CHAPTER – IV
PANDIT NEHRU’S VIEWS ON PARLIAMENTARY DEMOCRACY

INTRODUCTION:

Before independence, there was little identity of interest between the representatives of the people in the old Central Legislative Assembly and the Government of the day. The two were in hostile camps, not in the sense that different political parties are, but in the sense that while the people’s representatives stood for the national interest in its different aspects, the Government did not. It was a case of people’s representatives trying to mould the destiny of the nation but could not, and the rulers of the land who could mould the national destiny but would not. After independence, things naturally underwent a metamorphosis. Parliament become the principal forum in which national problems were thrashed out in the full gaze of the public and where different political parties in opposition conducted their trials of strength with the party in power in their attempts to fulfill their election promises. Parliament was now a body of earnest people with a full sense of their responsibility and the power to do and undo things.

It truly represented the nation and the hiatus that existed between the Government and the people's representatives before Independence was no longer there. The transitional period between August 1947 and March 1952 was an important one as it bridged a gap between the old Legislative Assembly and the new Parliament. It helped the new Ministers and senior officers in the administration to familiarize themselves with the working of the new Constitution. At the same time, the Members of Parliament learned to conform to parliamentary traditions and to suitably adapt them to the needs of independent India and the work of the Parliament of India. It was a period
during which progress was made both in regard to elaboration of rules of procedure and the setting up of various committees partly to regulate the work of the House and partly to regulate its relationship with the executive.²

Elections:

By the time the first General Elections were held under the new Constitution in 1952, Parliamentary democracy had taken deep roots. This election itself was something unique in parliamentary history all over the world. In spite of the fact that millions of people all over the country — majority of them poor and illiterate — were exercising their franchise for the first time, the system was able to ensure free and fair elections. The conduct of elections won all-round admiration. This was repeated in the second and third general elections, held in 1957 and 1962, respectively. Expression of the free will of the people was the hall-mark of these elections. Even though the size of the electorate grew with successive general elections, it was to the credit of the system working under Nehru that there was minimum room for complaint against the election process and machinery. The Indian National Congress, led by Jawaharlal Nehru, was returned to power in all the three general elections with comfortable majorities in the Lok Sabha.

Building the Institution of Parliament:

Pandit Nehru was the prime architect of India's political institutions. His contribution to the evolution of parliamentary democracy in the country was unique. It was he who built, brick by brick, the infrastructure and edifice of parliamentary institutions in India. The years that followed the commencement of the Constitution constituted a period of great stress and strain for the nation and for the world at large. That India's representative institutions endured was a great tribute to Nehru's abiding faith in and respect for the parliamentary
system. The Union Parliament itself under Nehru's leadership performed a tremendous conflict resolution and national integrational role during the formative years (1950-1964). As "the grand inquest of the nation", it came to be relied upon as a forum for grievance ventilation and redressal and for resolving the multifarious difficulties and problems of the people. As the first Prime Minister of India who was at the helm of affairs for the most crucial fourteen years of the new Republic, it was Jawaharlal Nehru who worked the constitutional mandate of establishing a parliamentary system guaranteeing social, economic and political justice; liberty, equality, dignity of the individual and unity and integrity of the nation. And, the way he worked it, he gave shape, meaning and content to the provisions of the Constitution. As the Leader of the House — Provisional Parliament (1950-1952), First Ldk Sabha (1952-1957), Second Lok Sabha (1957-1962) and Third Lok Sabha (1962-1964) — Nehru played the most outstanding role in establishing healthy practices and precedents.

Free and fair elections to Parliament based on universal adult franchise for Nehru the most sacred festival of democracy and an article of faith. He showed tremendous respect to the institution of Parliament and to parliamentary practices and procedures. This was evident all through his conduct inside and outside the Houses of Parliament. His relations with the Presiding Officers and the members of Parliament were most cordial and admirable. Letters of individual members of Parliament were almost invariably replied to by him personally and most promptly. Nehru had the fullest faith in Parliament as the Supreme representative institution of the people. He believed in the primacy of Parliament and in its supremacy within the field assigned to it by the Constitution. In the matter of the role of the judiciary and extent of judicial review Nehru took a very firm stand and said that the courts could not
become a third legislative chamber; their role was to interpret the laws made by Parliament and not to themselves lay down the law. It was through his conscious efforts that Parliament secured a pre-eminent position in the country's polity. The effectiveness of institution of Parliament was convincingly vindicated on several occasions.³

**Dignity and Decorum in the House:**

Nehru was meticulous in showing courtesy to Parliament; the very manner of his entry into the House, the graceful bow to the Chair—each time he took his seat or left the House, his strict observance of parliamentary etiquette in the best sense of the term, and his readiness to answer even irritating interruptions—were exemplary. As Shri R. Venkataraman, the President of India says, "it was his innate gentleness and his gentlemanliness that made Nehru an ornament to Parliament"⁴. He took keen interest in the Question Hour and seldom missed it. He was present during most of the debates on major issues and listened to the members with attention. Nehru answered questions with dignity and dexterity, gracefully and effectively. Mrs. Violet Alva once observed that Nehru spoke "with passion but not with malice". Sometimes he denounced wrongs "with the spirit of a rebel but he left no wounds behind". He "could intervene and answer any intricate point and wind up the critical stage of any debate".

In respect of maintenance of decorum and orderly behavior in the House, Nehru expected members to behave and appealed to them to do nothing which would lower the dignity of the House. There were occasions of disorderly conduct but he met with firmness. He even went to the extent of getting the members of his own party expelled from the membership of the Lok Sabha if found guilty of conduct unbecoming of a Member of Parliament.
When in 1951 a Member of Parliament (M.G. Mudgal) tried to use his membership position for doing propaganda on behalf of the Bombay Bullion Association for a consideration, Nehru himself took the initiative in Parliament by moving for an enquiry by a parliamentary committee against the Member even though he belonged to Nehru's own party—the Indian National Congress. Mudgal's conduct was adjudged to be unbecoming of a Member of Parliament and he had to go. Nehru reacted more strongly on a subsequent occasion in Lok Sabha about 13 years later when some members indulged in disorderly conduct while the President was addressing both the Houses assembled together on 18 February, 1963. The Committee set up to go into the conduct of these members, had recommended that they should be reprimanded. Replying to the discussion on the Committee's Report, Nehru said: "The sole question before us is—it is a highly important one and vital one what rules and conventions we should establish for the carrying on of the work of this Parliament with dignity and effectiveness... It was for the first time that it happened, and if that was allowed to continue without any strong expression of opinion of this House or Parliament, it would have been a bad day for our democratic institutions and Parliament especially.

This Parliament is supposed not only to act correctly but lay down certain principles and conventions of decorous behavior... "I would submit to you, Sir, and to the House, that the least we can do is to accept this and thereby give an indication to this House, to the country and to other Assemblies in India that we shall adhere strongly to the behavior that is expected of such a high Assembly as Parliament and other representative bodies in India. We have to set an example to that, and if we are weakened in this it will be a bad day for Parliament and for our future work. I submit therefore that the resolution moved by the Deputy Speaker should be accepted by us without much argument"."
Parliamentary Initiatives and Impact:

One of the occasions and perhaps the most memorable when Parliament asserted itself arose in 1955-56, when the problem of reorganizing the States was taken up in the light of the Report of the States Reorganization Commission. The marathon debate that took place on the Commission's Report in 1956 was sufficient proof to show that Parliament was no "rubber stamp" of either the Executive or the party in power. In fact, the final decision to create a bilingual Bombay State, an altogether new proposal, was the product of spontaneous parliamentary initiative. Also, there were other allied decisions which were equally important and emerged from parliamentary debates on the subject of the States Reorganization. Abolition of disparity in the salaries of Judges of High Courts of Part A and Part B States, discontinuance of grouping of States into A, B & C categories, creation of the office of Linguistic Commission and creation of Legislative Council for the State of Madhya Pradesh were some of the other instances of decisions which could be attributed to initiatives from Parliament.7

In yet another instance, in keeping with the highest traditions of ministerial responsibility in parliamentary government, the Union Minister of Railways (Lai Bahadur Shastri) owned constructive responsibility for a serious railway accident and resigned.8 In an impressive show of parliamentary power, an L.C.S. Secretary (H.M. Patel) and a powerful Finance Minister (T.T. Krishnamachari) had to quit their posts in the Mundhra case involving questions regarding investments of L.I.C. funds etc. The matter was raised in the Lok Sabha and followed up by Froze Gandhi, a distinguished parliamentarian.9 In the Berubari case the Government had decided to cede certain parts of the territory of the Union to Pakistan under an agreement. Parliamentary pressure compelled the Government to refer the matter to the
Supreme Court and to bring forward a Constitutional Amendment before Parliament. The Supreme Court opinion established the principle that no part of the territory of the Union of India could be ceded by the Government without parliamentary approval and without the Parliament amending the Constitution. When in the midst of some controversy and reported differences, an army General (Chief of Army Staff, General Thimayya) submitted his resignation, Prime Minister Nehru firmly and categorically declared in the Lok Sabha that in India "civil authority is, and must, remain supreme". These were significant and memorable words particularly in the context of what had happened to democracies in some of the neighboring countries. In the 1962 debacle following the Chinese aggression, the Defence Minister (V.K. Krishna Menon) had to resign as a result of parliamentary pressure. It showed at once the power of Parliament on the one hand and the magnanimity and vision of Nehru and his deep commitment to the highest norms of parliamentary democracy on the other.

When he found that the majority opinion in the Congress party and in Parliament was against his own personal predilections he readily, willingly and gracefully bowed to it. The Compulsory Deposit Scheme which came into force on 22 May 1963 evoked strong opposition from the people and Parliament. It was virtually withdrawn even before the year was out. What came to be known as the Serajuddin affair resulted in the Minister of Mines and Oil (K.D. Malaviya) having had to resign after admitting receipt of money from Serajuddin for political purposes and after being subject to an enquiry by a Supreme Court Judge. The reported VOA deal between India and U.S.A. generated considerable heat and opposition in Parliament and ultimately Government had to rescind the agreement. A Constitution Amendment Bill introduced on 24 April 1964 and seeking to indemnify certain actions of
officers during the Emergency was withdrawn by the Government in view of strong reaction against it in Lok Sabha. Thus, on several occasions, Parliament chose to assert itself, especially on issues of national importance.

Accommodating the Opposition and Accepting Criticism:

Nehru was always more than willing to accommodate the views of the Opposition in the greater interests of the nation. He listened to the viewpoint of the Opposition very carefully. It was, he said, fully democratic that the Opposition should criticize the Government's policies, only it would be more helpful if they offered constructive criticism. Even though the Opposition was weak in numbers, Nehru accorded it considerable importance and held the view that "it would not be right for us to appear to be vindictive." He met the Opposition leaders occasionally to exchange ideas on crucial issues. He would make it a point to compliment those who made fine speeches and raised important issues. Also, he would talk to them. His personal relationship with many Opposition members was most cordial and friendly. Glowing tributes have been paid to him for his unfailing courtesy and consideration shown to Opposition members of Parliament.

Nehru felt responsible not only to the members of his own party but also to those of the Opposition and in fact to the whole nation. He was conscious of the fact that he was the Prime Minister of the entire country and the leader of the whole House and not merely the leader of the majority party in Parliament. Under Nehru's stewardship, the rights and privileges of members were duly safe-guarded, and the dignity and prestige of the House maintained. He asserted, "I am jealous of the powers of this House and I should not like anyone to limit those powers". Once when some members from the Opposition felt that certain remarks made by the then Special Assistant of Nehru (MO.
Mathai) were a contempt of House and brought a privilege motion, Nehru requested the Speaker to refer the matter to the Committee of Privileges. He said: "When a "considerable section of the House was feeling that something should be done, it is hardly a matter for a majority to over-ride those wishes....Suggestion to drop this matter would, I think, not be a right one because it almost appears that an attempt was made somehow to hush matters or hide matters. It is not a good thing for such an impression to be created". Nehru appreciated informed criticism from all quarters and did not hesitate to accept and appreciate valid points. On one occasion during the discussion on President's Address, an Opposition leader, Asoka Mehta, described the President's Address as odorless, colorless and generally inane and blamed the Government for it. While replying to the debate, Nehru dealt with that point first and said: "Now Sir, first of all I should like to refer to a criticism which has been made strongly and forcefully by Shri Asoka Mehta about the President's Address being odorless, colorless and generally inane.

As members of the Government, who are responsible for the President's Address that criticism applies to us certainly. I am prepared to say that criticism is partly justified". Nehru would often begin by welcoming "well-deserved criticisms" in Parliament saying that his government could benefit by them. At the same time, he would disarm his critics by observing that beyond that criticism there was a vast amount of agreement on fundamentals, and then he would set out to analyze the areas of agreement. Nehru might-have sometimes appeared "impatient and intolerant of criticism, obstruction and indecision, so characteristic of democratic assemblies", but, in fact, he was at great pains to appreciate criticism. He was so introspective as to go out of the way to see the other man's point of view. He "tried his best to pick out points from the criticism of the opponents of his stand, and was patient enough to try
to rebuild and reshape his own plans and ideas."¹⁹ He thus encouraged healthy debates and ultimately adopted valuable suggestions put forward by the Opposition members. By paying due respect to the views of the Opposition parties and those of the people at large expressed through the Press, Nehru nurtured the great traditions of parliamentary democracy in its infancy in India. In the process, he also set exemplary standards in parliamentary life. Within the Congress party, also, Nehru permitted debates and discussions, inviting different shades of opinion on various matters. Thus, Congress was flexible enough to accommodate different points of view. It offered enough scope for every opinion and criticism to develop and held frequent discussions or consultations, the gists of which were often given out in the press for public information and discussion. This characteristic of the functioning of the party enabled it to hold its position in the House. The discussions and developments in the ruling party meetings themselves greatly influenced the government in shaping its policies and in responding to public opinion.

The impact of the Party on the administration was perhaps as important as that of Parliament. Though the administration was not directly accountable to the party in power, indirectly the criticism it suffered at the hands of the party leaders found expression on the floor of the House and got channelized through different parliamentary procedural devices under which the administration could be called to account.²⁰ Nehru's parliamentary style was distinctly his own. His reasoning was impeccable and his brilliant repartees, wit and humor thrilled the House. He spoke in chaste English or Hindi. The occasion very definitely determined the language he used. His Hindi or Hindustani particularly was something typically his own. A special kind of articulation, often it was like a teacher trying to hammer or explain a point with great dexterity of purpose.
Position of Speaker:

Nehru laid down some conventions of lasting value by upholding the Speaker's position in the House. The Speaker, Nehru believed, held a pivotal position in the House and was a true symbol of the dignity and independence of the House. He was expected to be the guardian of the rights and privileges of the members. Speaking on the occasion of the unveiling of the portrait of late Vithalbhai Patel, he said: "Now, Sir, especially on behalf of the Government, may I say that we would like the distinguished occupant of this Chair now and always to guard the freedom and liberties of the House from every possible danger, even from the danger of executive intrusion. There is always that danger even from a National Government that it may choose to ride roughshod over others, there is always a danger from a majority that it may choose to ride roughshod over the opinions of a minority, and it is there that the Speaker comes in to protect each single Member, or each single group from any such unjust activity by a dominant group or a dominant government.

The position of the Speaker is not an individual's position or an honor done to an individual. The Speaker represents the House. He represents the dignity of the House, the freedom of the House and because the House represents the nation, in a particular way, the Speaker becomes the symbol of the nation's freedom and liberty. Therefore, it is right that that should be an honored position, a free position and should be occupied always by men of outstanding ability and impartiality". Once when Speaker Mavalankar wanted to see Prime Minister in his office, Nehru emphatically pointed out that it was he who would go to the Speaker's Chamber and not the other way round. The incident speaks volumes of Nehru's greatness, humility, adherence to parliamentary conventions and respect for parliamentary institutions. Shri S.L. Shaktiher, the former Secretary General of Lok Sabha, who along with Shri
M.N. Kaul had watched closely Panditji functioning in Parliament and can be taken as an authority on Nehru's relationship with the democratic institution, reveals the delicate balance of the intimate relationship between the incumbents of the two vital parliamentary institutions, viz., the Prime Minister and the Speaker in the formative years of the country after Independence. In Shri Shakdher's words: "Preserving the dignity of the House and enhancing its authority was the wont of Prime Minister Nehru. He showed it in little actions that form today permanent precedents for others to follow and thereby strengthen the foundation of an eternal system. He was fully conscious that the Speaker, being the spokesman of the House, should be as respected as the House itself. So it was that, whenever he had to discuss anything with Speaker, he would come to his Chamber after making an appointment, and also, when the Speaker expressed a desire to see him, Nehru would come to his Chamber. I know that even when parliamentary delegations led by Speaker had to visit countries abroad, he would come to the Speaker's Chamber and address them there. By so doing, he not only if respected and enhanced the position of the Speaker, but also enhanced his own dignity and authority.

Lesser men felt humbled". Nehru appreciated first and foremost the qualities of fairness and impartiality in the Speaker. He observed: "The Speaker has to abstain from active participation in all controversial topics in politics. The essence of the matter is that a Speaker has to place himself in the position of a judge. He is not to become a partisan so as to avoid unconscious bias for or against a particular view and thus inspire confidence in all sections of the House about his integrity and impartiality. Nehru never-wanted the Speaker to toe the ruling party line or to show any favors to the ruling party while giving his rulings in the House. He supported the Speaker fully in any matter concerning the rules and procedures. In one of his admirable addresses
to the House when the office of the Presiding Officer was under attack, Nehru said: "We are concerned with our honor; we are concerned with the honor of the person who holds up the dignity and prestige of the Parliament. I do not say that it is not possible at all to raise a motion against the Speaker. Of course, the Constitution has provided it. The point is not the legal right but the propriety, the desirability of doing it".

**Healthy Parliamentary Traditions:**

Thus, Nehru led the way in emphasizing the need to preserve the dignity of the House. Nehru's approach and attitude to Parliament were largely responsible for the growth of healthy parliamentary traditions in the first decade and a half of Parliament in independent India (1950-1964). In the words of Dr. S. Gopal, the biographer of Nehru: "Building on the familiarization with politics brought about by the national movement, Nehru defied conventional wisdom and introduced adult suffrage. Much as he disliked the sordid rivalry implicit in elections to legislative assemblies, Nehru gave life and zest to the campaigns; and, between elections, he nurtured the prestige and vitality of Parliament.

He took seriously his duties as leader of the Lok Sabha and of the Congress Party in Parliament, sat regularly through the question hour and all important debates, treated the presiding officers of the two Houses with extreme deference, sustained the excitement of debate with a skilful use of irony and repartee, and built up parliamentary activity as an important sector in the public life of the country. The tone of his own speeches in Parliament was very different from that which he adopted while addressing public meetings. There was no suggestion of loose-lipped demagogy. He still sometimes rambled, but sought to argue rather than teach, to deal with the points raised by
critics, to associate the highest legislature in the country with deliberation on policy and to destroy any tendency to reduce it, in Max Weber's phrase, to 'rourinized impotence'. By transferring some of his personal command to the institution of Parliament, he helped the parliamentary system take root". As a true democrat Nehru promoted frank discussions on subjects of importance in the Houses of Parliament. Nehru did not much relish the excuse of public interest to deny information to Parliament and sometimes intervened to give the information which the concerned Minister may have denied on such-grounds. He was willing to share a great deal of information with Parliament even in matters like national defence. He was most anxious to involve Parliament in the evolution, determination and evaluation of national policies. The Science Policy and Industrial Policy resolutions are important examples. He made efforts in the direction of making Parliament appreciate the need for a scientific approach and inculcating, among the people a scientific temper. As the Foreign Minister, he made it a point to have discussions on the international situation and for the purpose he would often himself move in the House that the international situation be taken into consideration.

The result was that debates in the Indian Parliament attracted wide attention not only in India but in the wide world outside. Foreign affairs debates were eagerly looked forward to. The Visitors' Galleries and Diplomatic Galleries' were fully packed during all such debates. There were some momentous occasions like the debate on the nationalization of the Suez Canal. Often, the debates helped to ease tense situations, resolve conflicts and highlight India's impact and contributions in the process. Nehru always emphasized the desirability of Ministers welcoming probing parliamentary questions and educative debates. For, he treated Parliament as a "comrade" and as a "necessary aid to Ministers".
This ability to accept others' viewpoint and extract out of them the best elements, to be used for the good of the society was one of the most remarkable traits of Jawaharlal Nehru's personality. It is worth recalling how once when Shrimati Rukumani Arundale's Private Member's Bill on Prevention of Cruelty to Animals was under consideration, Nehru walked into Parliament and declared that the Government was committed to the principles of the Bill and would bring forward its own legislation on the subject. It was through such firm stands and a spirit of accommodating legitimate suggestions that Nehru laid the foundations of the Parliament of the largest democracy on earth and made it a potent instrument of nation-building, social engineering, economic reconstruction and national integration. Thus, before the Nehru Era in the history of India came to an abrupt end in May 1964, firm foundations of Parliamentary Government had been laid. The Parliament of independent India — of the Sovereign Democratic Republic of India—had been in existence for nearly 14 long years. During this period, the nation was able to actually work the system of representative parliamentary democracy and to adapt it, where necessary, to India's own ethos, needs and aspirations.

The country was fortunate in having at the helm of affairs a galaxy of highly distinguished and competent men headed by the great stalwart of the freedom struggle, Pandit Nehru himself. They proved to be as good nation-builders and administrators as they had been patriots and freedom fighters. Also, the existence of a well-organized and reasonably disciplined political party—the Indian National Congress—with its firm faith; in representative institutions proved a great boon in the task of institution building, developing healthy traditions, ensuring effective functioning of Parliament and State Legislatures and of the Congress Ministries at the Union and State levels etc.
Procedural Devices and Innovations:

The procedural devices available to the members to bring up matters of urgent public importance for discussion in the House were very few before Independence. They had mostly to remain content with the procedure of adjournment motion, which did not have the connotation of a censure motion, because the Government in those days was not responsible to the House. As a result, in the Central Assembly, the practice developed that virtually all matters of importance were brought up for discussion on adjournment motions. In fact the President of the Central Assembly had to invariably allow discussions by means of adjournment motions. The practice was so deep-rooted that when the Executive became fully responsible to Parliament, the members did not even realize the change that had taken place and that it was no longer appropriate to bring all matters for discussion on adjournment motions. It goes largely to the wisdom and farsightedness of the Prime Minister Nehru and Mr. Speaker Mavalankar and successive Speakers in Lok Sabha that they worked zealously for widening the opportunities so that the members could bring up important matters for discussion in other ways as well. The first liberalization was in introducing half-an-hour discussions. It soon became a frequently resorted device for discussing matters of adequate public importance which might have been the subject matter of a recent question, oral or written.

Then came into being the rules relating to short duration discussions. Under these rules, a matter of urgent public importance could be discussed for a duration not exceeding two and a half hours if the Speaker admitted the notice on grounds of urgency and importance and the Government agreed to find time. In a sense, it served the same purpose as an adjournment motion. But it was different in some ways. No motion invoking a decision of the House was drawn up and there was no decision of the House thereon. If it was admitted,
the subject was just put down for discussion and the members placed before the House their points of view and the Government made a reply. There was no definite decision of the House recorded. This device had certainly been found useful by the members because, on the one hand, it served the purpose of an adjournment motion, and on the other hand, it did not involve any censure of the Government. In spite of these devices, the members had a feeling that there were some matters of great urgency which could not be brought before the House in time and they had to resort to adjournment motions. The matter was, therefore, considered at length by the Rules Committee and the result was the Calling Attention procedure, a highly popular and potent weapon in the hands of members to draw the attention of the Government to sudden developments of urgent public importance and to elicit the Government's stand thereon. If the notice was admitted by the Speaker, the Government had to give an answer immediately or at the most it could ask for time to make a statement. This device had proved to be of immense help in the smooth functioning of legislatures. As a matter of fact, members who wanted a ready answer to an urgent matter just needed to give a calling attention notice and they needed to use the device of adjournment motion only when something went radically wrong which required an indirect censure of the Government.

In extreme cases, the Members could also resort to a straight no-confidence motion which, if carried, could throw the Government out. These procedural devices, in fact, were deliberately introduced as part of the aim that the private members should not feel handicapped for lack of adequate procedural means to bring urgent public issues before the legislature. It was commonly believed that the Private Members' Bills had no chance of becoming laws. This was, however contrary to facts. In fact, there were many initiatives taken by private members leading to parliamentary enactments in our
legislative history during the period 1950-1964. Some of the important ones were the Muslim Wakes Bill, 1952, the Code of Criminal Procedure (Amendment) Bill, 1953, the Parliamentary Proceedings (Protection of Publication) Bill, 1958 introduced by Shri Feroze Gandhi in the Lok Sabha, the Hindu Marriage Amendment Bill, 1963 and the Salaries and Allowances of Members of Parliament (Amendment) Bill, 1964. One came across instances when Nehru came forward and assured the House to bring suitable government measures on matters initiated by the Private Members. The Dowry Prohibition Bill, 1952, the Prevention of Cruelty to Animals Bill, 1953 etc. were some of the examples. There was another widely-held belief that the parliamentary procedure adopted by us was just a replica of the British procedure. This was far from the truth. If we closely examined our procedure, we cannot but come to the conclusion that in many respects we departed from the practice in the House of Commons. There were many differences with the Westminster insofar as the details of the procedure were concerned. At no time was the British system as such followed in India—neither during the period of the British rule nor, even though for different reasons, after Independence. The Indian Parliament, it has been said, was a legislature with a tradition of its own even at its birth. Parliamentary institutions and procedures had an organic growth on the Indian soil itself.

With the changing times, we kept experimenting and even adopting new ideas. During the period 1950-1964 particularly, several departures were made from the British parliamentary practice and many new initiatives were taken suitting the genius and requirements of free India. Leaving aside the major departures from the British practice, our procedure threw up a number of new concepts. Our legislatures can claim credit for pioneering work at least in two important directions: (a) Conduct of business according to a precise time-table,
and (b) the follow-up of the directions given by the House and ensuring that
the various assurances, promises and undertakings given on the floor of the
House are actually carried out. The first one has become possible because of
the Business Advisory Committee of the House which was first constituted as
early as on 14 July, 1952. Its function is to allocate time to various Bills and
other measures which the Government brings before the House from time to
time. If there is no unanimity on the timetable for a particular measure, the
Committee generally agrees upon the minimum acceptable to everybody and
authorizes the Speaker to increase the time provided, after considering the
trend of discussions in the House, if he feels that more time should be provided
for a particular business. Before the advent of this Committee, the Speaker was
called upon, to determine in each case when a debate should end. Under the
new procedure, it is the House which decides the length of a debate. Since the
setting up of Business Advisory Committee, the procedure for closure of
debate has never been used. This, no doubt, spares the Speaker from much
blame and also helps the Government to plan in advance the disposal of its
business. Since this Committee meets virtually every week during the Session,
it has become a most useful sounding board available to the Speaker to know
the feelings of Members, especially the back-benchers.

The Speaker is thus able to put this knowledge to good use in the
selection of subjects in which he has full discretion, and the Members may
have a feeling that the Chair is alive to issues of public importance and
responsive to the Members' suggestions. Like the Business Advisory
Committee, the 'Committee on Government Assurances is essentially an Indian
innovation. This Committee, first constituted in December, 1953, keeps a
watch on whether the assurances, promises and undertakings given by the
Ministers on the floor of the House have been carried out in reasonable rime
and the manner in which the House had desired them to be carried out. This institutional arrangement in our legislative set-up has instilled a sense of confidence amongst the members that the Government cannot remain silent on a commitment or promise made by a Minister in the House. The practices and procedures in our legislature were never static. They evolved with the compulsions of the developing situations through a conscious and continuous search for more adequate methods of work for the fulfillment of its growing tasks. While our practices and procedures all along remained anchored in the universal fundamentals of parliamentary procedures, we never shied away from making adjustments and innovations to suit the emerging needs.

**Success and Achievements of Parliament:**

Practice and procedure apart, legislators in a parliamentary system had to realize their responsibilities to the people who were their ultimate masters. They had to understand the myriad problems faced by the common man. It must be said to the credit of Prime Minister Nehru that during the first decade and a half, Indian Parliament fully realized the: great responsibility thrust upon it by the electorate. In consonance with the Directive Principles of State Policy as laid down in the Constitution, Parliament kept before itself the objectives of a welfare state and socialistic pattern of society for the country. It proceeded about realizing the task of raising the standard of living of the people and reducing the economic inequalities by authorizing the government to have greater participation in productive enterprises and by adopting fiscal measures seeking-to bring about in stages greater economic equality.26

As the supreme law making body Parliament proved to be a great catalytic agent and an effective instrument for social engineering, progress and planned economic growth. This was exemplified by the quantum of social
legislation is enacted and the steps it took to activate social change in various spheres during the period (1950-1964). Parliament throughout remained in the forefront of social reforms. A large number of social reform measures were passed and given effect to since the commencement of the Constitution. There were, for example, laws providing special consideration, guarantees and benefits to backward, downtrodden or traditionally ill-treated sections of society—the scheduled castes, the scheduled tribes, backward classes, women, children, labor etc.—in the form of reservations, social security, removal of disabilities, minimum wages; nationalization of certain key industries, old-age pensions, land reforms, housing and the like.27

Suitability of the System:

India's successful experiment in parliamentary democracy proved that the system was the most ideally suited to a highly pluralistic society with a widely heterogeneous population and many diverse pulls and pressures. It disproved all assertion that parliamentary Government was suited only to situations of relatively homogeneous populations as in England.28 Parliament provided adequate opportunities for equal participation and self expression to various elements. It brought together the different competing forces and interests in the polity for a face to face dialogue and evolving of a national consensus. It was in Parliament that time and again national urges got crystallized and administrative policies got refined to emerge as socially relevant measures. Parliament thus proved to be the sheet anchor of the entire political structure in our polity.

It can be said without hesitation that among the great national achievements of Nehru in the early years of the Republic was the building up of firm foundation of representative, responsible parliamentary government.
No other system could have better preserved the unity and integrity of the nation. The battering that the system received continuously in the following years from various forces, internal and external, from individuals and groups were withstood firmly because of the inner strength built painstakingly into the democratic system by the founding fathers. Doubting Thomas’s had wondered whether a country like India with its size of population, levels of poverty, fatalism, illiteracy and cafes-ridden society would ever be able to work the democratic parliamentary institutions. They were all proved wrong and sadly mistaken. India had taken to parliamentary Government naturally—as duck takes to water. The system in Indian hands had worked remarkably well and stood the test of time. India's achievement was particularly striking in the context of the fact that not many countries around had been successful in preserving parliamentary government and representative institution. Parliamentary Government however, was in its very nature constantly evolving. It had to keep adjusting to changing societal needs. As Nehru used to say, world around was changing fast, events were moving at hurricane speed. Business of Government was each day becoming more and more complex and all embracing. In such a situation parliamentary Government, legislative institutions and procedures could not afford to remain bound merely to past precedents, traditions and conventions. The system of parliamentary democracy was adopted by India by deliberate choice not only because the democratic process was suited to the genius of the people, "not only because, to some extent we had always thought On those lines previously but because we thought it was in keeping with our own old traditions also".

Again, in Nehru's own words, we accepted the democratic process: “Because we think that in the final analysis it promoted the growth of human beings and of society; because, as we have said in our Constitution, we attach
great value to individual freedom; because we want the creative and the adventurous spirit of man to grow". Speaking at an All India Seminar on Parliamentary Democracy on 25 February 1956, Nehru had said: "We believe in democracy. Speaking for myself, I believe in it, first of all, because I think it is the right means to achieve ends and because it is a peaceful method. Secondly, because it removes the pressures which other forms of Government may impose on the individual. It transforms the discipline which is imposed by authority largely to self-discipline. Self-discipline means that even people who do not agree—the minority—accept solutions because it is better to accept them and then change them, if necessary, by peaceful methods. Therefore, democracy means to me an attempt at the solution of problems by peaceful methods. If 1st is not peaceful, then to my mind, it is not democracy. If I may further elaborate the second reason, democracy gives the individual an opportunity to develop. Such opportunity does not mean anarchy, where every individual does what he likes. A social organization must have some discipline to hold it together. This can either be imposed from outside or be in the nature of self-discipline. Imposition from outside may take the form of one country governing another or of an autocratic or authoritarian form of government. In a proper democracy, discipline is self-imposed. There is no democracy if there is no discipline". Nehru believed that the parliamentary form of Government was more likely to bridge the "hiatus between desires and their fulfillment" than the other forms which lead to "some measure of authoritarianism". The Parliamentary system with all its failings had "the virtue that it can fit in with the changing pattern of life".
Parliamentary Reforms:

Conscious of the problems "faced by parliaments everywhere, Nehru had recommended certain parliamentary reforms. Parliament for Nehru was relevant only as a dynamic institution ever adjusting its functions and procedures to the changing needs of the times. In Nehru's words: "In a period of dynamic change, the institution of Parliament has to function with speed". Also, if democracy and freedom are to endure and representative institutions made impregnable, it is essential to restore to Parliament and its members their traditional esteem and honor in the affections of the people. As Shrimati Gandhi once said: "For the parliamentary system to function efficiently, it is essential to improve the quality of political life as a whole and to keep it at a high level. If it is allowed to deteriorate, then people's faith in democratic institutions itself will suffer". It is a tribute to the foresight and sage prudence of Nehru that as early as in the fifties he stressed the desirability of considering the establishment of a system of large subject-based or Ministry/Department oriented parliamentary committees to deal with legislation in depth—something which is now being talked about a great deal in the context of making Parliament more relevant and its functioning more effective. He was candid enough to admit that the "problems of government have grown so enormously that sometimes one begins to doubt whether normal parliamentary procedures are adequate to deal with them". Parliamentary democracy, he felt was inevitably going in the direction of economic democracy and whatever forms it might take, "only in the measure that it solves the economic problems does it succeed even in the political field. If the economic problems are not solved then the political structure tends to weaken and crack up". The healthy efforts made during the stewardship of Nehru had shown the way.
In fact, in many ways while Nehru was at the helm of affairs (1950-1964), Parliamentary Democracy and the institution of Parliament in India could be said to have enjoyed their Golden Age. But, that was not the journey's end. Also, while political institutions were important, they got their real meaning and content by the manner in which they were worked. They needed some individuals to work them successfully. If those who from generation to generation were called upon to work them were men and women of competence and character, the institutions would remain safe and keep growing from strength to strength. If not, nothing could save their decay. "All our institutions, including the parliamentary institutions, are ultimately the projections of a people's character; thinking and aims. They are strong and lasting in the measure that they are in accordance with the people's character and thinking. Otherwise, they tend to break up".35

Nehru's Legacy

The driving force behind Nehru's contributions towards the building up of a parliamentary system was a profound democratic spirit, which found expression not only in the setting up of parliamentary institutions but also in providing the right atmosphere for the flourishing of such institutions. Once, when he was asked as to what his legacy to India would be, Nehru replied: Hopefully, it is four hundred million people capable of governing themselves'. The parliamentary system and its institutions that we have today evolving through the changing times are indeed an integral part of this great legacy left behind by Nehru. Looking back, we are today even more inspired by the great democratic ideals which Nehru stood and strove for. The Parliament and its healthy conventions and traditions, evolved during his life-time, and which have become essential and permanent features of our democratic polity, owe
greatly to the persistent efforts of Jawaharlal Nehru to make parliamentary democracy strong and resilient forever in our country.

Nehru's vision of developing Parliament as a symbol of the nation's will has become a reality. We all know how meticulous Nehru himself was in the observance of these norms and conventions and that too, to the last breathe of his life. As his biographer Dr. Sarvepalli Gopal recounts: "Even during his last months, though patently strike, he missed no session and in order, as he said, to preserve the decorum of the House, struggled to his feet every time he had to answer a question or make an intervention despite repeated suggestions from the Speaker and every section of the House that he speak sitting". What is it if not the surge of a democratic spirit stretching beyond all physical limitations? When the very architect of our democracy so meticulously observes the expected norms and values, that itself becomes an education for the people and their representatives. No wonder, when we think of dignity and decorum in the House, as a natural corollary, Nehru comes to our mind. And, no doubt succeeding generations will salute this man as the father of parliamentary democracy in India as of so much else.
REFERENCES


10. Ibid., 12 September, 1958, cc.6200-09. Berubari Transfer Bill and the Constitution (Ninth Amendment) Bill were introduced in Lok Sabha on 16 December, 1960.

11. Ibid., 2 September, 1959, c.5857.


15. Ibid., 29 April, 1959, cc.13766-80 and 24 April, 1964, cc. 12501-24.


32. Ibid., p.381.
33. For the first time, three subject or Ministry / Department based Parliamentary committees on (i) Science and Technology, (ii) Agriculture and (iii) Environment and Forests have been set up only this year (1989).

34. 27 February 1981.
