

# ORISSA ADVISORY COUNCIL

## Summary of Proceedings

FRIDAY, THE 8th MAY 1936

Vol. I—No. 1

## OFFICIAL REPORT



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# SUMMARY

OF THE

## PROCEEDINGS OF THE ADVISORY COUNCIL OF ORISSA.

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*Friday, the 8th May 1936.*

The First Session of the Advisory Council met in the Municipal Council Hall at Puri, at 11 A.M. with His Excellency the Governor as the President.

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### HIS EXCELLENCY THE GOVERNOR'S ADDRESS.

His Excellency the Governor addressed the Council as follows:—

“ MEMBERS OF THE ORISSA ADVISORY COUNCIL,

It is my privilege to-day to take a further step in the establishment of the Orissa Province, in carrying out the commands of His Majesty the King in Council to constitute an Advisory Council and to refer to them all such matters as I think fit.

I am reminded to-day of an experience of some 15 years ago when with two of those here present I listened to that very distinguished Indian, the first Lord Sinha, inaugurating the Legislative Council of Bihar and Orissa. In the brief speech he then delivered, he laid special stress on the need for *continuity*. I was greatly impressed when listening in the House of Commons to the debate on the Order in Council constituting Orissa three months ago to find that precisely the same point was taken by the leading speaker on the Opposition benches and accepted as a very proper one on behalf of His Majesty's Government. I am glad to think that in exercising my power of nomination to this Council I have been able to secure the services of practically everyone who, immediately before the date of the inception of the province, was representing any part of Orissa in a provincial legislature, and have thus secured a very considerable degree of continuity. I may say that in order to do so I found myself obliged to curtail somewhat narrowly my powers to nominate officials to this Council.

Since I am speaking in the main to gentlemen accustomed to the practice of legislative bodies, it seems to me appropriate briefly to explain to what extent the practice of such bodies has been adopted in this Council. In the first place I have allowed the right of interpellation. But in doing so I have had to bear in mind that the Secretariat has only just been organised, and is housed in temporary quarters under conditions of considerable discomfort. It is not possible for it to function with the smoothness of an old establishment. The same condition prevails in the offices of heads of departments. I have therefore reserved the right to disallow questions freely. I shall do my best to exercise it with due regard to the feelings of members putting in questions, but it will certainly have to be exercised where the information, especially information of a statistical character, is not readily available and cannot be obtained without throwing a disproportionate burden on the Secretariat or the local officers. Since your sessions will probably be short ones, it may somewhat frequently happen that the answers to questions which have been admitted cannot be supplied during the session. I propose to order that such questions shall be placed on the agenda of the next session without fresh notice.

In regard to resolutions, they will be treated as requests to me as Governor to refer to the Council for their advice the subjects covered by them. I shall admit any resolution that raises a matter of urgent importance to the province, and, as far as possible, give adequate time for its discussion. In particular, I propose to refer to the Council, as soon as possible after the report of the Expert Committee is received, the very important question of the site of the New Capital. But I feel sure that you will all agree that, while there is a great deal to be done in this year in getting the administration into smooth working order, I have no mandate for initiating new policies and thereby committing the future Ministers. Nor are there in the present year funds adequate for implementing such policies. This position suggests that it is undesirable for me to permit a very wide range of discussion by way of resolution, where such discussion cannot bear fruit till after provincial autonomy based on the new electorate has come into being.

Lastly I should like to say a word about my decision to preside, as an ordinary course, over your deliberations. In the first place, I trust that it will give me the opportunity of close personal contact with some of those whom I expect to be in one way or another prominent in the affairs of the province during my

term of office. Secondly this Council is designed to give me advice and I have always found that the best channel for the reception of advice is the ear.

I have now the pleasure of welcoming you all as members of the Orissa Advisory Council and of assuring you that I shall give my very earnest consideration to the advice which you individually or collectively may tender to me from time to time during this year of transition."

### MEMBERS SWORN.

1. Mr. P. T. Mansfield.
2. Sriman B. B. Gopinath Bissoyee Mahasaya.
3. Sriman B. N. Samanta Ray Mahasaya.
4. Lal Artatran Deo.
5. M. R. Ry. A. Thumbanathan Pantulo Gara.
6. Sriman Mandhata Gorachand Patnaik.
7. Maharaja Sri Sri Sri Krishna Chandra Gajapati Narayana Deo of Parlakimedi.
8. Rev. Brajananda Das.
9. Maulavi Shaikh Abdul Jalil.
10. Babu Harihar Das.
11. Babu Nikunja Kishore Das.
12. Babu Radharanjan Das.
13. Babu Braja Mohan Panda.
14. Babu Jagannath Das.
15. Babu Godavaris Misra.
16. Babu Birabar Narayan Chandra Dhir Narendra.
17. Rai Bahadur Loknath Misra.
18. Rai Bahadur Lakshmidhar Mahanti.
19. Raja Sir Rajendra Narayan Bhanja Deo Bahadur, Kt., O.B.E., of Kanika.

### NOMINATION OF VICE-PRESIDENT.

The Secretary announced that under rule 8 of the Advisory Council Rules the Governor had nominated Rai Bahadur Lakshmidhar Mahanti to serve as Vice-President of the Council for this session.

### POINT OF ORDER.

Babu Godavaris Misra raised a point of order by stating that, in view of the provisions of paragraph 9 (3) of the Government of India (Constitution of Orissa) Order, 1936, the term "President" would not include the Governor as provided in rule I of the Orissa Advisory Council Rules and that it was not therefore open to the Governor to preside over the Council.

The President overruled the point observing that it had been fully considered and that there was no substance in it.

### QUESTIONS AND ANSWERS.

1. Babu GODAVARIS MISRA: Will the Government be pleased to state—

(a) whether they are aware of any proposal of the officers or of any group of them to claim allowances over and above their usual salaries on the ground of higher expenses or of more unfavourable conditions of living in Orissa.

(b) if so, whether the claim has been presented in the form of an application or memorandum; and

(c) what the views of Government are with regard to it?

Mr. P. T. MANSFIELD: (a) The answer is in the negative.

(b) and (c) Do not arise.

2. Babu GODAVARIS MISRA: Will the Government be pleased to state—

(a) from persons of what classes certificates of domicile were required in the Orissa Division in connection with appointments under the Government of Bihar and Orissa;

(b) whether similar certificates were required in respect of the areas transferred from the Presidency of Madras and the Central Provinces and, if so, from persons of which classes;

(c) whether Government proposes to continue the practice and, if so, in respect of persons of what classes; and

(d) whether the attention of Government has been drawn to the fact that persons from other provinces who have adopted this province as their only place of residence for more than one generation feel aggrieved by their being required to produce certificates of domicile in connection with appointments and award of scholarships?

Mr. P. T. MANSFIELD: (a) to (d) Generally speaking, certificates of domicile have been and will be required in the case of new entrants into Government service. Some persons already in Government service not having certificates of domicile in Orissa, have been appointed in the new offices owing to the necessity of getting a nucleus of staff with experience of Government service. Government believe that the policy of limiting appointments as far as possible to Oriyas or persons domiciled in the province is a policy generally acceptable in the province and do not at present propose to alter it.

3. Babu GODAVARIS MISRA: Will Government be pleased to state—

(a) whether any appointment has been made since the creation of the province and, if so, how many;

(b) whether the vacancies to which the appointments were made were advertised and, if so, in what manner;

(c) whether Government propose to advertise all appointments to be made in future?

Mr. P. T. MANSFIELD: (a) Yes. Figures are not readily available.

(b) Some were filled after special advertisement, others from general lists of applicants.

(c) No decision has been reached.

4. Babu GODAVARIS MISRA: Will Government be pleased to state—

(a) whether it has been decided on what matters the Governor will ask for the advice of the Advisory Council;

(b) if so, what those matters are?

Mr. P. T. MANSFIELD: The answer is in the negative.

5. Sriman MANDHATA GORACHAND PATNAIK MAHASAYA: Will Government be pleased to state—

(a) the strength of the ministerial staff in the office of the District and Sessions Judge's Court at Cuttack and that at Berhampur;

(b) if there be any difference in the staff in both the courts, what the difference is due to?

Mr. P. T. MANSFIELD: (a) Cuttack ... 25  
Berhampur ... 15

(b) The question requires investigation which will be undertaken in due course.

6. Sriman MANDHATA GORACHAND PATNAIK MAHASAYA: Will the Government be pleased to state—

(a) the number of appeals (Civil) heard and disposed of by the District Judges at Cuttack and at Berhampur respectively in 1935-36;

(b) the number of appeals (Criminal) heard and disposed of by the Sessions Judges at Cuttack and at Berhampur respectively in 1935-36; and

(c) the number of original suits and sessions cases heard and disposed of by the District and Sessions Judges at Cuttack and at Berhampur respectively in 1935-36?

Mr. P. T. MANSFIELD:	(a) Cuttack	...	293
	Berhampur	...	274
(b)	Cuttack	...	337
	Berhampur	...	87
(c)	<i>Original suits.</i>		<i>Sessions cases.</i>
	Cuttack	...	6
			20
			(excluding 16 disposed of by
			Assistant Sessions Judges).
	Berhampur	...	22
			36

7. Babu GODAVARIS MISRA: Will Government be pleased to state—

(a) whether any official publications have been made since the creation of the province and, if so, what;

(b) whether they propose to supply gratis copies of such publications to the members of the Advisory Council;

(c) copies of what publications are intended to be supplied to such members; and

(d) whether Government are aware as to the nature of official publications supplied by the Governments of Bihar and Orissa, Madras and Central Provinces?

Mr. P. T. MANSFIELD: (a) Yes, the Orissa Gazette and the Civil Budget Estimates for the Government of Orissa for 1936-37 (Preliminary Issue).

(b) Yes.

(c) The question has not yet been fully considered by Government; but Government intend to supply members with all important official publications.

(d) Yes.

