repairs to the machinery and make it usable.

Another point was raised about the question of beautifying the avenues in Bhubaneswar and planting trees. The hon. Member complained that when there is so much shortage of drinking water, we should not go in for this expenditure for beautifying the avenues and planting trees. This is the first time we have heard objection against planting more trees. Apart from beautifying, plantation of trees affects the weather.....

Shri Chintamoni Panigrahi: Will the hon. Minister look to the break-up of this Rs. 70,000?

Shri B. R. Bhagat: His objection was mainly not that it is Rs. 70,000 but when drinking water is not available, why we are planting trees.

Shri Chintamoni Panigrahi: I did not object to planting trees. I said, when there is no drinking water available in the villages, is it necessary to spend Rs. 70,000 in beautifying the new capital? That was my objection.

Mr. Speaker: All of them have got their own places. But can anybody say there should be no tree until all wells are dug? There is a question of proportion.

Shri B. R. Bhagat: The hon. Member means that we are neglecting water supply. It is not a fact. That is what I am precisely explaining. The main ground on which he objects does not hold any water, because there is a provision of Rs. 2 lakhs for Bhubaneswar alone. There is a provision of Rs. 17 lakhs under urban water-supply and also Rs. 10 lakhs for rural water-supply. So, it does not mean that we are neglecting drinking water-supply in the rural or urban areas and we are spending a huge sum of Rs. 70,000 on planting trees and in beautifying the places.

With these words, I commend the demands to the acceptance of the House.

Shri Datar: In Orissa, a rather unusual expression is used, viz. collective co-operative societies. I wanted to know the meaning. I am told they are cooperative societies for collecting materials.

Shri Chintamoni Panigrahi: In the Planning Commission's note, there is no mention about collective co-operative societies.

Mr. Speaker: It is an expression used in Orissa. The hon. Member

must understand it from them. Nobody seems to be responsible for it here.

Two hon. Members have moved cut motions—Shri Mahanty and Shri Panigrahi. Does Shri Mahanty want to press any cut motion?

Shri Mahanty: I want to press all my cut motions.

Mr. Speaker: I will now put the cut motions moved by Shri Mahanty to the vote of the House.

The cut motions were put and negatived.

Mr. Speaker: Is Shri Panigrahi pressing his cut motions?

Shri Chintamoni Panigrahi: Yes.

Mr. Speaker: I will put the cut motions of Shri Chintamoni Panigrahi to the vote.

The cut motions were put and negatived.

Mr. Speaker: Now the question is:

"That the respective supplementary sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of the State of Orissa to defray the charges which will come in course of payment during the year ending the 31st day of March, 1961, in respect of the following Demands entered in the second column thereof:—

Demand Nos. 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 30, 31, 33, 34, 36, 37, 39, 41, 43, 44, 48, 51, 55, 58 and 60.

The motion was adopted.