



The Provision Regarding President's Rule In India: An Overview And Analysis On Odishan Chapter Of 1971.

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Abstract:

Odisha became a separate independent state on 1st April 1936. The 1st General Election in Odisha after independence was held in 1957. President's rule can be enforced on the basis of three emergency provisions, falls within the Article 352, Article 356 and Article 360 of the Indian Constitution. In our Indian Constitution there is the provision of three types of Emergencies 1.National emergency (Article 352) 2.State emergency (Article 356) 3.Financial emergency (Article 360).

According to Article 356 of the Indian constitution, President's rule can be imposed in a state "if a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions of the constitution." This is also known as 'State Emergency' or 'Constitutional Emergency'. The first President's rule was imposed in Punjab for a period of 302 days from 20 June 1951 to 17 April 1952. During this imposition, the Punjab Assembly was kept under suspension for nine months and twenty eight days to help the state Congress government get its act together. Odisha was under president's rule for six times from 1961 to 1980.

Introduction:

Article 355 says that it is the Union Government's job to protect each State from external aggression and internal unrest, and to make sure that each State's government is run in accordance with the Constitution. According to Article 355,"It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution".¹

This duty is very wide. The duty of the Union under Article 355 is of three types:

- (i) The duty of the Union to protect every State against external aggression.
- (ii) The duty of the Union to protect every State from internal disturbance.
- (iii) The duty of the Union to ensure that the government of the State is carried on in accordance with the provisions of the Constitution.

When an "external aggression" or an "internal disturbance" paralyses the state government and causes a situation that could lead to a breakdown of the state's constitutional machinery, the Union Government should try all the other ways it can fulfil its most important responsibility under Article 355 to stop the situation from getting worse. Article 355 also says that it is the Union Government's job to make sure that the State's government is run in line with the Constitution. Article 356 says what to do if the constitutional machinery stops working.

So, when the government of a state can't protect its people from outside aggression or internal unrest, but won't ask the federal government to step in for political reasons or because it is part of the crime, the federal government's job becomes even more important. Article 355 stands on its own and doesn't depend on Article 356. It also works on its own. Article 356 isn't the only one that says what to do when constitutional machinery breaks down. If the constitutional machinery in a State doesn't work, the Union Government can also act under Article 355, which means it doesn't have to put the President in charge. Also, Articles 256, 257, and 353 say that the Union Government can give out certain orders. Article 355 comes before Article 356, so it must be read and acted on before anyone rushes to do something extreme under the latter.²

If a state government doesn't keep law and order in a state and it refuses to let the centre help by deploying paramilitary forces or working with the centre when it offers help as part of its constitutional duty and obligation under Article 355, the centre can take action under Article 356 and it would be legal.³

Article 356 gave the President the power to impose "President's Rule" if the constitutional machinery in a State did not work. The President will be able to take over the powers of the Governor or any other authority in the State other than the legislature. He or she will also be able to say that the Union Parliament will take over the powers of the State Assembly. The President can also suspend any parts of the Constitution that have to do with a State's authority, but he can't take over the High Court's powers. According to Article 356, "If the President, on receiving a report from the Governor of a State or otherwise being convinced that a situation has arisen in which the government of the State cannot be run in accordance with the provisions of this Constitution, the President may by Proclamation: (a) take on all or some of the state government's duties and all or some of the powers that belong to or can be used by the governor or any other body or authority in the state other than the legislature; (b) say that the legislature's powers can be used by Parliament or under its authority;

(c) make such incidental and consequential provisions as the President thinks are necessary or desirable to carry out the purposes of the Proclamation, including provisions for suspending in whole or in part the operation of any provisions of this Constitution relating to anybody or authority in the State".⁴ Rajeev Dhavan, a legal expert, says that one way to look at the President's Rule is that it should only be used in serious cases and not as an excuse to make it easier for politicians to run the government of a state. The broader view is that the powers given by Article 356 are political in nature and can be controlled by safeguards in Parliament.⁵

Article 365 says, "Where any State has failed to follow or carry out any directions given in the exercise of the executive power of the Union under any of the provisions of this Constitution, it shall be lawful for the President to hold that a situation has arisen in which the Government of the State cannot be run in accordance with the provisions of this Constitution."⁶ So, under Articles 356 and 365, the President of India has the power to put President's Rule in the State if the Government of the State can't be run according to the Constitution. The Proclamation of Failure of Constitutional Machinery in a State doesn't have as much to do with outside aggression or internal unrest as it does with political breakdown, which is defined by Article 365 as not following the Union's rules. So, the Union Government can use Articles 355 and 365 to do the right thing before Article 356. Subhash C. Kashyap, a constitutional expert, said that Article 356 should be read along with Articles 355, 256, 257, 353, and 365.⁷

The approval and duration of President's rule:

Both Houses of the Parliament have to agree on the Proclamation about the President's Rule within two months. Article 356's clause (3) says, "Every Proclamation made under this article shall be laid before each House of Parliament. Unless it is a Proclamation that cancels a previous Proclamation, it will stop working after two months unless it has been approved by resolutions of both Houses of Parliament before that time."⁸

The approved Proclamation of the President's Rule will end six months after it was made public. This Proclamation will stay in place for up to three years. Article 356's clause (4) says, "A proclamation that has been approved in this way shall, unless it is revoked, stop working six months after it has been made public. Provided that if and so often as a resolution approving the continuation in force of such a Proclamation is passed by both Houses of Parliament, the Proclamation shall, unless revoked, continue in force for a further period of six months from the date on which, under this clause, it would have stopped working, but no such Proclamation shall remain in force for more than three years"⁹.

The President's Rule Proclamation will be extended for another year if an emergency has been declared under Article 352 (a) a Proclamation of Emergency is in effect in all of India or, depending on the situation, in the whole state or any part of it at the time the resolution is passed, and (b) the Election Commission certifies that the Proclamation approved under clause (3) needs to stay in place for the length of time specified in the resolution because it's hard to hold general elections for the Legislative Assembly of the State in question.¹⁰

The process of the imposition of President's rule:

Article 356 of the Constitution says that action must be taken when the Governor sends his report to the President. The document is first sent to the President's Secretariat, where it is seen by the President. The President then sends the document to the Prime Minister, asking for advice. The Prime Minister tells the Home Minister to look into it and take the steps that need to be taken Committee of the Union Council of Ministers or if it should straight to the main body. The Prime Minister, who is in charge of the meeting, gives a summary of what's going on politically in the State, including the Governor's advice, and suggests a way to move forward. The President then he issues order, which gives his power to the Governor of the State. Both the notification and the order are made public by the Ministry of Home Affairs.¹¹

The conditions of the imposition of President's rule:

Article 356 makes it clear that there are three things that must happen before the President can use the power it gives him. The following are the rules: (i) Report from the Governor of the State or other evidence; ii) Convincing evidence to the President that the Constitutional machinery in a State has failed, meaning that the State's government cannot be run in accordance with the Constitution; and (iii) A proclamation by the President. Any action under Article 356 must start with a report from the Governor of the State in question. This is because the Governor is the head of the State's executive branch, and Article 159 requires him to take an oath to protect, defend, and keep the Constitution safe. In the S.R. Bommai case (1994), the Supreme Court made it clear that the Governor's report may not be conclusive, but it is still important. This report is the only thing that can be used to take action under Article 356.¹² So, the Governor's report should include some facts that the President could use to decide whether or not a situation described in the Article has happened.

Article 356 gives a limited power; it is not an all-encompassing power. To feel satisfied, there must be relevant information. In the State of Rajasthan Case (1977), the Supreme Court made it clear that "The satisfaction of the President is a condition precedent to the exercise of power under Article 356, Clause (I), and if it can be shown that the President is not satisfied at all, the exercise of power would be constitutionally invalid".¹³ In the 1994 case of S.R. Bommai, the Supreme Court also said, "The Court won't talk about whether or not the information is correct or enough. Its only goal is to find out if the information was important to the action."¹⁴

Since the State Governor can't take any of the actions mentioned in Article 356 (I), he tells the President about it. It is then up to the President to decide if he is satisfied with the report or not. In fact, the Constitution says that the President, as a "constitutional head," must act with the help and advice of the Council of Ministers. The President could, however, send this advice to the Council of Ministers and ask them to think about it again. But Article 74 says that the President must follow the advice given by the Council of Ministers after a second look. Article 356 says that satisfaction means the satisfaction of the Union Council of Ministers, which is led by the Prime Minister. Article 74 says that the Council of Ministers must give the President advice. Article 74 says that no court can ask for that advice.¹⁵

In the S.R. Bommai case (1994), on the other hand, the Supreme Court made it clear that Article 74 which includes the Union Council of Ministers' advice to the President about imposing President's Rule in a State, does not stop the courts from looking at the information that the President used to come to his satisfaction. The Supreme Court said, since the reasons would be part of the advice given to the President, the Court could not ask for them to be made public. However, Article 74 does not prevent the production of all the material on which the ministerial advice was based.¹⁶ For example, in 2005, President A.P.J. Abdul Kalam refused to release the letter in which then-President K.R.

Narayanan gave advice to the Council of Ministers led by A.B. Vajpayee (NDA) about the widespread communal riots in Gujarat after the Godhra Carnage (February, 2002). He did this because Article 74 says that advice is confidential. The UPA Government didn't do much to get K.R. Narayanan's letter out there. This doesn't make sense.¹⁷ It is hard and not a good idea to make a list of all the different situations that could happen and fall under of Article 356. It would be better to deal with real-life situations as they come up. M.V. Pylee asked, "What are the parts of a situation like this"? Unless these are made more clear, the vagueness will continue, and it will be used for political gain by the Party in power at the Centre.¹⁸

Article 356 in action - law and politics:

The Constitution of a country has rules for how the country should be run, both when things are going well and when there are problems. A Constitution is a permanent document that must be used in the present and in the future for all possible situations. The States have full ability under the Constitution to enact laws and carry them out in the jurisdictions that have been given to them. In light of this, any intervention by the Center with the conduct of political activities must be by and under some constitutional duties so that the invasion by the Centre in the provincial field must not be an invasion which is wanton, arbitrary, and unapproved by law.¹⁹

Article 356's constitutional requirement and power were deemed crucial for controlling the actions of splintering and divisive forces. In the event that a State's constitutional machinery fails, Article 356 of the Indian Constitution allows for the Centre to assume control of the state government. They felt the urgent need to grant the Union with overriding power to control and direct all aspects of administration and legislation throughout the nation during an emergency arising out of external aggression, internal disturbance, or the breakdown of constitutional machinery in a State.²⁰

Imposition of President Rule in Odisha in 1971:

The period of electoral unpredictability came to an end with the midterm elections for the Odisha Assembly that were held in June 1961. The Congress, which was led by the young and energetic Biju Patnaik, was awarded the comfortable majority that everyone had been hoping for. The party was successful in garnering support from the general public and ended up winning 82 seats out of a total of 140. When compared to the previous performance, its primary rival Ganatantra Parishad put up a poor showing and suffered a loss. In a similar vein, the performance of other opposition parties in the election was likely to be poor. At long last, the much-desired political stability was able to materialise before our eyes.

To Sri Biju Patnaik, who had been passed over for a ministerial position under the leadership of both Choudhury and Mahtab, the position of Chief Minister was eventually given to him. Although Mahtab was absent from the campaign trail and Sri Patnaik was in charge of the PCC, Sri Patnaik was able to dominate the election as the consummate showman. Since the beginning of the election campaign, he has been successful in raising the expectations of the public. He continued by encouraging the people to strive for greater things rather than being content with what they already possessed. His campaign speech left the younger voters feeling energised and inspired.

A very little amount of time was spent with Sri Patnaik serving as Chief Minister. On October 1, 1963, in accordance with the Kamraj Plan, he resigned from his position in order to save the Congress Organization during the critical era that followed the Sino-Indian War in 1962. As a result of his tight relationship with the Prime Minister, he was able to speed up the state's process of becoming more developed. He was in charge of deciding where a number of important projects in the state, such as the Sunabeda MIG factory, the Talcher Thermal Power Station, the Balimela Hydropower Project, the Paradeep Port, and the Express High Road, were to be situated. It was largely due to his efforts that the state was able to establish the Regional Engineering College, the Regional College of Education, the Sainik School, and the Regional Research Laboratory.

He is considered to be the originator of the ideas behind the State Planning Board as well as the Panchayat Industries. To stimulate growth in the rural economy, the concept of Panchayat Industries was conceived. He improved the spirits of state employees working in the bureaucracy. During the time of the Sino-Indian War, the Prime Minister turned to him for advice on multiple occasions. Even he was in charge of leading an important high-power group to the United States to discuss problems of defence after China's aggressiveness. For Sri Patnaik, carrying out all of these tasks and achieving his goals was a piece of cake. He served as the head of a government that was reliable.

He had complete control of the party. He had a broad perspective and a clear vision. In addition, Mahtab, who had a history of preventing his advancement to ministerial positions, was removed from state politics while serving as a member of the Lok Sabha. As a result, he was given the opportunity to put his desires into action freely.

Political Imbalances:

Even though Mahtab had left state politics, his followers continued to hold seats in the House of Representatives. The current Chief Minister of the State, Biren, was Biju's friend, and Mahtab was the one who prompted Sri S. N. Dwivedy, the leader of the PSP in the Lok Sabha, to expose Biju and his friend Biren. Mahtab utilised his print media and through Sri S N Dwivedy the Lok Sabha to expose the unholy alliance between outgoing Chief Minister Patnaik and his business friend Biren Mitra who were exploiting the State through their wives, sons etc.²¹

Despite the fact that Patnaik stepped down as Chief Minister, he continued to exercise authority over the entire organisation after being appointed Chairman of the State Planning Board. It was said that Mitra was being directed by Patnaik, who was operating the state from a remote location. The allegations of corrupt behaviour were brought up in both the Lok Sabha and the State Assembly, along with a demand for an investigation. Even memorandums with the signatures of members of the Indian Parliament and Legislature were dispatched to the President of India. In this particular situation, the opposition's leader, Sri R. N. Singh Deo, assumed the role of leader. At that point, Pandit Nehru had already passed away. The anti-Biju wing of the Congress briefed the Prime Minister, Lal Bahadur Sastri, and the Home Minister, Guljari Lai Nanda. Both of these ministers were also briefed. The Home Ministry forwarded the subject to the Central

Bureau of Investigation (CBI) for investigation after seeing memorandums upon memorandums being submitted and the state being in a reign of terror due to a major student's protest.

On 15 November, 1964, the Director of the CBI reported that though all the allegations are not true, there are quite a few and some of them are serious, which require further enquiries to come to a definite and clear conclusion.²² A cabinet sub-committee appointed by the Union Government examined the matter and it came to the conclusion that the manner in which certain government transactions were conducted by Mr Biren Mitra and Mr Biju Patnaik did involve improprieties.²³

An unassuming gentleman named Sri Sadashiv Tripathy was elected as the leader of the Legislature group and later became the new Congress Chief Minister of the State. Sri Biren Mitra was removed from his position, and Sri Sadashiv Tripathy took his place. At that point in time, the people of Odisha have already begun to mistrust the Congress and the policies it implements. Contrary to what the folks had anticipated, nothing happened. The citizens of the state were astounded at the extent of the corruption and the corrupt behaviours.

Tripathy was the fifth Chief Minister since independence. A soft spoken, amicable and honest man. While there was a widespread movement against the Congress across the country, it was very challenging for Sri Tripathy to administer the state. After living in seclusion at an ashram for a number of years, Sri Naba Krushna Choudhury re-emerged in the public eye when he led an uprising against the corrupt rule of the Congress. Once Patnaik and Mitra left the party, Shri Mahtab became the mastermind behind future dissident operations within the party, which the weak Tripathy was unable to compete with. At this point, Patnaik approached the AICC President, Kamraj, and informed him about the political climate in the state. In order to relieve an ailing Tripathy, Kamraj penned a letter to Patnaik asking him to lead the Odisha Congress once more. The Chief Minister sent a letter to Kamraj in which he detailed the torment and anguish he endured as a result of his role as leader of the State.

He expressed a desire to step down as well. Unpredictably, all of the ministers rose up against the Chief Minister and voiced their outrage at the fact that they believed he did not have faith in them. Patnaik, who sought to regain his position as head of state, had his plans brought to light as a result of this development. The High Command took the ministers' threats to quit seriously, and as a result, all of them rescinded their resignations after some sort of compromise formula was established. Despite the fact that the ministerial issue had been resolved, the Odisha Congress party was dealt a significant blow when Mahtab and seven of his most trusted lieutenants resigned from Congress and founded the Jana Congress, with Pabitra Mohan Pradhan serving as its president. The rallying cry was to "Depose Congress of Its Authority."²⁴

Various Political Scenarios:

When Congress lost its majority in the Lok Sabha in the Fourth General Election of 1967, it marked a turning point in the political history of the nation. Non-Congress parties and their coalition took control of half a dozen States. The pre-election 21-point election manifesto of Swatantra and the Jana Congress, which had cordial connections with the PSP, helped them win the election in Odisha with ease. From the Patkura constituency, Patnaik was defeated. The electorate reacted favourably to the former chief minister Sri Choudhury's aggressive campaigning against the congress and his "Oust Congress" slogan.

Congress found it extremely challenging to organise meetings and run an election campaign. The meeting with the prime minister was also disturbed. Smt. Gandhi left Bhubaneswar bleeding from the nose. The level of the congress's bad reputation was this.

The coalition between Swatantra and Jana congress "promised establishment of a clean and good administration and ruthless removal of corruption, favouritism, and nepotism at all levels and setting up of a commission of inquiry into claims of corruption by ministers."²⁵

Odisha voters approved of the coalition. Sri R N Singh Deo was appointed as the coalition government's new Chief Minister. The 82 seats that Congress had gained in the 1961 election had to compete with 31 seats. 75 seats were won by the coalition as a whole. In coastal Odisha, the PSP was the main gainer, securing 21 seats. The 1967 election results might be seen as the culmination of opposition parties' articulation and exaggeration of their resentment towards Patnaik and the Congress into enormous dimensions.²⁶

The people of Odisha chose a coalition. Rajendra Narayan Singh Deo became the coalition leader of the Swatantra-Jana Congress administration. A pre-election alliance manifesto with 21 points produced the coalition. A simple-balance coalition was in place. Insofar as the electoral alliance programme received a majority vote of favour from voters, it was a legal coalition.²⁷ The coalition was moral in nature and was the outcome of a wave-like anti-Congress movement. Although the 49-member Swatantra Party could have teamed up with the 31-member Congress or the 21-member PSP to avoid a cunning politician like Mahtab who might not enjoy Singh Deo becoming Chief Minister, the Swatantra did so out of moral obligation to maintain Jana Congress as its partner in the government.

From the standpoints of intellectual thought and political wisdom establishing safeguards against instability, the coalition was ideal.²⁸ Swatantra was a rightist in terms of ideology, while Jana Congress could not be classified as leftist but may be near to a rightist brand. Besides Pabitra, the coalition administration included 13 other ministers. As Deputy Chief Mahtab, Mohan Pradhan remained in opposition. The coalition's shared programme was 21 points. After taking office, it added another, bringing the total to 22. The new programme was built on eliminating land revenue, appointing Lokpal and Lokayukta in accordance with recommendations made by the Administrative Reforms Commission, and creating Commissions of Investigation to look into allegations of corruption against ministers who served between 1961 and 1967. Several pre-election initiatives were successfully carried out. However the coalition partner experienced issues as a result of the commission of inquiry.²⁹

After 1967, the era of the coalition began. One of the most effective coalitions was the Odishan one. There were just two members of the coalition, which was a pre-election pact. Odisha did not witness those horrific incidents, whereas the coalition era in Indian politics ushered in the "Aya Ram and Gaya Ram" era. Instead, the coalition offered a powerful, reliable, and efficient administration. The Swatantra-Jana Congress alliance operated with a great deal of respect and tolerance for one another. According to Amal Ray, the Chief Minister and the Deputy Chief Minister made up "an superb duumvirate."³⁰ Both partners carefully adhered to the laws of constitutional propriety and neither was dedicated to any extremist

ideologies. The coalition administration was rarely questioned in the press or in the Parliament since it was philosophically pragmatic and no offensive from a political standpoint.

Phases of Coalition:

The coalition government as per its programme-initiated inquiry against alleged corruption of Biju Patnaik and 8 of his ministers and Seven of his deputy ministers Under Section 3 of the Commission of Inquiry Act, 1952 (Act 60 of 1952). Mr. Justice H R Khanna of the Delhi High Court was entrusted with the responsibility of conducting the enquiries. The enquiry was against all the three congress Chief Ministers of the third legislature. Justice Khanna conducted enquiries at Bhubaneswar and submitted a report which was published by the State Government in a book having 812 pages. The Report was submitted on 15th January, 1969.³¹

Even though an investigation against the Congress leaders was started, the party remained united in the face of the possibility of public disgrace and continued to fight. In a letter to the President of India, Mr. Sadashiv Tripathy and 24 other MLAs complained that the term of inquiry was chosen with ulterior motives and would be useless. They said that Singh Deo, Mahtab, Pradhan, and a few of his other ministerial colleagues were the targets of significant corruption allegations. The Congress party asked the President to urge the Chief Minister to expand the scope of the investigation by requesting Judge Khanna to look into charges of corruption against all ministers since independence. In the letter, it was claimed that the Khanna Commission was established with political animosity towards the main opposition, the Congress.

Chief Minister Sri Singh Deo responded to Mr. Tripathy's request for the investigation's scope to be expanded by writing, "In response to suggestion received to broaden the investigation to periods prior to 1961, my government has also decided that if specific allegations were made relating to ministers in early periods and if a prima facie case was made out against such ministers, the government would consider referring such cases for investigation to the proposed commission."³² It was decided that a retired Supreme Court judge would look into the accusations against Sri Singh Deo and others after a protracted letter-exchange between the Union Home Minister Mr. Y B Chavan and Sri Singh Deo. A former Supreme Court of India judge named Justice Mr. R.A. Mudholkar was tasked with investigating the allegations, and on September 28, 1968, he turned in his findings.

Due to defection and counter defection, there was instability throughout the entire nation. A terrible reputation was developing for coalition as a political crisis solution. But, it developed a reputation in Odisha. A new form of political crisis was sparked by the Commission of Inquiry's politics. That had a noticeable effect on the coalition. "Dr. Mahtab, who started conversations about the wisdom of naming commissions of inquiry, was the victim of his own strategy," says Mahtab. Judge Mudholkar exonerated everyone save Dr. Mahtab, in regard to whom he suggested further investigation by a full-fledged Commission of Inquiry, whilst Justice Khanna exonerated nearly all congress ministers, including Mr. Biju Patnaik, who he stated committed just slight administrative wrongdoing.³³

Justice Khanna ³⁴ opined that Patnaik did not derive any pecuniary benefit out of his official position. Justice Mudholkar ³⁵ in his report recommended that it is in the public interest even at this point of time to

constitute a Commission of Inquiry for making an inquiry against Dr Mahtab in respect of the following specific matters. I may reiterate that not only in the public interest but also in the interest of Dr Mahtab himself, an enquiry into these matters be caused to be made by a Commission of Inquiry appointed Under the Commission of Inquiry Act.

Even though Mr. Patnaik was cleared of receiving a financial gain but was charged with administrative impropriety, a charge that was no less serious, he handled it amicably and declared he would engage in similar impropriety if it served the interests of the state. As the Report also lauded the dynamism and vision of a leader like Sri Patnaik who devoted his time and efforts to the cause of the State, Sri Patnaik questioned the legitimacy of the coalition administration. Mr. Patnaik's political ascent was witnessed in the aftermath of the Khanna Report. For the coalition government, which was unable to bring charges against Patnaik, it created a moral crisis.

Mahtab, who was one of the key architects of the state's coalition formation and congress defeat, was the target of the Mudholkar investigation that was launched by the ruling party, of which he was a significant mentor.

The alliance was steady in terms of its capacity to maintain its anti-Congress stance, as has been indicated. But the politics of Commissions of Investigation brought about brand-new difficulties in the partnership. The congress, which had been demoralised ever since the election results were released and its leader Sri Patnaik was defeated, started protest rallies in response to the findings of the Mudholkar report. Yet after Patnaik was cleared of financial allegations, expectations skyrocketed.

"Mahtab suspected the bonafides of Singh Deo who agreed to an examination of prima facie cases against previous ministers, including Mahtab," according to the congress efforts that surfaced among the coalition. As Singh Deo put himself, as well as all of his dependable coworkers, under inspection, Mahtab's suspicion was likely unwarranted and unreasonable.³⁶

Mahtab believed that the Advocate General most likely facilitated a negative verdict against Mahtab on Singh Deo's orders, and he anticipated that Singh Deo would damage his political reputation and future plans and initiatives by appointing a Commission of Inquiry in accordance with Mudholkar's advice. The government under Singh Deo was more democratic. Mahtab was consulted by him on all significant issues. Additionally, he was informed of every significant choice made by the coalition partners' coordination committee. By doing this, he ensured that neither Mahtab nor his close friends had any influence on how the government was run on a daily basis.

But Mahtab was dissatisfied. He could voice his opinions on how affairs were handled at the party and governmental levels through his print medium. Mahtab was motivated to have the government reject the Mudholkar conclusions. But, this was not possible. He experienced a setback as a result and began working against the administration.

The nation has been experiencing a fresh political crisis ever since Sri V. V. Giri was elected president, defeating official congress candidate Sri Nilam Sanjeev Reddy. The nationalisation of banks and the elimination of privy purses, two socialist laws introduced by Mrs. Gandhi, gave her a fresh image, but

the party overreacted by expelling her from the party over these matters. There was a schism as a result, and Mrs. Gandhi gained unheard-of support. Her group had complete authority. These modifications compelled Biju Patnaik to take a pro-Indira stance, and the central leadership was unsatisfied. When Patnaik was denied a ticket for Rajya Sabha his supporters were united and the congress candidate was defeated Patnaik left congress and floated a new regional party called Utkal congress.³⁷ which he stated would work like DMK of Tamilnadu.

Mahtab's election to the congress was made possible by Patnaik's resignation from it. In the coalition, which had already damaged his reputation visibly, he felt suffocated. But, Mahtab's supporters did not agree with his plans to dissolve the Jana Congress and run for office. He even suggested that we dissolve the coalition and stand before the public.

The Congress was taken aback when the Utkal Congress was formed since Patnaik had the support of the majority of the CLP. A feeble congress wanted to keep its constituents as supporters. Mahtab's chances of being elected to Congress improved once he was dismissed as the Jana Congress' leader. Mahtab declared that the coalition was no longer useful. Mahtab met all of the major figures who came to Odisha.

To disband the alliance Mahtab sowed discord among the Jana Congress. He wanted Surendranath Patnaik to take over as president in place of Pradhan. He desired this because it would result in a party crisis that would trigger a constitutional crisis. As a result, the coalition's demise would be inevitable.

Odisha gave intriguing details regarding the development of coalitions. Congress, Swatantra, and PSP were national parties, in actuality. The Jana Congress became a regional organisation. Nevertheless, when Patnaik founded the Utkal Congress after being shamed by Congress decision-makers, the strongest coalition became brittle. Politics of defection was sparked by this. The Swatantra-Jana Congress alliance had to be dismantled in the end.

Kendu leaves were heavily involved in the political process in Odisha. Parties and ministers receive substantial payments from growers. Every time certain sympathetic decisions are made for the Kendu leave traders, the forest ministers get into problems. When the Swatantra Forest Minister's qualifications in the lease issues of Kendu leaves came into question, the confrontation between the Swatantra-Jana congress escalated. The Jana Congress had a fantastic opportunity to leave the coalition at this time. The Swatantra party was said to have benefited greatly from the pact.

After Mrs. Gandhi's decision to derecognize the princes was overturned by the Supreme Court, Loksabha was disbanded. Early in March, new elections were to be held. Mahtab and his supporters in the Jana Congress made the most of this chance. When Jana Congress left the alliance, the governor was asked to remove Singh Deo's administration because it no longer had the backing of the majority. In the meantime, Singh Deo attempted to bring Patnaik into a different coalition, but he was unsuccessful. He left his position on January 9, 1971. In light of the recommendations made by the Madhulkar investigative panel, the cabinet constituted a Commission of Inquiry headed by Justice Sarjoo Prasad to look into the corruption allegations against Mahtab before he tendered his resignation.

The deputy chief minister left the cabinet on December 30, and the Jana Congress told the governor, Dr. S. S. Ansari, on January 5 that it was ceasing to cooperate with the administration. Dr. Ansari gave the Chief Minister instructions to seek a motion of confidence from the Assembly on January 7 while he began to solicit support from the other parties. The Chief Minister resigned on January 9, and the President suspended the Legislative Assembly on January 11. The Jana Congress leaders and Mrs. Indira Gandhi revisited the planned coalition between the Congress(R), the CPI, and the Socialists between January 11 and January 22, and the common conclusion was that such an alliance would not be able to produce a stable ministry in Odisha. Hare Krushna Mahatab and Banamali Patnaik, two Jana Congress members, made the decision to join the Congress on January 21. The Assembly was dissolved under presidential control two days later.

The President's Rule should be imposed, and the Assembly should be dissolved, according to the governor of Odisha. With effect on January 11, 1971, the state entered President's Rule for the second time in nearly ten years. Together with the Loksabha election in March 1971, new elections were also held. There was no opposition to the presidential system, save from a few mutterings from the Swatantra Party. Perhaps the parliamentary elections involved the press and political parties too much. The Odisha alliance was expertly crafted to collapse the Swatantra-led ministry, and Mrs. Gandhi may have been able to impose the alliance's administration with the help of a presidential suspension, but it's likely that she had little faith in their lieutenants. Nobody, much less Mrs. Gandhi, could be expected to have confidence in Mahtab or Patel's political history. Indeed, she had a "loyalty" test that was excessively rigorous, and none of the current leaders in Odisha could pass it to her satisfaction. Overall, the outcome was complete following the President rule in 11 January 1971.

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