CHAPTER - II

ORISSA AND ITS LEGISLATIVE ASSEMBLY:
A HISTORICAL ANALYSIS
CHAPTER - II

ORISSA AND ITS LEGISLATIVE ASSEMBLY:
A HISTORICAL ANALYSIS

The present chapter endeavours to deal with the historical background of Orissa till the formation of its Legislator Assembly. Dating back to the old time, this province was famous by its old names being Kaling, Utkal and Udra. The physical boundary extended far beyond the present one. Its geographical position had made it serve like a bridge between the northern and southern halves of India, where the Vindhya type of mountain range did not raise its head to hinder the pre-historic and proto-historic migratory movements. But instead the plains of the coastal belt as well as river belts of diagonal direction made the human contact easier. This led to an assimilation of Aryan and Dravidian ways of life in Orissa.1

Orissa is mainly a riverine state, in as much as a large number of small and big rivers flow through the state to the Bay of Bengal.2 It is bounded by Andhra Pradesh on the south, Bay of Bengal on the east and Madhya Pradesh on the west. In respect of age, Orissa occupies the ninth position, as it had been carved out as an autonomous political and geographical entity in 1936 only.

1. A. C. Mittal, An Early History of Orissa, Banaras, 1964, p-4
2. S. C. Dash 'Orissa, States of our Union' Govt. of India 1970, p-23.
The state can be broadly divided into four natural regions, i.e. (a) the hilly areas in the north and the north-west, (b) the Eastern Ghats, (c) The central and western plateau, and (d) the coastal plains. The hilly areas in the north and north-west and the central and the western plateau constitute the mineral belts of the state. These may be regarded as part of the Vindhya ranges of the Gondwana variety and cover major portions of the districts of Mayurbhanj, Keonjhar, Sundargarh, Sambalpur, Kalahandi and Bolangir. Most of the tribal population of the state lives in the region. The Eastern Ghats, pass through the coastal districts of Ganjam, Cuttack, Puri and Balasore with an extension of Koraput and Dhenkanal. The coastal plain is enriched by the rivers flow through it. They are Rushikulya, Mahanadi, Brahmani, Baitarani, Subarnarekha and their tributaries and distributaries.3

Orissa became a separate province in 1936 which fulfilled the long cherished desire of the Oriya speaking people. There were only six districts at the time of the creation of the new state. There was a remarkable change in the geography and demography of Orissa, as a result of merger of the Indian Native States with Orissa in 1948. From six district in 1936, Orissa became a state in Independent India, with thirteen districts in 1948.

However, the existing districts were again reorganised and new districts were constituted in 1992 and 1993 amounting to 30 constituent districts of Orissa.\(^4\) As per 1991 census, the geographical area of the state is 1,55,707 square Kilometers and total population is 3,15,12,071.

Orissa has a traditional caste ridden Hindu Society, and the talent for the political, economic, social and academic leadership in the state is provided mainly by the caste Hindus. The dominant caste that have led the Oriya Society are the Brahmins, Karans and Khandayats. Besides Orissa's population also contains a large percentage nearly 38.2% of scheduled castes and scheduled tribes, who stay in the hilly tracts of western Orissa, and are yet to see the ingredients of modern civilization. These tribals are mostly political and their main concern is with the 'nature' on which they depend for everything. Social life, organisation of the state, and political participation do not make any sense to them. With the introduction of representative government and legislative elections some of these tribal leaders developed interest in state politics but they have mostly been treated as scapegoats.\(^5\) Of late these caste groups have assumed the form and role of pressure group because of rapid modernisation process in these tribal societies.

Orissa is mostly a state that resides in village. Nearly 91.7 percent of the state population live in villages and only 8.3 percent of the

population live in the eighty towns of Orissa. Nearly 76 percent of the population is engaged in agriculture while the remaining 24 percent is engaged in mining, trade, manufacturing and government services etc. The state has a literacy rate of 26.1 percent which is below all-India average. And female literacy is still lower, though of course the women had made a significant contribution to the course of national independence and political development.6

Orissa has never been considered as an industrialised state, and at the same time it is not an agricultural one. Despite average rainfall, and river system the agricultural output is not encouraging as the farmers mainly use primitive and unscientific means of farming.

Despite its rich mineral resources, Orissa presents a paradox of poverty in plenty. Orissa is the large producer of high grade iron and manganise ores. Twentyfive percent of the total manganise production of India is produced in Orissa, and thus undoubtedly Orissa makes a significant contribution to the foreign exchange position of India.7 Chromite, Coal, Limestone, Dolomite, Graphite, China clay, Fine clay, White clay and Soap stone are the other minerals found in Orissa.

Orissa has very inadequate means of transport in relation to agricultural and industrial potential as also mineral wealth and forest

resources. Railway facilities are not adequate, so also roadways. The inadequacy of transport facilities hinders faster industrialisation in Orissa. But Orissa is famous for her small scale and cottage industries all over the world. Orissa is otherwise known as 'Utkal' or land of excellence in art and architecture.

The historical background of Orissa remains unexplained without the detail description of its political geography. The political geography of the land included 'Odra and Utkal' in the central Orissa, Kalinga in the south and south Kosala in the west. The detail description of these regions are obtained from the later Vedic Literature, the Mahabharat and the Buddhist and Puranic scriptures.

After the downfall of the Hindu kingdom, Orissa came under Muslim, Mugal and Maratha rule that lasted for more than two centuries. Prof. P. Mukherjee attributes the downfall of Hindu Kingdom to a number of factors, saying that the decline of Orissa's Medieval Hindu Kingdom can be detected even before the 16th century because Purushottam Dev, the predecessor of Pratapudra Dev, lost more than half of his ancestral dominion with five or six years of his accession and Bahamani Sultans annexed, the Godavari-Krishna Doab. Secondly, the military strength of the kingdom had been sapped by frequent wars of aggression waged

by Kapilendera Dev and Purushottam Dev. Thirdly, the people of Orissa rolled in luxury, with the wealth plundered from Kanchi to Triveni and neglected their martial duty. As a result Hindu King Prataprudra Dev had to employ Musalman mercenaries in his campaign against Krishnadeva Raya.\textsuperscript{10} Mukunda Dev was the last Hindu ruler who was put to death by his own countrymen.

Although the British Contact with Orissa began in the first half of the 17th Century, Orissa came under British East India Company's rule in 1803, when finally the Company's troops marched into Orissa to crush the Marathas.\textsuperscript{12} At that time, the feudatory states or Garjats were sixteen in number and they were generally known as the Tributary Mahals of Orissa. Two more Mahals were added to the number in 1837. Thus the three districts of Balasore, Cuttack and Puri in the coastal tract and eighteen tributary Mahals in the hill regions to the west constituted the British Orissa in the 19th Century. The total area was 23,907 square miles of which 16.184 miles were occupied by the Tributary Mahals. It did not include all the Oriya speaking territories under its jurisdiction.\textsuperscript{13}

\textsuperscript{11} G. W. Forrest ed \textit{State Papers, G. W. Hastings}, Vol. 1, p-2
\textsuperscript{12} N. Mohanty, Ibid, P-78.
\textsuperscript{13} K. M. Patra, "Orissa Under British - Political Sketch", \textit{Sidelights on History and culture of Orissa} Vidyapuri, Cuttack, 1977, p.157.
The Britishers took the plea that they have saved Orissa from the hands of Marathas but their own administration created more problems in the State. In the early period of British rule, Orissa was subjected to administrative negligence, mismanagement, excessive taxation and oppression of corrupt officials. British Administration, which always took advantage from its policy of 'devide and rule', devided the Oriya speaking tracts into three different parts namely, Bengal Presidency, Madras Presidency and the Central Provinces, without any co-ordination of race, language or culture. People were subjected to untold suffering by the administration and its officials.

**Growth of National Consciousness in Orissa:**

Exploitation by the British administration ultimately erupted in the form of an open rebellion in 1857 which is commonly known as 'Paik Rebellion'. This was the first war of nationalism fought by the Oriyas against British authorities. Although the Britishers managed to suppress this rebellion in strong hand, but the impact of this war was far reaching. For a dismembered state, with many of its territory politically detached, Orissa then presented an astonishing socio-cultural unity, which was remarkable with its impact upon the nationalistic feeling about to develop in the country.

---

Paik Rebellion brought in its wake a number of important developments. The growth of western education and people's exposure to it, enlarged their frame of references, which enabled the educated Oriyas to develop an inquisitive attitude and a rational outlook. A new kind of consciousness developed in them to understand themselves as an individual in their social and political context.

But the negligence of the East India Company in other vital matters like communication and irrigation had caused an unprecedent calamity in 1866-67, known as the Great Famine of Orissa. The Secretary of State for India, Stafford Northcote reviewed the whole situation and made suggestion for making Orissa and its other divisions an independent unit in 1867. This opened a new period in the history of this neglected area, as the Government started taking some interest in the development of this region.

In Orissa, as well as elsewhere in India, in 19th century, social movements, as well as the growth of national consciousness were facilitated mainly due to two factors; firstly the rise of middle class intelligenta and secondly, the growth of mass media like press etc. The growth of railways, postal services and press, both native and

English provided the required media for giving necessary fillup to the growth of national consciousness.²⁰

Political consciousness of the people of Orissa was sufficiently roused by 1882, when Lord Rippon introduced the new scheme of local self government in India. The desire was that the people should elect their own representatives to the local bodies in order to make them more effective. A political organisation named 'Utkal Sabha' was started at Cuttack to spearhead the political activities of the people.²¹

In Orissa, Raja of Ghumsar gave first resistance to the European authority. In 1867-68, Raja Narayan Dev of Parlakhemundi rebelled against the British authority. In the Northern Orissa, the Raja of Mayurbhanj was a powerful ruler who resisted the authority of the English company strongly. Thus the 18th century saw the first phase of consciousness among the Oriya people to free themselves from the authority of their alien ruler.²²

The 19th century saw the consciousness among the Oriya people to locate their own identity. The Utkal Dipika played an important role in upholding the rights of the Oriyas and the prestige of the Oriya language and race. The origin of the idea of an united Orissa started in

²¹ Gauri Sankar Roy (ed), Utkal Dipika, July 1882, and 19th Aug 1882, Cuttack.
1868, by Sir Stafford Northcote, who suggested for separation of Orissa from Bengal. At the same time, Raja Padmanava Narayana Dev of Parlakhemundi started 'Utkal Haitaisini Samaj' at Parlakhemundi to agitate for the inclusion of Ganjam with Orissa.

The Oriya unification movement had really started in the outlying parts where the people were constantly dominated by the non-Oriyas. The growth of communication, railways, and other means of transport towards the first quarter of the 20th century not only ameliorated the financial condition of the people of Orissa, but boosted up their political spirit by facilitating the physical link and communications among the men of different regions.

The impact of western education was reinvigoured by the growth of press and journalism in Orissa, thereby leading to the development of Oriya language and literature. The prominent periodicals like Utkal Dipika, Swadeshi in 1876, Orissa Gazette in 1879, Prajabanhdhu in 1882, Orissa Patriot in 1888, Utkal Prabha in 1891, Utkal Sahitya, in 1897, came out with full spirit. Simultaneously, political associations were established to ventilate the grievances of the Oriyas and played an active part in the political affairs of Orissa. The earliest political

---

association was *Utkal Haitavadini Sabha* of Berhampur organised by William Mohanty. Then the landholders of Orissa formed an association with Biharilal Pandit as its President to introduce Local Self-Government' in Orissa.\(^{28}\)

As a result, the people of Orissa were made conscious for their demand of political rights, which were expressed in their increasing political awareness flowing in two directions - first, starting as a language movement in search of racial identity, and later in search of intense political identity of their own.\(^{29}\)

The question of amalgamation of different separate areas of Orissa was not confined to the paper works and meetings only, concrete steps were also taken to submit representation to the Government to that effect. When John Beames was the Commissioner of Orissa, Oriyas appealed to him for the merger of the Oriya speaking areas into a distinct language unit.\(^{30}\) The people of Balasore made a similar representation to Richard Temple, the Lieutenant Governor of Bengal.\(^{31}\) Unfortunately, the Lieutenant Governor did not pay any heed to the appeal.\(^{32}\)

---

30. *Samvad Bahika*, 16 October, 1873.
In July 1877, an association called 'Utkal Sabha' was formed. The prominent members of this association were Madhusudan Das, Fakirmohan Senapati, and Radhanath Roy. Utkal Sabha also passed a resolution to protest against the abolition of Oriya as the Court language of Sambalpur. In this connection, *Utkal Dipika* published the views of Madhusudan Das, Gokul Chandra Choudhuri, Gauri Sankar Ray and Raja Padmanavha Narayana Dev. By 1882, many more associations were formed to take active part in the political affairs of Orissa.\(^{33}\)

Agitation for the amalgamation of Oriya speaking tracts took its shape right from the beginning of the 20th century. Although efforts on large scale were carried on by different organisations, like Ganjam Jatiya Samiti, (National Congress) and Utkal Sabha of Cuttack, for this purpose, but the historic gathering by the representatives of the Oriya speaking tracts of Ganjam, Sambalpur, and Midnapore and such outlaying territories of Orissa at Cuttack on 30-31\(^{st}\) December 1903 was noteworthy. It was the historic gathering of 'Utkal Sammelani' which spearheaded the Oriya movement till the formation of a separate province in 1936.\(^{34}\) The socio-political awakening of the Oriya people was quite evident from such a representative gathering. However, their aims and aspirations for the fulfillment of provincial intrests were mostly limited by the forces of circumstances.

\(^{33}\) *Utkal Dipika*, 1\(^{st}\) July 1882, and 26\(^{th}\) Jan, 1878.  
\(^{34}\) *Utkal Dipika*, 2\(^{nd}\) January 1904.
In 1905, at the time of partition of Bengal, some tracts of Sambalpur were merged in Orissa. From 1905 to 1911, several delegations, representatives and memorials, both to the local and central governments had been made without effect. On 1st August 1912, the new province of Bihar and Orissa was created. Orissa still remained as a Commissioner's Division. Public opinion in Orissa was not consulted at the time of creation of the new province. Lord Curzon during the debate in the House of Lords on the Government of India Bill in 1911 observed; "The interests of the Oriyas have been sacrificed without compunction".  

The 1916 sessions of *Utkal Union Conference* held at Balasore appointed a subcommittee, named, Utkal Union Committee which gave a memorandum to Montagu Chelmsford for unification of Oriya-speaking territories in Orissa. In December 1917, Madhusudhan Das, urged in the Bengal Legislative Council for an United Orissa. In 1920, Sachidananda Sinha, moved a resolution in the Imperial Council to appoint a mixed committee of non-officials and officials to formulate a scheme for the amalgamation of the Oriya speaking tracts. 

The year 1921 is a turning point in the political development of Orissa. During this period, the provincial unit of the Indian National

---

Congress', was constituted with the efforts of Gopabandhu Das, who was the President of the Provincial Congress Committee. 37

In the meantime, the British Government appointed a statutory commission, early in 1928, under the chairmanship of John Simon to report on the working of reforms in India. The Commission recommended for the formation of an Oriya province. "Financial matters could be satisfactorily adjusted."38 The Commission subsequently appointed a sub-committee for Orissa, known as Attlee Committee, to have a detailed investigation. This committee recommended for the constitution of a separate 'Oriya Province' consisting of Orissa Division, Angul, feudatory states of Orissa, some portions of Mohanpur, and Gopiballabhapur under the Bengal presidency, Kariar estate under the Central Provinces, and Ganjam district under Madras Presidency. It did not recommend the inclusion of other Oriya speaking areas including Singhbhum and Jaypore Agency tracts on various grounds. On the basis of this Report of the Sub-committee, the Simon Commission recommended the appointment of a 'Boundary Commission' for the creation of a new Orissa province.39

According to the suggestions of the Simon Commission, the

"Oriya Boundary Commission", was appointed with S.P O' Donnel, as the Chairman, to examine the question of setting up of a separate administrative unit for Orissa, from financial and other aspects and to make recommendations regarding the adjustment of boundaries. The Committee met at Patna (Bihar) on 4th November 1931, and invited memorandums. Memorandums were submitted to it by different Oriya associations of Oriya speaking areas including the Ganjam district. The Committee examined the claims and finally recommended the inclusion of the plains and agency areas including Parlakhemundi in the Ganjam district, and Khariar and Padmapur excluding Phuljhar in the Central Provinces. But the Commission opposed the inclusion of the Oriya speaking areas from Bihar and Bengal. Therefore the O' Donnel Committee Report was very much opposed by the Oriya leaders.

The White Paper, which was prepared by the Indian Office in March 1933 on the basis of the Round Table Conference included the announcement of creating Orissa into a separate province, and indicated the proposed boundaries of the said province. But the publication of the 'White Paper' perpetuated controversy and disappointed the Oriyas as the proposed province excluded Visagapattnam Agency and Parlakhemundi.

42. *(Reforms Office Resolution) No- F.12/VI/31/18-9/31, Govt. of Assam, 6th June, 15th Aug, 26th Sept 1932.
Finally, on November 22nd 1934, the Joint Select Committee under the Chairmanship of the Morgues of Linlithgow, made the announcement that, certain other areas should be added to the proposed new province in addition to those mentioned in the 'White Paper'.

On the basis of the above recommendation, 'His Majesty' issued the Order on 3rd March 1936, titled as The Government of India (Constitution of Orissa Order 1936) that recommended the formation of a new province Orissa, and the Order became effective from 1st April, 1936, marking a new phase in the history of Orissa.44

A Brief History of Legislative Assembly of Orissa:

The necessity of an well organised legislative system was felt, as soon as the new province was created. As Advisory Council for this purpose was constituted with Sir John Austin Hubback as the President and same leaders of the areas concerned who had some sort of legislative experience.45 In the meantime, the Government was preparing for the introduction of the provincial autonomy as provided in the Government of India Act, 1935. The General Election to the Provincial Legislatures under the new Act was expected to be held by 1937. In July 1936, Utkal Provincial Congress Committee met at Berhampur in Ganjam district and passed resolution outlinning the activities of the Congress

44. The Samaj, 1st Feb, 1937.
45. Amrit Bazar Patrika, 14th July 1936.
Party in the new province, with special reference to parliamentary work.46

The General Election to the provincial legislatures under the Government of India Act, 1935 was held in early 1937. The Indian National Congress decided to contest the election and vigorous propaganda was made throughout the country. Jawaharlal Nehru came to Orissa in November 1936, for election campaign and addressed mass meeting at a number of places like Salepur, Chandol, Bahugram, Kendrapara, Jagatsinghpur, Biridi, Cuttack, Puri and Berhampur. Besides the Congress, two other political groups were also very active in the province. They were Orissa Nationalist Party and the United Party. These groups were led by Rajas and Zamindars of the province, who wanted to defeat the Congress to safeguard their vested interests.47

Sixty seats of the Assembly were allotted taking into consideration the plurality of the society. In the arrangement of the seats, the scheduled caste population, women, Mohammadans, Christians and land-holders were allotted reserved seats. Representatives of backward tribes were also nominated to this Assembly.48 The allotment of seats of this Assembly is given in the following table.

Table - I

(Allotment of Seats in the Assembly)

<table>
<thead>
<tr>
<th>Categories</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. General</td>
<td>41</td>
</tr>
<tr>
<td>2. Researved : SC</td>
<td>6</td>
</tr>
<tr>
<td>Women</td>
<td>2</td>
</tr>
<tr>
<td>land holders</td>
<td>2</td>
</tr>
<tr>
<td>Mohammadans</td>
<td>4</td>
</tr>
<tr>
<td>Christians</td>
<td>1</td>
</tr>
<tr>
<td>3. Nominated from</td>
<td></td>
</tr>
<tr>
<td>representatives of backward tribes</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>60</strong></td>
</tr>
</tbody>
</table>

The election to the Orissa Legislative Assembly started from 18 January 1937, and continued up to 23rd January 1937, in accordance with the provisions of the Government of India Act, 1935.\(^{49}\) The National Congress got the majority by winning 36 seats out of 60 seats. Non Congress parties won 10 and independents got 10 seats, and 4 were nominated by the Governor. In March the newly elected Congress members of the Orissa Legislative Assembly met at Cuttack to elect their leader of the party. Thirty two Congress leaders attended.

\(^{49}\) Shri Chandi Prasad Nanda, *O.H.R.J.* Vol - XXXIV.No - 3 & 4, p- 73.
the meeting and they unanimously elected Biswanath Das as the leader of Congress Party. Nanda Kishore Das was elected as Deputy Leader, Nityananda Kanungo and Jagannath Mishra were elected as Joint Secretaries of the party in legislature. Jadumani Mangaraj was elected as Chief Whip of the party and Sarla Devi as the Deputy Whip.\textsuperscript{50}

But, the Indian National Congress was not in favour of acceptance of office on account of Government of India's refusal to announce their policies pertaining to India's freedom after the end of World War II. However, Mahatma Gandhi had persuaded the Congress Working Committee to adopt a resolution regarding acceptance of office on certain conditions.\textsuperscript{51}

On the basis of C.W.C. resolution, the Congress leaders in different provinces began negotiation with respective Governors regarding the formation of Ministry. In this connection, Biswanath Das, the Congress leader of Orissa Legislative Assembly, met the Governor of the province on the morning of 24th March 1937. The latter formally invited the Congress leader to form the Government for the Province. But Sri Das intimated to the Governor that he was unable accept the invitation unless His Excellency agreed to give him the assurance that he would not use his special power of 'Interference' or set aside the advice of Ministers in regards to constitutional activities. However the

\textsuperscript{51} The Samaj, Cuttack 25th March, 1937.
Government was not prepared to give the assurance, Sri Biswanath Das finally rejected the offer to form the Ministry.\footnote{52. The Samaj, Cuttack, 2nd April, 1937.}

After the breakdown of the negotiation with the Congress, on 28th March 1937, the Governor succeeded in persuading the Maharaja of Parlakhemundi to form a Ministry in the Province on 1st April, 1937.\footnote{53. The Samaj, Cuttack, 3rd April, 1937.} In this connection the Maharaja of Parlakhemundi issued a statement to the press explaining the circumstances under which he assumed the new responsibility and appealed the people of Orissa to support in his venture.\footnote{54. Amrit Bazar Patrika - 3rd April, 1937.}

There was widespread resentment against the Nationalist Party for accepting office in a very unconstitutional way, and it was demonstrated by mass 'hartals', throughout Orissa.\footnote{55. K. M. Patra, Op.cit., p-98.} The interim Ministry continued till 13th July 1937.\footnote{56. K. M. Patra, Op.cit., p-104.} After the assurance given by the British authorities, finally the Congress decided to accept the office on 19th July 1937. Besides the Premier Sri Biswanath Das, two other Ministers, namely, Shri Nityananda Kanungo and Bodh Ram Dubey took oath of office. It was also announced that the first session of the Orissa Legislative Assembly would commence from 28th July, 1937.\footnote{57. The Samaj, Dt. 28.7.1937.}
This Ministry continued till 4th November 1939, about two years and four months. During its short tenure in office, the Ministry had to tackle a large number of problems; Directions common for all Congress Ministries in different provinces in India were issued by the Party High Command as to the number of Ministers, their emoluments, fixing of certain codes of conduct etc.\textsuperscript{58}

The Opposition, during this period, had the strength of one sixth of the total number of seats in the Assembly. But they did not allow the Ministry to have a smooth sailing. All issues were thoroughly debated before these were accepted by the House. On the whole, the debate and discussion generated a new sense of democratic value in the minds of the people of Orissa and that boosted their morale for greater participation in the freedom struggle for reacting the ultimate goal.\textsuperscript{59}

The Congress Ministry resigned on the 4th November 1939, in protest against the involvement of India in the Second World War by the British Government without consulting the popular representatives of India. The Governors accepted the resignation of the Ministry on the 6th November 1939 and assumed direct responsibility for the

administration of the province from the same day that is 6th November 1939, but the Assembly was kept under suspended animation.  

In Orissa a Coalition Ministry was sworn on 24th November 1941, with Maharaja of Parlakhemundi as the Prime Minister and Pandit Godavarish Mishra and Maulavi Abdus Sobhan Khan as two other Member of the Council of Ministers.  

Due to differences among the partners in the Coalition Government, the Prime Minister resigned on 20th June 1944. The resignation of the Prime Minister and other Ministers were accepted on 29th June 1944, and from 30th June 1944, Orissa was placed under 'Governor's Rule' till 14th September 1945.

It is relevant to note that on 1st January 1948, 25 Princely States merged in the Province of Orissa in pursuance of the provisions of the 'Administration of Orissa Order'. An Assembly for 'Orissa States' called Orissa State Assembly' was constituted with 36 members. In the Post-Independence period, that was an Interim Legislative Assembly for the State of Orissa. This Assembly was composed of 31 members nominated by the Governor from 25 Princely States, and five ex-officio members namely, the Prime Minister of Orissa, three members of the Executive Council to aid and advise the Governor in the administration of the Princely States, and the Chief Administration with a Special Commissioner.

---

61. Ibid, P-7.
But after the final merger of the Princely States with Orissa, in October 1949, all the 31 nominated members representing the people of the merged Princely States, were nominated by the Governor to the Provincial Assembly, raising its strength to 91. Thus, during the period from January 1st 1948 to October 1949, two Assemblies were functioning viz the Prinivil Assembly and the Assembly of Orissa States.

On 30th September, 1946, a motion was adopted in the Assembly to shift the capital of Orissa from Cuttack to Bhubaneswar. In the year 1948, a separate department was formed for the administration of Assembly affairs under the administrative control of the Home department of Government of Orissa. This happened during the period of the second elected Provincial Assembly of Orissa Legislative Assembly which was formed under the leadership of Dr. Harekrushna Mahatab of Congress.

The First Post-Independence Legislative Assembly of Orissa:

As per the provisions of the Constitution of India, 1950, the total membership of the Legislative Assembly shall not be more than 500 or less than 60. The membership of first Post-Independence Orissa Legislative Assembly was fixed at 140, based on the basis of population.
of 1951 Census Report, but, later on it has been increased to 147. The Constitution provides that the Head of the state of Orissa will be a Governor, and there will be a unicameral Legislature, known as the Orissa Legislative Assembly. The members of Assembly are to be directly elected by the people from territorial constituencies, as proportioned to the population size. All electoral constituencies are now single-membered constituencies. But despite the demarcation of our electoral process achieved by abolition of restricted franchise, the practice of separate communal electorates for special interest groups, the element of ethnicity still persists in the composition of the present Assembly\textsuperscript{64} as there is the provision of representation of Scheduled Caste and Scheduled Tribes in the lower chamber of the Indian Legislature. Accordingly, the state legislature also provides reservation of seats for scheduled castes and scheduled tribes of the states. The number of reservation of seats are fixed at 58 in a House of 147. Moreover, the Constitution also empowers the Governor to nominate one Anglo Indian to the State Legislative Assembly.

As per the above constitutional provisions the first independent Legislative Assembly was formed in 1952. Election was held on the basis of Universal Adult Franchise from 20th December 1951 to 24th January 1952. The strength of political parties in the Assembly was;

\[226899\]

\textsuperscript{64. Indian Constitution Act of 1935.}
Table - 2

(Political Parties in the Assembly)

<table>
<thead>
<tr>
<th>Parties</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congress</td>
<td>67</td>
</tr>
<tr>
<td>Ganatantra</td>
<td>31</td>
</tr>
<tr>
<td>Socialist</td>
<td>10</td>
</tr>
<tr>
<td>Communist</td>
<td>7</td>
</tr>
<tr>
<td>F.B.(M)</td>
<td>1</td>
</tr>
<tr>
<td>Independents</td>
<td>24</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>140</strong></td>
</tr>
</tbody>
</table>

Shri Naba Krushna Choudhury as the leader of the majority party became the Chief Minister on 20th Feb. 1952. When he resigned on 19th of October 1956, Dr. Harekrushna Mahatab was appointed as the Chief Minister till 4th March, 1957, till the House was dissolved.

The Second Orissa Legislative Assembly commenced from 10th April 1957, and continued up to 21st Feb. 1961, under the leadership of Dr. Harekrushna Mahatab. The Coalition Government of Congress-Ganatantra Parisad proved shaky and the Ministry resigned on 21st of February 1961. President's Rule was imposed for the first time in the state, on 25th February 1961.
The Third Orissa Legislative Assembly of 1961 was noteworthy because during this time the Assembly was shifted to a separate building built for the purpose, just before the midterm election to the Assembly. Election to the Assembly was held on 2nd June to 8th June, 1961. Mr. Biju Patnaik the leader of the Congress Party became the Chief Minister and formed the Ministry on 23rd June 1961. Sri R. N. Singh Deo became the Opposition leader.

Election to the Fourth Assembly was held on 21st February 1967. Coalition Government of Swatantra-Jana Congress Party with R. N. Singh Deo as the leader from Swatantra party, formed the Government. But due to differences among the coalition parties, the Coalition Government collapsed on 9th January 1971. President's Rule was imposed in the State on 11th January 1971 and the Assembly was kept under suspended animation till its dissolution on 23rd January 1971.

The Fifth Assembly of 1971 was held on 5th March 1971. The Party position in the Assembly was as follow:
Table - 3

( Political Parties in the Assembly )

<table>
<thead>
<tr>
<th>Parties</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indian National Congress</td>
<td>51</td>
</tr>
<tr>
<td>Swatantra</td>
<td>36</td>
</tr>
<tr>
<td>Utkal Congress</td>
<td>33</td>
</tr>
<tr>
<td>P.S.P.</td>
<td>4</td>
</tr>
<tr>
<td>C.P.I</td>
<td>4</td>
</tr>
<tr>
<td>C.P.I(M)</td>
<td>2</td>
</tr>
<tr>
<td>Indian National Congress(O)</td>
<td>1</td>
</tr>
<tr>
<td>Jana Congress</td>
<td>1</td>
</tr>
<tr>
<td>Jharakhand</td>
<td>4</td>
</tr>
<tr>
<td>Independent</td>
<td>4</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>140</strong></td>
</tr>
</tbody>
</table>

As no party secured the majority of seats in the Assembly a Coalition Government was formed by Swartantra Party, along with the new regional party, namely, Utkal Congress. This Coalition Government persuaded Sri Biswanath Das, who was neither elected to the Assembly nor belonged to any of the Parties which formed the Government, to be the Chief Minister. Subsequently, Sri Das was elected from Rourkela.
constituency in the bye-election as Independent candidate. But this Coalition had a very short tenure due to large number of defection, counter defection, merger, counter merger of the Party members. Finally Sri Das resigned on 14th June 1972. Smt. Nandini Satpathy, the leader of Congress Party formed the Government and continued in Office till 3rd March 1973. Defection from the Congress (R) led to the fall of the Government leading to the imposition of President's Rule the 3rd March, 1973.

The Sixth Assembly was noteworthy, as the strength was increased from 140 to 147 after delimitation of constituencies. The Government was formed by Smt. Nandini Satpathy, leader of the Congress Party from 6th March 1974 to 16th December 1976, till Sri Binayak Acharya was called to head the Government. Sri Acharya continued to hold office till 30th April, 1977, when again the political turmoil placed the state under President's Rule from 30th April 1977 to 26th June 1977.

The Seventh Assembly was summoned to meet on 20th July 1977. The election result gave clear cut verdict to Janata Party, electing Sri Nilamani Routray, the leader of Janata Party, as the Chief Minister of the State. Out of 147 seats, Janata Party had won 110 seats, Congress 26, C.P.I 2, C.P.I.(M) had won 1 seat each and 9 seats were won by Independent candidates. Government continued upto17th February 1980,
till the State was put under President Rule.

In the Eighth Assembly, the position of parties were completely opposite to its previous one. Congress Party secured absolute majority of 113 seats out of 147, while Janata got 13, Janata (JP) 3, C.P.I. 4, Cong (U) 2, Independent 7 and 1, was vacant. Hence, the Congress Party formed the Government under the leadership of Sri Janaki Bhallav Patnaik, who completed his full tenure of five years.

The party position was almost the same in the Ninth Assembly; The Indian National Congress got majority by winning 117 out of 147 seats. Janata Party had got 19, C.P.I, 1, B.J.P,1, Independent 7 seats. Janaki Bhallav Patnaik was again elected as Chief Minister till he was replaced on 7th December by Hemananda Biswal, who was the Chief Minister, till the House was dissolved on 3rd March 1990 for the regular election.

In the Tenth Assembly of 1990, again there was a reverse of the Party position in the Assembly. Janata Party under leadership of Mr. Biju Pattnaik won 123 seats, Congress 10, B.J.P 2, C.P.I.(M)-1, C.P.I.-5, and Independent - 6, in a House of 147. The Janata Government headed by Mr. Biju Pattnaik continued from 6th March 1990 to 15 March 1995 in a stable manner.
The Eleventh Assembly was constituted on 15th March 1995, by Mr. Janaki Pattnaik, the leader of the Congress Party, as the Party own 80 seats, with strong Opposition Janata Party which secured 46 seats, B.J.P had got 9, Jharkhand - 1, C.P.I-1, and Independents won 6 seats. Opposition came as a strong force for the first time in this election, and played its effective role in the Assembly. The Eleventh Assembly was dissolved on 29th February 2000.

The General Election to the twelfth Orissa Legislative Assembly was held on 17th February 2000 for 70 constituencies and on 22nd February for 77 constituencies. In this election, the newly formed regional party, Biju Janata Dal won 68 seats, while Bharatiya Janata Party and Indian National Congress won 38 seats and 26 seats respectively.

Again, the coalition government of BJD and BJP was formed with BJD leader, Shri Navin Pattanaik as the Chief Minister on 29th February 2000. Shri Ramakant Mishra, became the legislative party leader of Indian National Congress and took the oath as Leader of the Opposition of the Assembly on 21st March 2000.
Summary:

This chapter deals with two main points: the creation of the state of Orissa and the historical analysis of the Legislative Assembly of the state of Orissa. Orissa was created as a state only on 1st April 1936 and became the ninth state of pre-independent India. The geography and demography of the state have changed a lot after independence of the country. Though the state is geographically a small one, it has got rich heritage and culture. Economically, the state is still very poor, but it is rich in natural and mineral resources.

The political process of Orissa is also very interesting one, as it has undergone through many political ups and downs. The state has seen political stability as well as political instability. The State has got the experiences of representative government as well as President's Rule. National Political Party like the Indian National Congress as well as the regional political parties, like the Swatantra, the Jana Congress and the Janata Party had dominated the politics of the state during sometimes or other. There is one-party rule as well as Coalition Government in the State. This analysis is important as we have to discuss the legislative role of Sri Biswanath Das, who was an important political actor in the state for more than fair decades. The situational analysis makes the study more complete.