CHAPTER TWO

A STUDY OF THE OFFICE OF THE
PRIME MINISTER IN INDIA
India is a parliamentary democracy. Theoretically it is the parliament which is sovereign. The leader of the majority party is elected as the Prime Minister and on his advice the President appoints other members of his Cabinet. The Cabinet is collectively responsible to the parliament. Thus the Prime Minister is not a dictator for is responsible to the parliament. Moreover the Constitution provides another check on the Prime Minister and the Cabinet. The executive power is vested in the President. Thus he is the head of the executive body. It is the President who appoints the Governors, the judges of the Supreme Court, and it is he who exercises emergency powers. He can also dissolve the Lok Sabha. For long the question of the prerogatives of the President and the Prime Minister has been a topic of discussion and study for the students of political science. There was a time when it was argued that the President, if he so liked, could be a dictator. Times have changed, and there have been many constitutional and political developments. Now it is hardly felt that the President is a potential dictator. On the other hand, recent experiences suggest that the Prime Minister is a potential dictator.
The main objective of this chapter is to examine the powers and functions of the Prime Minister of India. It is an analytical study based on experiences, both past and present. The research data has been collected from the records of the Constituent Assembly Debates, various authentic commentaries on the Constitution of India and Journals, Magazines and News Papers. The topic is significant in view of the current debate on the prospect of change-over to a Presidential form of Government.

POWERS AND FUNCTIONS OF THE PRIME MINISTER — A PEEP INTO THE CONSTITUENT ASSEMBLY:

EVOLUTION OF THE CONSTITUENT ASSEMBLY:

The Constituent Assembly, brought into being by the will of the Indian people, and in the last scene of the last act, with the help of the British, drafted a Constitution for India labouring on it for more than three years from December 1946 to December 1949. In the Assembly, for the first time in a century and a half, Indians framed for themselves laws for their own governance. They were at last free to shape their own destiny, to have their long proclaimed aims and aspirations
the realities of parliamentary democracy with them to India, and partly with the fortuitous circumstances, and mostly with the Indians themselves. The Indians had for years demanded a constitution establishing parliamentary democracy; when the opportunity came they framed constitution and for the past three decades and a half they have demonstrated that they have the ability to make it work.

WHAT KIND OF AN EXECUTIVE:

During the early months of the Assembly, various members tentatively drafted Executive provisions both for the Union and provincial Executives. Several did so on their own initiative, and others in response to a questionnaire prepared by B.N. Rau. K.M. Munshi in his draft constitution provided for a head of state with powers like those of the British Monarch for joint responsibility of Ministers etc. B.N. Rau's questionnaire on the Executive included queries about the name, method of choosing, and functions of the Head of the State. There were also ques-

tions about the nature or type of the executive as a whole, the method of choosing and the responsibilities of the Ministers, as well as the relationship between the Head of the State and the Council of Ministers. Rau's questionnaire was submitted to the fifteen members of the Union Constitution Committee, which the Assembly had voted to establish on 30 April. This time five replies were received, all supporting a Cabinet government with a constitutional head of state. S.P. Mukherjee suggested that the Prime Minister could either be elected by the Parliament or chosen for the office of the leader of the majority party in the parliament. India was formally set upon the path of parliamentary government during the early June meetings of the Union Constitution Committee. The decision was that India should have the Parliamentary system of Constitution. Using Ayyangar and Ayyar's Joint memorandum and Rau's proposal as guides, the members of the Committee felt that the Prime Minister would be the person most likely to command a majority in the lower house. The

Union constitution Committee report only said that there should be a Council of Ministers headed by a Prime Minister to aid and advice the President in the exercise of his functions.

By rejecting the idea of Ministries elected by proportional representation, the Assembly closed a major route by which the minority groups could enter the Government. Yet national unity depended on communal harmony and the cooperative efforts of all section of Indian society. As Dr. B.R. Ambedkar said, in a country so communally minded as India it could not be expected that the authorities would give equal treatment to those not of their own community. The Members of the Constituent Assembly realised that to make the minorities feel that their interests were protected, to make the minorities participate whole heartedly in the national effort, they must in some way be assured of representation in the Executive. Jagjivan Ram a congress leader of the untouchables, and H.J. Khandekar, a party staiwart from the Central Provinces recommended that seats be reserved for

minorities in the Cabinet. Dr. B.R. Ambedkar pointed out that the new schedule would protect their interests. The following day the Assembly accepted the new article and it approved that there should be in the constitution written provisions assuring the minorities of representation on the Executive.

LIMITING EXECUTIVE POWER:

The constituent Assembly had sought to establish a parliamentary Executive for India because it proposed strength, cohesive action, and leadership, yet, at the same time, it feared limitless Executive power.

At last it was decided by the Assembly to adopt the British model. So the counterpart of England, India accepted the parliamentary system of Government. There are three characteristic features of the parliamentary government as understood in the British Constitution. First, the King is the constitutional Head of the State. The real functionaries are the Ministers who belong to the majority party in Parliament and depend upon its pleasure for their

4. CAD (Government of India, Constituent Assembly official Report, vol XII, 1946-50) P. VIII, 30/189
tenure in office. The Prime Minister is the real executive head at the centre. Secondly, the popular chamber has a democratic basis and it is the hub of parliamentary democracy. Finally, the ultimate legislative and financial control is vested in the popular house. The President of India, like the British Monarch is the Constitutional Head.

That the Prime Minister should be a member only of the Lower House was the subject matter of debate in the Lok Sabha during the budget session of parliament in 1960, when a private member's Bill seeking to amend the constitution to that effect was discussed.

In the U.K., the office of the Prime Minister has not been established by legislation, it is only conventional though its existence has been recognised by the states. The authority of the Prime Minister was firmly established only in the late 19th century by Disraeli and Gladstone. It is a settled rule that the Prime Minister must be either a peer or a member of the House of Commons. No peer has, however been a Prime Minister after Lord Salisbury resigned in 1902. In 1923, this question cropped up. However it was then possible for a peer to become a Prime Minister.
The illness of Mr. Bonar Law the then Prime Minister left King George V, with a choice between Lord Curzon, the Foreign Secretary and Mr. Baldwin, the Chancellor of the Exchequer. The king chose the latter, both on personal ground and because Mr. Baldwin was a member of the House of Commons. This was generally regarded as a decisive demonstration of the need for a Prime Minister to be in the House of Commons.

However it has been felt that the Prime Minister should be a member of the House of Commons, since the parliamentary form envisages that the Prime Minister should, with his colleagues, be responsible to the House of Commons, and he should also be able to justify his policy in that House.

**EVOLUTION, GROWTH OF POWER AND FUNCTIONS OF THE PRIME MINISTER:**

In India, the office of the Prime Minister originated on 15th August, 1947, when the country attained independence, and Sri Jawaharial Nehru became the first Prime Minister of India.

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Prime Minister of India. The office has since been given statutory recognition in the context.

Unlike the U.K., the Indian constitution expressly gives the office of the Prime Minister a superior position by making him the head of the Council of Ministers. In U.K. he is, at least in theory, to be described as primus inter pares, the first among equals.

The selection of a person to the position of a Prime Minister or Chief Minister figured in discussions in the Constituent Assembly also. The Draft Constitution of India under the Chairmanship of Dr. B.R. Ambedkar, included a schedule containing instructions to the Governors of the states regarding the manner of selection of their respective Council of Ministers. Clause (2) of the schedule reads:

"In making appointments to his council of Ministers Governor shall use his best endeavour to select his ministers in the following manner, that is to say, to

6. Art. (i) of the Indian constitution.
appoint in consultation with the person who in his judgment is most likely to command a stable majority in the legislature those persons ........ who were best be in a position collectively to command the confidence of the legislature. In so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibility among the Ministers." A schedule similar to one containing instructions for the Governors was also proposed to be included in the Draft Constitution, as regards the President for the appointment of Council of Ministers at the centre.

Later, selection of the Prime Minister, from amongst the members of the Lower House was advocated both in parliament and outside. On March 18, 1966, Sri. H.V.Kanath introduced a Bill, the Constitution Bill 1966, which inter alia sought to amend the Constitution to provide explicitly that the Prime Minister should be a member of the Lower House. The objects and reasons set out in the Bill stated.

The highest traditions of Parliamentary Democracy with bicameral set up, demand that the council of Ministers at
the centre and in the states should consist mostly of Members, who are directly elected by the people and that the Prime Minister should in no circumstances be a member who has been elected indirectly. The Bill was discussed in the Lok Sabha. The following were the salient points made during the discussion:-

(a) It would be a travesty and mockery of the spirit and the letter of the provisions of the Constitution if the council of Ministers was headed by a person that was not a member of that very House to which the council of Ministers was collectively responsible i.e. Lok Sabha.

(b) In financial matters, Lok Sabha alone enjoyed predominant power, and the financial part of the constitutional prerogative was the most important in a democratic constitution. It was therefore desirable that the Prime Minister should belong to Lok Sabha.

(c) Having regard to the proper working of a Parliamentary democracy and in conformity with the principle that the people's Representatives should have a real say in the administration, it become a categorical
imperative that the Prime Minister should only be a member of Lok Sabha.

(d) According to a well established convention in the British House of Commons it was the Prime Minister's duty to express the sense of the House on formal occasions, on motions of thanks or congratulations and motions of condolence. It would be perverse if the sense of Lok Sabha should be respectively expressed by some person, who however eminent he might be in some other domain, did not belong to that House.

In Parliamentary Democracy, the people are the repository of all sovereign powers whoever represented the people directly should be the Prime Minister.

The Prime Minister is the leader of the lower House. He is vested with formal leadership of the Council of Ministers like the German Chancellor and his primacy over all other ministers is a constitutional prescription. The stability of the Cabinet depends entirely on the personality, qualifications and abilities of the Prime

Minister and he will be the key responsible for the success or the failure of his Cabinet.

POWERS AND FUNCTIONS OF THE PRIME MINISTER FROM THE PAGES OF THE CONSTITUTION:

Part V of our Constitution titled 'The Union' with its chapter I titled 'The Executive' contains those important articles that lay down the framework of our parliamentary form of Government. Article 74 says:

'There shall be a council of Ministers with the Prime Minister at the head to aid and advise the President who shall in the exercise of his functions act in accordance with such advice provided that the President may require the council of Ministers to reconsider such advice, either generally or otherwise and the President shall act in accordance with the advice tendered after such reconsideration. The question whether any and if so what, advice was tendered by the ministers to the President shall not be inquired into by any court.'

Article 75 of the Indian Constitution says:

1. "The Prime Minister shall be appointed by the
President and the other ministers shall be appointed by the President on the advice of the Prime Minister.

2. The Minister shall hold office during the pleasure of the President.

3. The Council of Ministers shall be collectively responsible to the House of people.

4. Before a Minister enters upon his office, the President shall administer to him the oaths of office and according to the forms set out for the purpose in the third schedule.

5. A minister who for any period of six consecutive months is not a member of either house of Parliament shall at the expiration of that period cease to be a Minister ".

6. The salaries and allowances of Ministers shall be such as Parliament may from time to time by law determine, and until Parliament so determines shall be specified in the Second Schedule."

Article 88 of the constitution says that a Minister may be chosen from members of either House and a Minister
who is a member of one House has a right to speak in and to take part in the proceedings of the other House though he has no right to vote in the House of which he is not a member.

Constitution of India provides for a Prime Minister. He or she is placed at the head of the council of Ministers but the President is not free to choose any one whom he likes. Since the council of Ministers is responsible to Lok Sabha or the Lower House, apparently the President must choose one who should be able to command majority in that house. It means that the choice must ordinarily be made from among the members of the Parliament, preferably of the Lok Sabha.

The Prime Minister is selected by the party commanding majority in the Lok Sabha and appointed by the President. Selection by the party comes first and appointment by the President afterwards. It was because the Presidentship of the Congress Party was in the hands of Jawaharlal Nehru himself that he was invited by Lord Wavell in September 1946 to form the Interim Government. Moreover it was the leadership of Mahatma Gandhi that saved Jawaharlal Nehru
from any potential challenge likely to come from the side
of a stalwart like Sardar Patel. In 1964 Jawaharlal Nehru
became the de facto Prime Minister of India. From this de-
facto position, the de-jure Prime Ministership in 1947 was
a natural, logical transition. Thus Jawaharlal Nehru owed
his first de facto Prime Ministership to Gandhiji and when
the time came in 1947, for full-fledged-de-jure Prime
Ministership, Jawaharlal Nehru had precedent, status quo,
and the halo of the first winner—all these advantages on
his side. After the death of Jawaharlal Nehru, there
was no obvious choice to become the party leader. The
Emergency Committee of the Cabinet decided to recommend to
the President that Nanda being the senior most of the
Cabinet Ministers might be called upon to fill the gap
until Congress Parliamentary Party had time to elect a
leader. In a broadcast that evening Nanda said, "I have
been called upon by the President to get in to the breach
and undertake the duties of the Prime Minister until
Congress Party in Parliament elects a leader and the
President invites him to form the Government."

9. Johari J.C., *Comparative Politics*, (Sterling
Publishers, New Delhi, 1972) P.258
President's action in appointing Nanda was perfectly constitutional. Theoretically the President can appoint anyone and in this case the President acted upon the advice of the senior leaders of the Government.

This process of consultation and confabulation in order to discover who among the top leaders enjoyed the largest measure of support in the party and such was qualified to be its new leader was a unique method of meeting the leadership crisis presented by the death of Jawaharlal Nehru. It preserved the party unity without sacrificing Democratic values.

Their consultation strengthened Kamaraj in his belief that as far as the choice of the new leader was concerned Lal Bahadur Shastri commanded the widest support in the party. It therefore did not take long for the Congress President to be convinced that the overwhelming majority in the Parliamentary party also favoured Lal Bahadur Shastri. Shastri thus emerged on the rallying point for the diverse elements and forces of the Indian society and politics. As the Times of India correspondent, E.G. Verghese wrote, "Mr. Lal Bahadur Shastri represents
the highest common factor in terms of party political support and national unity. This is the middle way. He emerges as another focus of reconciliation within the ruling party as much as in the nation. The election of Lal Bahadur Shastri received almost universal approbation both at home and abroad.

Lal Bahadur Shastri died at Tashkent on 10 January 1966. India faced the same constitutional crisis as at the death of Jawaharlal Nehru. At that time Gulzarilal Nanda was still the Home Minister. The earlier process was repeated and he was sworn in as the Prime Minister, to hold temporary charge of that office pending the emergence of the new leader. There were four leaders. Nanda, Chavan, Moraji Desai and Indira Gandhi.

The Congress Parliamentary Party met on January 19, 1966 to elect the leader, just eight days after Lal Bahadur Shastri’s death. Following the precedent of the meeting to elect Lal Bahadur Shastri, the Congress President took the chair and conducted the election. There was a full house of voters, — all members of Rajya Sabha and Lok Sabha with

11. Editorial "The middle way" premiendesignate Shastri Times of India (Bombay), 3 June 1964
526 attending out of the total Congress Party strength in Parliament of 549. Mrs. Indira Gandhi obtained 355 votes, more than double of those cast for Morarji Desai, and was declared the winner.

The election of Mrs. Indira Gandhi as the leader of the Congress Parliamentary Party after the General Election of 1971 should be regarded as the return of the Nehru era when the Party had no other leader to stake his claim. The practice of the Jawaharlal Nehru era continued to prevail simultaneously and the appointment of the Prime Minister at the hands of the President should have remained just like an act of formality. But in some situations the President is expected to act very cautiously. He should either invite the leader of the majority Party in case he is sure that the Party has no other possible contestants he must wait till the decision of the party in clear majority is available to him in case he finds that the battle for selection is impending. Fortunately, the President of India followed the healthy practice of sending invitation to form the Government to a person after the congress Parliamentary Party had formally elected its leader. President Radha Krishnan appointed Gulzarilal Nanda as the
officating Prime Minister until the decision of the majority party was available.

A fundamental change in this direction occurred in March 1977 when the Acting President (Jatti) appointed Morarji Desai as the fourth Prime Minister of India. The election results registered a thumping victory for the Janata Party, a combination of four parties namely Bharatiya Lok Dal, Congress (O), Bharatiya Janasangha, and Socialists in alliance with the C.F.D. CPM, Akali Dal and DMK, whose leader was invited by Acting President to form the new union council of Ministers. Acting as the constitutional Head of the State, B.D. Jatti acted wisely in inviting the Chairman of the Janata Party to form the Government without paying any heed to the controversy initiated by a selection of the CFD leaders that the declaration of Desai as the leader of the Janata Party Sri Jaya Prakash Narayan was not made on the consensus and as such it was undemocratic. Thus "a new phase in the Indian history initiated by the Janata Party victory reached its first mile stone when Morarji Desai was sworn in as the 12 Prime Minister.

In July 1979 when Morarji Desai, instead of facing the no confidence motion tabled against his ministry by the then leader of opposition, Y.B. Chavan of the Congress (S), resigned, a section of the erstwhile Janata Party formed the Janata (S) and thus under the leadership of Charan Singh staked its claim. Charan Singh became the caretaker Prime Minister. His Government fell after 24 days when the Congress (I) decided not to support the confidence motion tabled by the Prime Minister. Thus the Government resigned with a written advice to the President to make an appeal to the people.

Then the Fourth General Election were held in 1979, and Mrs. Indira Gandhi won the elections with a thumping majority. One might say that the peculiar situation of a single person's dominance over a single dominant party in our country as it prevailed during the days of Jawaharlal Nehru had once again been restored by Mrs. Indira Gandhi, Prime Minister and Council of Ministers.

In forming the council of Ministers, it is the prerogative of the Prime Minister to select its members. He must include all the important leaders of the party or parties that had elect him. The leader must satisfy all the
states and Union Territories by giving them representation in the ministry and must give representation to all shades of opinion and interests in the party. The Scheduled Castes and Backward communities must also be provided representation. In order to enable the Prime Minister to do all this, Article 75, Para-5, provides that he might include in the council of Ministers a person who is not a member of Parliament, but that such a person ceases to be a minister at the expiration of six consecutive months unless he gets elected during that period to either House of Parliament. This might also help when the Prime Minister might like a particular person to remain in the Ministry, but that person might have to be removed either on the demand of his own party-men or on that of the opposition party.

**Article 78: Duties of the Prime Minister in respect of furnishing information to the President, etc.**

It shall be the duty of Prime Minister:

(a) to communicate to the President all decisions of the Council of Ministers relating to the administration of the affairs of the Union and proposals for legislation;
(b) to furnish such information relating to the administration of the affairs of the Union and proposals for legislation as the President may call for; and

(c) if the President so requires, to submit for the consideration of the Council of Ministers any matters on which a decision has been taken by a minister but which has been not considered by the council.

The Prime Minister selects his colleagues and presents his list of Ministers to the President for his assent. Theoretically it is the President who gives his final assent for appointing the Ministers but in practice the selection of names, distribution of portfolios among them are matters of exclusive concern for the Prime Minister and the appointment of Ministers by the President is a technical formality. In the real sense, the function of the President is to accept the list of Ministers with their portfolios submitted to him by the Prime Minister if he has the sagacity to keep his great office immune to the allegations of political interference. Like the British Prime Minister our Prime Minister enjoys the prerogative of selecting his colleagues by virtue of his strong position
depending upon the fact of his un-assailable position in the party commanding comfortable majority in the Parliament.

The Prime Minister is free to choose his colleagues and assign portfolios. He may even select colleagues outside the ranks of his party, as was done by Jawaharlal Nehru while forming the first Union Cabinet. It is on his judgement that a particular person is specially chosen for a particular job. But the choices of the Prime Minister of India are not so unrestricted as those of the British Prime Minister. The powers of the Indian prime Minister on the other hand, are limited by the party necessities, geographical considerations and representations for different communities. There is nothing in the constitution which may restrain the Prime Minister in his choice, but, practical requirements compel him to consider the claims of stalwarts, strong men, men of calibre, and integrity, men with good leadership qualities and men who are able to command trust.

The Prime Minister may choose any body he likes as a Minister. In the early days of our initial democracy,
Prime Minister Jawaharlal Nehru included in his Cabinet leading non-congressmen like Shanmukham Chetty, Dr. B.R. Ambedkar, leader of the depressed Classes who was highly critical of the Congress policies towards the untouchables. Dr. S.P. Mukherjee and John Mathai, an advocate of free enterprise, who quit the government on account of differences with their leader, even though they had accepted the basic policies and programmes of the ruling party in varying measures. It is interesting to note that even afterwards, despite such experiences, Jawaharlal Nehru, as a practical man, did not hesitate to include in his ministry some very eminent men like C.D. Deshmukh and M.C. Chagla although they were never Congress men. In Indira Gandhi's Cabinet, among the non-congressmen were men like Dr. Triguna Sen and Dr. Haran Singh.

While choosing Cabinet colleagues Mrs. Indira Gandhi was open-minded and made her selections from outside the party as also the Parliament. In July 1966 she selected three colleagues: Ashok Mehta, Fakhruddin and Sanjiva Reddy who were not Members of Parliament. In March 1967 Haran Singh, Trigunasaheb and Chenna Reddy were inducted into her Cabinet from outside the Parliament, - the former two

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belonged to the Congress party only nominally. As noticed by Michael Brecher, Mrs. Indira Gandhi formed her Cabinet without consulting Morarji Desai or the then Congress President. She consulted the Deputy Prime Minister but did not show him the full Cabinet list. She made a courtesy call on Kamaraj and showed him the list, but within the next two hours there were changes, and then the swearing ceremony took place. It was a blunt display of being unfettered.

POWER TO DISMISS:

The Prime Minister exercises real power while dismissing a Minister(s). He may, directly or indirectly demand the resignation of his Ministers or even advise the President to dismiss him if he forfeits his confidence. He may advise the President to postpone the acceptance of the resignation tendered by a Minister in case he desires to sort out the matter in a different way. Such provision was made to ensure the principle of collective responsibility in an effective manner. As Dr. B.R. Ambedkar said in the Constituent Assembly the Prime Minister "is really the key-stone of the Cabinet arch and

until and unless we create that office and endow that office with statutory authority to nominate and dismiss Ministers, there can be no collective responsibility." It follows that the exit of a Minister is a sequel to his own volition or it may be in deference to the express or tacit will of the Prime Minister. Ministers like C.D. Deshmukh, M.C. Chagla, Mahavir Tyagi and Ashok Mehta left the Cabinet on account of their differences with the Prime Ministers, others like T.T. Krishnamachari, Dr. Ram Subhag Singh, Mohan Dharia, Charan Singh and Rajanarayan resigned in deference to the wishes of the leader of the Council of Ministers.

The Indian Prime Ministers have always shown a preference for matter of foreign policy, defence, finance, food and planning. Jawaharlal Nehru retained External Affairs in his own hands, Lal Bahadur Shastri also did the same. Mrs. Indira Gandhi began with a separate Minister in charge of External Affairs but after the resignation of Chagla in 1967 kept the portfolio to herself. It was said that the Prime Minister had divested herself of this portfolio having regard for the recommendation of the
Administrative Reforms Commission. Even with a Minister for Foreign Affairs, the Prime Minister has to bear a special responsibility so far as foreign policy is concerned. He must keep in constant touch with the foreign offices. All important foreign despatches need his approval. He decides the level of diplomatic missions in various capitals and selects the envoys to be sent there. He may attend international conferences on behalf of his country and may even decide to appear at the United Nations to present his country's case on any issue. His words, written or spoken, are the most authoritative pronouncements on questions of foreign policy. The Prime Minister is the most important man in the Cabinet to discuss about the Defence. The Prime Minister with his External Affairs Ministers calls an Emergency Defence Committee in the Cabinet, when the country is in danger. In any event the Foreign and Defence Ministers have to work hand in glove with the Prime Minister. None can take major decisions independently except the Prime Minister. In wartime the entire responsibility for defence and foreign relations devolves upon the Prime Minister. He decides the questions regarding deployment of troops, declaration of War, break-up of diplomatic relations, military aid from
friendly countries, naval blockade etc. He must be kept informed of the hourly progress of war. He undertakes a special responsibility to win sympathy and support from foreign powers. During the Sino-Indian war in November 1962, Jawaharlal Nehru is said to have written personal letters to heads of more than 100 Governments asking their support for India's cause. The Prime Minister has the supreme responsibility for planning. In matters of finance preparation of budget, Prime Minister is briefed and consulted by the Finance Minister.

The Prime Minister is the Manager-in-chief of the Government's business. He co-ordinates the policies of several Ministers. He must see the Government as a whole and bring the variety of Governmental activities in to reasonable relationship with one another. The object of Modern Government is the total welfare of the entire body of citizens and this cannot be achieved unless the different departments of government work together as a team. The Prime Minister being the head of the team must ensure that these different offices work in harmony with each other so as to achieve the maximum results. Secondly, he must see to it that the policy decided by the Cabinet is
being implemented by the Ministers concerned. Thirdly, he must undertake the unpleasant task of pulling up those Ministers who exhibit indifference, neglect, or disregard for cabinet policies. Fourthly, he is the final arbiter of disputes and differences between two or more Ministries. Lastly, he co-ordinates the activities of different Ministries of the Cabinet so as to dovetail them into the larger ends of social and economic policies set forth in the party programmes and election manifestos. Ministries find it to their advantage to take the Prime Minister into confidence in advance on all major problems of their department. This makes for the smooth sailing of the Cabinet. In a parliamentary democracy, all over the world, the office of the Prime Minister has steadily grown in power and prestige.

ON THE PRIME MINISTER — A HEAVY RESPONSIBILITY

Indian democracy has many serious shortcomings such as inefficiency in administration, glaring economic inequalities, and the absence of an effective and responsible opposition. But there is no cause for despair about the future of democracy, provided the Congress, as the most powerful organization, sets its house in order and
gives the right leadership to the country. If Congress concentrates its attention on having a clean and efficient administration and provides the people with essential needs like food, clothing and shelter, it will have rendered the greatest service to democracy. The achievement of self-sufficiency in food is relatively a simple task—it is mainly a matter of effective co-ordination of the various agencies both at the Centre and in the States concerned with the development of agriculture. The provision of adequate clothing should not be difficult, considering the fact that our cotton-textile industry is the second largest in the world, next only to that of the United States. The problem of housing also is not hard to solve since most of the building materials are available within the country. What is required is that economic policies should be divorced from ideological bias, and they should be implemented with speed and vigour; and a sincere effort should be made to obtain the co-operation of private enterprise which hitherto has been kept at arm's length for political reasons.

The Prime Minister should ensure that the Cabinet works as a well-knit team and that Ministers do not speak with different voices, particularly on major issues. The Prime Minister should also avoid the temptation to take important decisions without consulting his Cabinet colleagues. Jawaharlal Nehru sometimes did so but his position was different. As Hurum E. Carter points out, the practice of some Prime Ministers acting without Cabinet authorization is "unusual and not without danger" because such action impairs Cabinet unity. He says "A Prime Minister who has such proclivities will do well to restrain them. Each incident further intensifies the strain on the thread which holds the Cabinet together, thus endangering its stability and the security of the Prime Minister in his place." According to Attlee, a Prime Minister to be successful should function through a Minister. He explained to this biographer, Francis Williams: "A Prime Minister ought to keep his hand on the pulse and know how his Ministers are doing, of course, but he must not interfere and overrule a Minister". Such a policy enabled Attlee to function effectively and at the same time enjoy much leisure. As he said, "I read the whole of Gibbon when I
was Prime Minister just at week-ends or at chequers. I saw more of my family when I was at Number 10 than ever before or after".

There should also be closer co-operation between the Cabinet and the Congress Parliamentary Party on the one hand, between the Prime Minister and the Congress President on the other. There has been an increasing tendency on the part of some senior Congress Leaders to attack the Government openly either in parliament or outside. For example, Mrs. Pandit, sister of Nehru, in her maiden speech in the Lok Sabha in March 1965 strongly criticized the Government, and the Prime Minister in particular, for weakness and vacillation in dealing with domestic issues and foreign problems. She described the Prime Minister as a prisoner of indecision. V.K. Krishna Menon also attacked the economic policy of the Government and

15. Consider, in this context, Shastri's remarks at a meeting in New Delhi on March 20, 1965. He said that he had read a large number of books on various subjects while in jail, but in recent years he had hardly any time for reading. Turning to a Member of Parliament who belonged to an Opposition Party the Prime Minister said, "perhaps I will find time for reading if his party comes into power". The M.P. said, amidst laughter, "I will then put you in jail".
described the Central budget of 1965-66 as 'a rich man's budget'. Lai Bahadur Shastri was hurt by these open attacks on his leadership. Addressing a meeting of the Congress Parliamentary Party on April 2, 1965, Lal Bahadur Shastri said, 'What is happening these days is very painful to me. If we do not realize our responsibilities, we cannot deal with the opposition. In parliament, in future, we should be more careful. We are passing through critical times'. Lal Bahadur Shastri added, 'What is this propaganda about indecision? It hurts me. We should not harm the party. The party has been consulted often and we meet usually once a week. 'The personal relationship of Lal Bahadur Shastri and Kamaraj, the Congress President, continued to be quite cordial and the two were able to work together in close co-operation.

The Cabinet system of government under Mrs. Indira Gandhi and her successors might not have worked exactly as it did under Jawaharlal Nehru and Lal Bahadur Shastri. Changes in the methods of working took place, depending largely on the personality of the Prime Minister. Even in England, the Cabinet system today works in a somewhat different manner as compared to a few years ago. On
account of the vast changes in the economic and political situations in the post-war period, power has now passed from the House of Commons into the hands of Prime Minister and his party. The House of Commons seems to have become 'merely a forum for debate between well-disciplined political parties'. As an example of the waning power of the House of Commons, we may cite the appointment of Sir Alec Douglas-Home as Britain's Prime Minister. When in November 1963 Harold Macmillan was compelled to give up his Prime Ministership because of ill-health, he advised the Queen to send for Lord Home to form the Government. Lord Home accepted the Queen's invitation and relinquished his Carldom. Thereby he ceased to be a member of the House of Lords and, at the same time, he was not a member of the House of Commons. Thus for the first time in history, Britain had for a few days a Prime Minister who was a member neither of the House of Lords nor of the House of Commons.

As R.H.S. Crossman says, in his introduction to Bagehot's "English Constitution"

The Post-war epoch has seen the transformation of the
Cabinet government into Prime Ministerial government. Under this system, the hyphen which joins and the buckle which fastens the legislative part to the executive part becomes one single man........ In so far as Ministers feed themselves to be agents of the Premier, the British Cabinet has now come to resemble the American Cabinet.

Crossman, however, adds "the old doctrine of collective Cabinet responsibility is scrupulously maintained and enforced, even though many of the decisions for which members must assume responsibility have been taken above their heads and without their knowledge.

In India also, whoever changes take place in the Cabinet personnel and procedure, it is clear that it must function strictly on the basis of joint responsibility if the nation is to make any progress. There will be no unity or discipline in the country if the Cabinet remains divided and, worse, makes its dissensions widely known. But collective responsibility is not an easy system to operate, especially in a vast country like India where parliamentary

17. Ibid, p. 195
democracy has yet to take firm root. As Jennings says, collective responsibility assumes the team spirit of Rugby Football, or a well-drilled dramatic cast. "Even so, it should not be difficult to work on this principle, provided the electorate chooses leaders of ability and integrity who will always conduct themselves in the best interests of the country.

Plato believed that 'immortal sons defying their father', were the guarantee of progress. Jawaharlal Nehru had no son to defy him, but he had a daughter whose defiance lay in her apparent determination to achieve the things that her father only willed. Indira Gandhi, Nehru's dearest and most trusted disciple, aspired to put his gospel into practice. Her political potential was difficult to measure during Jawaharlal Nehru era. She was probably been involved in more to-level decisions than any other member of India's ruling hierarchy except her father. Yet she bore official responsibility for none and could properly claim credit for none. Her power was vast, amorphous, and indefinable. No one doubted that she had easier and more frequent access to her father than any other Indian, but no one really knew the extent of her
influence on him. No Congressman dared defy her, yet none openly proclaimed his allegiance to her.

Indira Gandhi is one of the most fascinating enigmas in India. Even her looks were a subject of controversy. She was much more attractive than her sinister looking newspaper pictures. She was the political protection of her father. Her socialism might have been more uncompromising, but it was no less romantic than his. She, like her father, was a cause of arrested ideological development, clinging to outworn Fabian dialectics, fitting at vested interests, and for ever invoking the utopia of scientific rationalism. She had the reputation of being more radical and incisive than her father, but this was hardly surprising. Youth can afford to be incisive, and radicalism always flourishes best without responsibility.

Indira Gandhi functioned as Prime Minister of India 17 years. Her political involvement went much further back, even to her childhood. As Motilal Nehru's grand daughter and Jawaharlal Nehru's daughter, confidant and supporter, her familiarity with the politics, its men, women and manners, served as a background to her apperuation of the
times and gave her the natural accumen which characterised her own ascent to power. One cannot say therefore that there was any given time that marked her entry into this challenging field. But her first major office was as the President of the Indian National Congress in 1959.

Mrs. Indira Gandhi was one of the top most leaders of the world. She was vibrantly alive in the midst of calm. Mrs. Indira Gandhi, a profile in courage, a born ruler with shrewd sense of timing, had the heart of a king with a woman's finesse.

Mrs. Indira Gandhi's Prime Ministership is without any parallel in Indian history and is of a class by itself. She was sensitive and wary of opposition, as evident from her imposition of emergency and her sharp reaction to opposition politics. Her forte is said to be a sharp and unfailing sense of timing in politics. Not once did she fail to visit a place or exploit a situation vitiated by communal riots during the Janata regime. Very few can forget the promptness with which she extended her support to Charan Singh and then withdraw it, an act with which she killed two birds with one stone. Rightly Henry
Kissinger has said of her: 'In the Cold-Blooded calculation of power, Indira Gandhi has no peer.'

Many of her policies can be explained by the sense of insecurity that haunted her mind. It was this quality which made her impose Emergency, promptly prop up Rajiv Gandhi immediately after Sanjay's death and her repeated attempt to make a mountain out of a molehill whenever there was an attempt at opposition unity.

Her authoritarian quality had its source in her having been the sole vote-catching element for her party and her packing the Cabinet with less than talented men. Her prominence had come to mean so much inside the party that the rank and file, including top ranking ministers, remain only the most servile slaves in the articulation of their obeisance to their boss.