Chapter V
EXECUTIVE MACHINERY & ITS HANDICAPS

1. The Lieut.-Governor

The executive is a multi-functioning organ of a modern government. "If the growth of the legislative organ, in consequence of the development of the cabinet system, was the notable feature of the eighteenth century", to quote Barker, "it may be said that the growth of the executive organ, in consequence of the extension of rights and the corresponding extensions of services which mostly fall to the lot of the executive, is the notable feature of the twentieth". It suggests legislations, determines policy and makes decision which are carried out by the appropriate departments either by administrative action within the framework of the existing law or by submitting a new

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1. The term 'executive', in its broadest sense, includes not only the chief executive head of the state or the political heads of the departments (the ministers) but the entire body of officials, high and low.

bill to legislature so as to change the existing law.
The executive is thus the legislative and administrative
leader in a parliamentary system of government and truly
speaking it provides leadership so long as it commands
the confidence of the majority of the members in the
legislature.

The executive in Himachal Pradesh consisted of
the Chief Commissioner and the Advisory Council during
the period 1943-1952 and of the Lieut.-Governor and
the Council of Ministers (responsible to the
legislature) during 1952-1956.¹ On reduction of its
status from a Part C State to a Union Territory, the
Himachal executive consisted of the Lieut.-Governor
and the Territorial Council during 1957-1963. On

¹ Report on the Working of Ministry of
States, 1949, p.12; report on the
Working of the Ministry of States,
1951-52, p.19. Himachal Pradesh was
governed through a Chief Commissioner
from April 15, 1943, to February 29,
1952, and through a Lieut.-Governor
from March 1, 1952, onwards.
re-introduction of responsible government in 1963\(^1\), the executive now consists of the Administrator (Lieut.-Governor) and the Council of Ministers. The constitutional position, however, is that the President of India is the executive head of Part C States\(^2\) (now Union Territories) and occupies in regard to such states a position analogous to that of a Governor in a State. Because of this position, the President of India (through the Union Ministry of States, later on converted into the Ministry of Home Affairs) enjoys primacy in so far as the administration of a Union Territory is concerned. Thus, it is the


2. The Indian federation at the time of the inauguration of the new Constitution comprised three categories of states, namely, Part A, Part B and Part C States, specified in the First Schedule of the Constitution. Part A states corresponded to the former British Indian Provinces; Part B states comprised the Unions of bigger states and the individual states of Hyderabad, Mysore and Jammu & Kashmir; Part C States corresponded to the former Chief Commissioners' Provinces (Delhi, Rajput-Merwara and Coor) and the territories of the Indian States (Bilaspur, Bhagal, Himachal Pradesh, Autch, Manipur, Tripura and Vindhya Pradesh).
President - and not the Lieut.-Governor - who appoints the Chief Minister, though other ministers are appointed (by the President) on the advice of the Chief Minister. The ministers hold office during the pleasure of the President (and not the Lieut.-Governor), though, in practice, they hold office so long as they command the confidence of the majority of the members in the legislature. Again, it is the President - and not the Lieut.-Governor - who makes rules for the allocation of business among the ministers and for the more convenient transaction of business among the ministers, including the procedure to be adopted in case of difference of opinion between the Lieut.-Governor (Administrator) and the Council of Ministers or a Minister.

2. Ibid., Section 37(2); The Government of Union Territories Act, 1963, 45(2).
3. Ibid., Section 38(1); The Government of Union Territories Act, 1963, 46(1).
In the legislative field, the Lieut.-Governor — unlike the practice in the states — is required to seek prior approval of the President before laying the annual budget, statement for additional or supplementary expenditure or demands for grants before the legislature. He has also to reserve all bills for the consideration of the President. The President either gives his assent or withholds his assent. He can also return a bill with a message. The bill so returned has to be re-considered by the Assembly within a period of six months from the date of its receipt. If the bill is passed again with or without amendment, it is re-submitted to the President for 'consideration'. It means, in other words, that the President on re-submission of a bill

2. The Governor of a State reserves only controversial bills for the 'consideration' of the President.
4. ibid.
after re-consideration by the State Assembly is not bound — unlike the Governor of a State — to give his assent thereto. Again, the ordinances in respect of the Union Territory are to be issued by the President of India and not the Lieut.-Governor. Similarly, the powers to grant pardon, reprieve, respite or remission of punishment vest with the President and not the Lieut.-Governor. Finally, both the Lieut.-Governor and the Council of Ministers are under the overall control of the President and have to comply with such particular directions as are given to them from time to time. 1 In case of non-compliance, the President is empowered to suspend all or any of the provisions of the Government of Union Territories Act, 1963. 2


2. ibid., Section 41; The Government of Union Territories Act, 1963, Section 51.
The Lieut.-Governor functions partly as an administrator and partly as a constitutional head of the Union Territory. As a constitutional head, he is "sided and advised" by the Council of Ministers within the ambit of powers delegated to the territory under the Government of Union Territories Act, 1963. The Council of Ministers is "collectively responsible" for all executive orders issued by any department in the name of the Lieut.-Governor, whether such orders are authorised by an individual minister on a matter appertaining to his portfolio or as a result of discussion at a meeting of the Council of Ministers, or however otherwise. Although all executive action is expressed to be taken in the name of the Lieut.-Governor, the Ministers are "primarily responsible" for the disposal of the business appertaining to their departments.

2. Ibid., Section 45(3).
As an Administrator, the Lieut.-Governor functions as a representative of the President of India. Unlike the Governor of a State, he has no fixed term of office but like the Governor, his appointment is made by the President "by warrant under his hand and seal". ¹ His official rank is equivalent to that of a Secretary to the Government of India and accordingly his travelling allowances and facilities for travel on duty are the same as those admissible to a Secretary to the Government of India.² He has been given "special responsibilities" - reminiscent of those under the Government of India Acts, 1919 and 1935 - for the security of the border.³ He is responsible to maintain peace and tranquillity.

in the state and to safeguard the interests of minorities-
Scheduled Castes, Scheduled Tribes and other Backward
Classes - and the rights and privileges of the erstwhile
Princes. 1 Cases affecting relations of the State
Government with other states, the Supreme Court or
the Judicial Commissioner's Court, proposals for the
appointment and posting of senior officers (the Chief
Secretary, Secretaries to the Government and the
Legislature and the Heads of Departments), disciplinary
action against Class I and Class II officers and financial
proposals involving new taxation or expenditure from the
government revenue exceeding Rs.50,000 - all fall within
the purview of his "special responsibilities". 2 The

1. Himachal Pradesh Government, Rules of
Business, Rule 31 read with Second
Schedule.

2. ibid.
field of "special responsibilities" is thus so wide that the Lieut.-Governor has ample scope for the exercise of discretionary powers.1 Nevertheless, there is a check over him in the exercise of his discretionary powers in as much as he is required to make a prior reference to the Government of India in the Ministry of Home Affairs in respect of subjects constituting his "special responsibilities".2 He can, however, act in his individual judgement and take such action as he deems expedient if a particular matter, in his opinion, necessitates immediate action.3 It will thus appear that the Lieut.-Governor, as an Administrator, serves more as "eyes and ears" of the Centre than as a constitutional head of the state in a parliamentary system of government.

1. The Constitution of India does not specify the "discretionary" powers of the State Governor, except in the case of the Governor of Assam, who is required to act in his discretion in respect of administration of certain frontier tracts which he is required to administer as an agent of the President and in respect of any dispute as to the share of mining royalties between the Governor of Assam and the District Council of a tribal area.


The Council of Ministers was formed in Himachal Pradesh on March 1, 1952, under the provisions of the Government of Part C States Act, 1951, to "aid and advise" the Lieut.-Governor in the exercise of his functions in relation to matters with respect to which the legislative assembly of the State was delegated powers to make laws. It was "collectively responsible" to the Legislative Assembly. It consisted of three ministers, the Chief Minister, the Home Minister and the P.P.D. Minister, representing three different regions of the Pradesh. The Chief Minister, for instance, represented Sirmaur District; the Home Minister, Mahasu District, while the P.P.D. Minister, Mandi District. The fourth district, viz. Chamba, was represented by the Speaker of the Assembly.

2. The Government of Part C States Act, 1951, Section 35(1). The Chief Commissioner used in this Section means the Lieut.-Governor in the case of Himachal Pradesh.
3. ibid., Section 37(3).
How the Council of Ministers was formed is an interesting story. There were two aspirants for party leadership, viz. Pandit Padam Dev and Dr. Y.S. Parmar. Pandit Padam Dev was a senior member of the Congress and had actively participated in the Praja Mandal movement in the erstwhile states of Himachal Pradesh. He was an advocate of the Arya Samaj movement in the Simla Hill States and an ardent supporter of the traditional Hindu values. At the time of election for the party leadership in 1952, he was the President of the Pradesh Congress Committee. On the basis of his past services and present position (the Pradesh Congress President), Pandit Padam Dev claimed party leadership.¹

¹ Based on author's interview.
Dr. Y.S. Parmar, on the other hand, was head and shoulders above Pandit Padan Dev in academic qualifications and general experience. He was highly educated. He had been a Judge in the erstwhile State of Sirmur. He was a Member of the Central Legislature (later on converted into Parliament) for more than four years. As a leader of the Bajrangi movement in Himachal Pradesh, he had played a prominent part and thus enjoyed, in a considerable measure, the affection and esteem of a large majority of the people. Unlike Pandit Padan Dev, he held no doctrinaire views likely to antagonise anyone inside or outside the Congress. Moreover, he was personally conciliatory in temperament. In short, Dr. Parmar had all the qualities necessary to run the government efficiently and, simultaneously, to keep the party together. He was modern in outlook and secular in thought and action.

1. Dr. Parmar is Ph.D.
There was a regular tug of war for the party leadership. Both the leaders (Dr. Parmar and Pandit Padam Dev) vied with each other for the coveted office of the Chief Minister. Pandit Padam Dev is stated to have been pressurised by the party bosses at New Delhi to yield in favour of Dr. Parmar, who was a better qualified person - an experienced judge and a parliamentarian - to hold the job of Chief Minister in a state especially in the formative stage of its development.\(^1\) Nearer home, Dr. Parmar is said to have persuaded Pandit Padam Dev (an \\textit{inside}-knowing scholar) to give way on the assurance that he would be the \textit{de facto} Chief Minister and that he would man the most important departments of power and influence, i.e. Home and Education.\(^2\) The admirers of Dr. Parmar, as the story goes, engendered a feeling of inferiority complex in Pandit Padam Dev by saying that, as Chief Minister of the newly-formed Pradesh, he would have to

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1. Based on author's interview with Congress leaders at Simla.

2. ibid.
deal with the foreigners and that his lack of knowledge of English would be a stumbling block in the efficient discharge of his duties of the high office of the Head of the Government. This realization, it seems, put Dr. Parmar on a vantage position. Pandit Padam Dev withdrew from the contest and himself proposed the name of Dr. Parmar for party leadership.

Consequent on the withdrawal of Pandit Padam Dev from party leadership, Dr. Parmar was the only person left in the political arena. His choice over Pandit Padam Dev perhaps involved two fundamental decisions. It involved, first, a conscious acceptance by the Congress leadership of the responsibilities of office. Seniority in the movement and agitational ability were passed over in favour of parliamentary and administrative talents. Second, the choice of Dr. Parmar reflected the need for a non-controversial Chief Minister, a man who had no group following and was aloof from group intrigues. Whatever may be the considerations, Dr. Parmar was thought to be the only person who could discharge the functions
of a Chief Minister, especially at the formative stage of its development, most competently and efficiently. Himachal Pradesh needed a person who could impart harmony to the Council of Ministers, co-ordinate work and settle differences. Such an assignment necessarily called for a person with tact and talent of high order. Dr. Parmar was the only judicious choice.

Dr. Parmar became the first Chief Minister of Himachal Pradesh at the age of 55, an average age at which many Prime Ministers in India and England have assumed office in the present century. He has had three Cabinets under his during the period 1962-1967.

He formed the first Cabinet on March 1, 1962, as a

1. Nehru, for instance, became Prime Minister of India at 58. Asquith and Baldwin were both 55; Salisbury, 55; Lloyd George, 53; Balfour, 54 and Eden, 57, when they formed their first ministries. (See Venkateswaran, R.J., Cabinet Government in India, George Allen & Unwin Ltd., London, 1967, p.53).
result of the First General Election and the second on July 1, 1963, when responsible government was re-introduced in the Pradesh under the provisions of the Government of Union Territories Act, 1963. The present Cabinet was formed on March 14, 1967, as a result of the Fourth General Election in Mysore Pradesh. The composition of the Council of Ministers on the basis of caste, qualifications and age-group is given in Tables XIX, XX and XXI.

### TABLE XIX

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<td>12*</td>
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*Includes five Deputy Ministers.
It will appear from Table XIX that all the major castes (except Bahujans) have been given representation in the Council of Ministers at one time or the other. The Scheduled Castes have not been accommodated in the first two Ministries while the Brahmins, in the second Ministry. Rajputs have always been having representation in the Ministry. In fact, the second Ministry (1963-1966) gave a hundred per cent representation to the Rajput community. It is evident that leadership in Himachal Pradesh has remained in the hands of the Rajput community - the ex-feudal class.
Table XX would indicate that the tendency of the Chief Minister has been not to include highly qualified persons in the Ministry but to accommodate those with ordinary qualifications. In the first Ministry, for instance, he included two Matriculates while in the second, he went to the extent of including one neo-literate for reasons explained elsewhere. In the present Ministry, as many as eight Matriculates have been included as against 22 Graduates and post-Graduates available in the Legislative Assembly. Continuance of personal ascendancy appears to be the motivating factor governing the selection of persons on the Chief Minister in the Council of Ministers.

### Table XX

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<td>2. Graduate</td>
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<tr>
<td>3. Matriculates</td>
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<td>4. Elementary</td>
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<td><strong>TOTAL</strong></td>
<td>3</td>
<td>3</td>
<td>12*</td>
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*Includes five Deputy Ministers.

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1. See pp. 237-244.
2. See Chapter IV, Table XIV, p.176.
Table XXI would show that the Cabinet has always had a majority of older persons. However, new blood is gradually being introduced as would appear from the composition of the present Council of Ministers, which includes four young persons in the age-group of 35-45 (three Cabinet rank ministers and one Deputy Minister).

**TABLE XXI**

**Council of Ministers:**

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<td>Between 50-60</td>
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<td>Between 60-70</td>
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<td><strong>TOTAL</strong></td>
<td><strong>3</strong></td>
<td><strong>3</strong></td>
<td><strong>12</strong></td>
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*Includes five Deputy Ministers.*
The working of the Council of Ministers in Himachal Pradesh may broadly be divided into three phases: the first, from March 2, 1952 to October 31, 1956; the second, from July 1, 1963 to October 31, 1966; and the third, from November 1, 1966 onwards.

First Phase: During the first phase, Dr. Berman's authority as Chief Minister was severely limited because of the presence of C.S. Raden Dev. He was a senior member of the Congress Party and was an aspirant for Chief Ministership. The Chief Minister, therefore, could not dominate the Cabinet in the same way as he could at a later stage. Although the Chief Minister had a free hand in shaping policy in regard to the departments under his charge - subject, of course, to the overall direction and supervision of the Central Government - he could not do so in departments under the control of the Home Minister. No major decisions could be taken without the latter's assent. The details of their differences need not concern us here. That is important to note is that at one stage the
split became so serious that the Chief Minister even considered dismissing the Home Minister from the Cabinet while the Home Minister, too, manoeuvred to get rid of the Chief Minister. The split was accentuated, it is said, because of the proposed change in portfolios. The Chief Minister wanted to take 'Education' from the Home Minister and 'Transport' from the F.O.D. Minister. Both the ministers are reported to have resisted the move and, in protest, initiated a signature campaign against the Chief Minister. They are also alleged to have hobnobbed with the dissident elements in the party with a view to soliciting their help in a bid to oust the Chief Minister. Ministers' hobnobbing with dissidents in the party tended to break cabinet solidarity. The position of the Chief Minister became shaky. However, the Chief Minister managed to become

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1. Based on author's interview with Congress party leaders at Simla.
2. Based on author's interview with dissident members of the party in power at Simla.
3. Ibid.
the President of the Pradesh Congress Committee in 1954 thereby securing a position of considerable influence in the party. The combination of three offices (viz. President of the Pradesh Congress Committee, leader of the majority party in the legislature and the Chief Minister of a State) further strengthened his position at both party and governmental levels because of the power of patronage at his disposal. Intra-party factionalism in the Council of Ministers was the only weak point in his otherwise stable position. Struggle for political power and patronage continued unabated in the Ministry. Political situation took a turn for the worst. Central intervention became inevitable. But for the personal intervention of the late Pandit Nehru, it is said, the Chief Minister would have lost his position. The party bosses at New Delhi are reported to have made both the Chief Minister and the Home Minister

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1. Based on author's interview with Congress leaders at Shimla and New Delhi.
2. Ibid.
realize that they could no longer afford to carry their differences too far and that unless they worked together, there were no prospects for the continuance of Himachal Pradesh as a separate unit, much less responsible government. The States Reorganisation Commission was hanging like a Sword of Damocles, so that the conflict among the political leaders in Himachal Pradesh did not come to an open rupture but appears to have been submerged because of the overriding consideration of maintaining the separate entity of Himachal Pradesh. The show-down was, of course, averted temporarily but the situation was aggravated to such an extent that both the ministers (the Home Minister and the P. & D. Minister) were removed from the Congress party at a later stage on charges of indiscipline.

1. See the Hindustan Times, April 6, 1958, p.1, col.1 (expulsion of Kandit Padam Dev) and the Tribune, May 3, 1958, p.4, cols. 4-6 (expulsion of Kandit Sauri Prasad). At the intervention of the All-India Congress Committee, however, Kandit Padam Dev was exonerated of the alleged charges of indiscipline. (See the Tribune, July 2, 1958, p.4, cols. 3-4: "Himachal Pradesh Letter").
On the down-grading of its status from a Part C State to a Territorial Council, Dr. Parmar stepped down from the office of Chief Minister and left for Delhi to practise law in the Supreme Court of India. Thakur Karam Singh, a lesser known 'soldier' of the Congress and a man of the new generation in Congress politics, was elected the Chairman of the Territorial Council largely because of the patronage and support that he had from Dr. Y.S. Parmar, the former Chief Minister of Himachal Pradesh. He was thus placed in control of an overwhelming proportion of both party and governmental patronage, which he is stated to have used to build a following for Dr. Parmar and opposition to the members of the dissident group in the former ministry. In due course, Thakur Karam Singh

1. Based on author's interview with the Congress leaders at Simla.
strengthened his political position and, as later events would show, became a potential force in the political balance of power. The performance of the Territorial Council, despite numerous limitations imposed on it by the Territorial Councils Act, 1956, it appears, was comparatively better than that of the former popular ministry. The achievements of the Territorial Council within the ambit of the aforementioned Act reflected the will of the people not to desist or resist but to accept and work out the novel experiment of Territorial Council and to accomplish the allotted task to the best of its ability. This, perhaps, accounts for re-thinking in the Government of India and re-introduction of responsible government in Himachal Pradesh in 1963.

1. See pages 236 to 252.
Second Phase: On the re-introduction of responsible government under the provisions of the Government of Union Territories Act, 1963, Dr. Parmar left his appointment in the Supreme Court and rejoined the political arena in Himachal Pradesh. Although he was not a member of the Territorial Council (which was converted into the State Legislature), he was a candidate for the party leadership in Himachal Pradesh. Thakur Karan Singh, who had now seven years' experience to his credit as Chairman of the Territorial Council, was also a strong aspirant for the high office of the Chief Minister. He stood for election against Dr. Parmar, his 'political guru', as he would call him. Considerable private negotiations, persuasions and efforts were made to avoid a straight fight between Dr. Parmar and Thakur Karan Singh but in vain. It is said¹ that Thakur Karan Singh had a majority of members (29 out of 41) with him so that he was cock sure of

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¹ Based on author's interview with Congress leaders at Simla.
his success and consequently reluctant to yield in favour of Dr. Parmar. The election was to be held at 7 p.m. in the Chamber Council, Saha. Dr. Parmar accepted the challenge. To the chagrin and consternation of the supporters of Thakur Karan Singh, the drama of 1952 was enacted this time as well on the political stage. Though the odds were against Dr. Parmar yet surprisingly and unexpectedly, Thakur Karan Singh stepped down and himself proposed the name of his rival (Dr. Parmar) for the party leadership. History thus repeated itself and this time too the same fortune favoured Dr. Parmar.

Dr. Parmar was chosen the leader of the Congress Party unopposed so that he became the Chief Minister of Himachal Pradesh for the second time. During the second ministry, Dr. Parmar was very cautious in the selection of his colleagues and meticulous in the distribution of portfolios. This time both the former Ministers were dropped. In their place were taken Thakur Karan Singh and Thakur Hari Dass, both Rajputs, thus giving 100% representation to the Rajput community in the second ministry.1 It appears that the choice of Dr. Parmar in

1. Dr. Parmar also belongs to the Rajput community.
the selection of his colleagues was governed more by political and practical considerations than by seniority or national service. He seems to have accommodated Thakur Karam Singh because his exclusion would have been a source of embarrassment to him. His position was similar to that of Pandit Padmin Dev in the first ministry (1952-1956). He, however, inducted Thakur Hari Dass, the third minister - better known as the 'personal attache' of Dr. Parmar - to successfully counterbalance the political influence of Thakur Karam Singh and, simultaneously, to build up support for himself. Thakur Hari Dass could not be denied a 'berth' in the ministry because he was instrumental in bringing about a rapprochement between Thakur Karam Singh and Dr. Parmar. However, the inclusion of Thakur Hari Dass - a neo-literate and a new entrant into the state politics - created more problems for Dr. Parmar, as would be discussed later, than solved any. Thakur Hari Dass became the bone of contention.

1. See page 230 above.
senior Congress members, who had a better claim for being included in the Cabinet. Even if region was to be the sole consideration — leaving apart seniority in the party and national service — the claims of Pandit Radan Dev (the former Education Minister), Thakur Hardyal Singh (a prominent Congress leader) and even Thakur Har Lal (who later on became the Education Minister in the third ministry), who all belonged to the same region, i.e. Saharu District, to which Thakur Hari Das belonged, were stronger. Genuine claims thus appear to have been ignored to accommodate Thakur Hari Das, thereby frustrating legitimate aspirants for political power.¹

¹ Based on author's interview with the Congress leaders in the dissident group.
Distribution of portfolios also appears to have been influenced by practical considerations. Thakur Karam Singh was very keen to have the portfolio of 'Education' - a department of extensive patronage. To begin with, he was able to have his way. Soon after, however, he had to part with this portfolio. Despite his insistence to the contrary, he was given the politically unimportant department of 'Finance' while Thakur Hari Bhas got the politically important portfolio of 'Development'. Immediately on assuming charge, it is said, one minister in the Cabinet started building a position for himself in such a way as to oust his rivals from the political scene through the patronage of his ministry. He also began to form a separate group within the Congress Party so as to minimise the importance of his colleague in the ministry. Within a few months, the two ministers in the Cabinet were at daggers drawn[so much so that they were not even on speaking terms], thereby sowing the

1. Based on author's interview with dissidents in the Congress Party.
needs of disruption and division in the government and the party. Lack of mutual goodwill and trust at the ministerial level could not but have its pernicious effect at the administrative level. The departments of the government began to pull in different directions. Administration was subordinated to politics and one section of the party in power, it is alleged, worked against another even at the ministerial level. Party discipline became loose. Personal bickerings and frictions increased. The Ministry was visibly heading towards a fall but for the 'windfall' due to the creation of the U.P.M.P.I. Act in 1966 which resulted in the hilly areas of erstwhile Punjab being merged with Himachal Pradesh, thereby changing the very complexion of the body politic in the Pradesh.

1. Based on author's interview with dissidents in the Congress Party.
In this melodrama of discord, the role of the Chief Minister (as leader of the majority party and as Chairman of the Council of Ministers) needs a special mention. As a part of his political strategy, he rarely participated directly in political controversies. He played off the new men of power – the two young Ministers in the Cabinet – against each other and permitted them to fight amongst themselves – a certain way of assuring that they would not fight him. He, however, made the mistake of depending too much upon one political manager. At times, he also permitted himself to be dominated by his confident in the Ministry. That is worse, in terms of political strategy, was his later adoption of a particular group in the party as his own. The Chief Minister placed his own prestige into the struggle on the side of one of the contending groups with the result that his own prestige fell and he became identified as a factional leader rather than

1. Based on author's interview with dissident Congress leaders at Simla.
a leader of the Congress and of the people of the State. That one minister in the Cabinet had a decisive influence over the Chief Minister cannot be exaggerated. In the meetings of the Council of Ministers, it became widely known, no proposal could go through successfully unless it had the support of a particular minister in the Cabinet. At times, it was the grouse of most of the Heads of Departments, even the legitimate pressing requirements of the departments were arbitrarily turned down because of the obstinacy and obduracy of a particular minister in the Cabinet. "That is surprising," said one respondent, "the Chief Minister remains a silent spectator even when a proposal pertaining to his own department and initiated with his prior approval, is unceremoniously slashed and, more often than not, turned down by one of the ministers - the most vocal member of the Council of Ministers". One particular

1. Based on author's interview at Simla.
2. ibid.
3. ibid.
instance of this category that was brought to the notice
of the author was that the proposal of the Education
Department for the creation of posts of teachers in
the newly-opened educational institutions was turned
down twice, although it was initiated at the instance
of the Chief Minister. 1 It was, indeed, a paradox that
a particular minister agreed to the opening of new
schools but he did not approve of the recruitment of
staff for manning those institutions! The role of the
Chief Minister, as Chairman of the Council of Ministers,
became an enigma. This tended to mar his reputation
for impartiality and he began to be identified as a
leader of a particular faction rather than a leader of
the whole party. Undue lift that the Chief Minister
gave to a particular minister tended to split the
 Congress apart in a factional struggle eventually
leading to an open rupture in the party in power. (More
of this later on).

1. Based on author's interview at Simla.
The appointment of a three-member Boundary Commission for the bifurcation of the erstwhile Punjab State (into the new Punjabi-speaking state and Hariana front) intensified the popular demand for "VISSHT HIMACHAL" (i.e. Greater Himachal). A regular tax of war began for political power and patronage. The members of the hilly areas of the erstwhile Punjab (i.e. Kangra, Kulu, Sidhu, Nuragharh and Shullu) stressed that they must be given "due representation" in both the Assembly and the Congress organisation. Dissidents of the ruling

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1. The members of the Commission were
   Mr. Justice J.C. Shah (Chairman),
   Mr. R.C. Phillips and Mr. S. Vatt.
   (See the Tribune, April 24, 1965, p.1, cols. 1-3).

2. Ibid., June 11, 1965, p.8, Col. 5.
party in old Himachal advocated change in leadership as a panacea for all ills, political and economic, and went to the extent of suggesting President's rule in Himachal Pradesh. Statements and counter-statements began to be issued to the press. The start of the integrated regions was thus hardly auspicious because differences cropped up from the very beginning between the old wing of the Congress party and the new arrivals from Himachal and other erstwhile Punjab hill areas. Group dissensions form the bane of Congress rule in almost every state and it looked as if "VISHAL HIMACHAL" was getting ready to follow the 'national' pattern. And this came out to be true as the later events would reveal.


2. Ibid., October 18, 1966, Editorial.

3. The hilly areas of Kangra, Kulu, Simla, Dalhousie and Lahul- Spiti, which formed part of the erstwhile Punjab State, were added to Himachal Pradesh w.e.f. November 1, 1966, thus conceding the popular demand for "Vishal Himachal". (See the Tribune, November 1, 1966: "The Reorganisation of States: Punjab, Haryana and Himachal Pradesh - A Tribune Venture", pp.5-11).
The post-election (1967) political scene in Himachal Pradesh is a period of great stress and strains for the dominant party. The choice of the party leader was the immediate cause of friction. There were two candidates in the field for party leadership: Dr. Parmar and Comrade Ram Chandra. The contenders for party leadership in 1952 and 1963 remained in the background but are stated to have extended their support for Comrade Ram Chandra, a prominent leader from the newly-merged area of Kangra. There were hectic activities to win support for one side or the other. In the contest, Dr. Parmar defeated Comrade Ram Chandra by 27 to 6 votes, because of the benefit that the former had as Chief Minister of the State. The contest for party leadership, however, made it clear that the party in power was visibly split into groups. Differences over party leader were symptomatic of power obsession.

1. Prior to Dr. Parmar's election as leader, Simla witnessed hectic political activity. Night-long meetings were held to have unanimous election of Dr. Parmar. The dissidents, however, could not be persuaded to withdraw from the contest. (See the Tribune, March 5, 1967, p.1,Cols. 4-5).

2. Ibid.
On his re-election as the Congress Party leader, Dr. Parmar appointed his colleagues by stages, taking his own time and also good care to leave out of account party dissidents and, in particular, the old political rivals. His unchallenged position at the time emboldened him to pick and choose as he pleased. But in this process, he committed the mistake of excluding powerful rivals from the Cabinet, whose presence he presumably regarded as too much of a political risk. Thus, the third ministry, headed by Dr. Parmar, consisted of three ministers (including the Chief minister) to begin with. It included two ministers from the newly-merged areas of Sangr and Kulu but none from the old area of Himachal Pradesh. Maybe there were a number of claimants for the office of minister and it was a rather difficult task for the Chief Minister to make a choice. The task was all the

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more difficult because the Chief Minister had to compose his Ministry, in the changed circumstances, in such a way that he could maintain parity between the old and the new areas, retaining at the same time, the balance of power. A month after its formation, the Ministry was expanded. It included four lieutenants of the Chief Minister from the old area — persons who had actively supported him during the tenure of his second ministry (1963-1967), when the Council of Ministers had been divided into two major groups, pulling in different directions — and two persons from the new area. The composition of the Ministry, from the point of view of old and new areas, was thus as follows:

<table>
<thead>
<tr>
<th>Old Area</th>
<th>New Area</th>
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<tbody>
<tr>
<td>1. Chief Minister.</td>
<td>1</td>
</tr>
<tr>
<td>2. Ministers.</td>
<td>2</td>
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<tr>
<td>3. Deputy Ministers.</td>
<td>2</td>
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</tbody>
</table>

The composition of the Ministry would show that the Chief Minister was able to achieve both the objectives. He maintained parity between the two areas and retained at the same time, the balance of power in his favour. The ministerial expansion, however, did not
satisfy, as the later events would show, either the aspirants of the old area or those of the new, who wanted a major share in the Ministry because of their greater size and population. The former Ministers (now dissident leaders) and senior members of the Congress had been ignored so that they felt sore over it.

Ministership became the bone of contention. To achieve this objective, the dissident leaders in the Congress began flirting with the opposition in a bid to change party leadership. Tensions rose high. The dissidents openly criticized Dr. Parmar for including his 'loyalists'

1. Comrade Ram Chandra characterized Parmar Ministry as a 'Group Ministry'. (See the Tribune, March 18, 1967, p.3, Col.4). Thakur Karam Singh threatened to topple the Ministry "if it continued its present anti-Himachal activities", adding that the "leader should behave as a leader of the party and not as leader of a group or certain individuals". (ibid., May 28, 1967, p.3,Cols.3-4). In a communication to the Congress president, the dissident Congress leader (Thakur Karam Singh) urged the A.I.C.C. "to take a serious view of the activities of the A.I.C.C. President and of the ruling group to save the Congress Party in Himachal". (ibid., July 22, 1967, p.6, Col.8). Addressing a Press Conference, Comrade Ram Chandra (a dissident leader) said that there were self-sacrificing
in the Ministry. A motion of No Confidence was brought into the Assembly by the Opposition in connivance with the Congress dissidents, who threatened to cross the floor on July 19, 1967 - the day fixed for the discussion of the motion. Frantic efforts were made to persuade the dissident Congress leaders not to join hands with the opposition and thus violate party discipline and solidarity. The dissidents remained adamant in their demand: removal of the party leader, people in the Opposition and that he was sure that they would help the Congress dissidents in dislodging the Ministry. (The Tribune, June 13, 1967, p.3, col.5).

1. "The Congress dissidents", it was reported, "are insistent that they would have nothing to do with the Congress Ministry headed by Dr. Parma. They argue that instead of creating uncertainty and instability in Himachal by acceding permission to Dr. Parma to include non-Congressmen in the party, the Congress High Command would have acted wisely by asking Dr. Parma to step down and make room for some other Congressmen who was acceptable to both groups in the interest of solidarity of the party. ... The ruling group's stand appears to be that the dissidents are disgruntled Congressmen and they are raising a hue and cry for nothing. Their only object is to topple the Ministry by joining hands with the opposition. ...". (The Tribune, July 10, 1967, p.3, cols. 1-2).
Dr. Parmar. ¹ The last-minute intervention by the central leaders, however, averted a show-down. The familiar expedient of ministerial expansion ² was resorted to in order to stay in power, evidently on the advice of the Congress Parliamentary Board. The dissident leaders, viz. Pandit Padam Dev (the former Education Minister during 1952-56), Thakur Karam Singh (the former Chairman of the Territorial Council, 1957-63, and the Finance Minister, 1963-67) and Mr. Vidya Vihar, a prominent political and social worker of Chamba District, were included in the Ministry. ³ The Congress dissidents thus scored a point by flouting party discipline and flirting with the opposition. "But discipline", observed a newspaper ⁴, "has long ceased to be a strong point of the Congress. It is indeed very much at a discount, thanks to the party leaders' own policies of expediency".

1. A press statement issued by the Congress dissidents expressing lack of confidence in the leadership of Dr. Parmar is given in appendix VII. Signatories to the statement include, among others, Jeeva, Padam Dev, Karam Singh and Vidya Vihar.

2. The Chief Minister, Dr. Y.S. Parmar, told a hurriedly-called press conference that it had been decided to include two more Ministers and a Deputy Minister in the Cabinet out of the dissident Congress members. (Tribune, 20.7.67, p.1, Cols.4-5).


4. Ibid., p.4, Editorial: "Dissidents' Victory".
3. Ministers & Civil Servants

The ministers, in a parliamentary system of government, are the amateurs while the civil servants, experts. As spokesmen of the popular will, they communicate to the civil servants (the experts) the ideals which inspire the government (and the party in power) its deep-seated and cherished objectives which it seeks to translate into action. Though not familiar with the rudiments of administration, they act as a bridge linking up the people with the experts, joining principle to practice. The real work of administration is, however, done by the permanent members of the civil service (the experts), who are the reservoir of experience and knowledge and who keep the government, to borrow a phrase of Laski¹, as a "going concern".

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In Himachal Pradesh, the amateurs have, by and large, been 'mediocre'1 (Table XX), pitted against the non-political experts, the generalists and the specialists. As a natural consequence of this unequal association, the members of the civil service at the top (the Heads of Departments and the Secretaries to the Government) exercise considerable influence in shaping the contours of government policy. That exactly is the relationship between the ministers and the civil servants, it is not easy to surmise. The business of the Council of Ministers is conducted in secret so that it is difficult to have 'inside'

1. Prof. Laski has divided ministers into three broad categories. Among the first category, he has included ministers who have talent and vision and who come to office with a pretty detailed picture in their mind of the policy for which they propose to be responsible. This type of ministers, says Laski, is the "rarest type encountered in politics". Among the second category are mentioned those who have no such clear picture in their mind. The ministers in the third category are those who have found a place in the Cabinet not because of their merit or ability but because of 'political' considerations so that they allow their policy to be shaped by the departmental tradition. (See Laski, H.J., Parliamentary Government in England, o. cit., pp. 233-87).
information. However, the unguarded remarks of ministers and senior officials, in private conversation, reveal that the ministers often engage in 'undercover competition' for distribution of funds and services in their particular areas and constituencies. This indicates downward pull of politics, which revolves around the 'pork barrel'. Now the various policy influencing forces converge, or come into conflict, in the making of specific (legislative, financial or administrative) decisions, it is difficult to say. On the basis of fragmentary evidence, however, certain patterns of conflict in decision-making may be inferred. Within the Council of Ministers, as already noted¹, there has always been friction and struggle for power. The pernicious effect of the lack of team spirit in the Council of Ministers has spread down to the administrative level, resulting in the interaction of several sets of actors, whose roles vary in varying situations.

¹ See pages 223-252 above.
In general, the greater the cordiality between one ministry and the other, the healthier is the effect on the administration; the lesser the cordiality, the greater is the friction.

To what extent have the civil servants, especially at the top, been able to take initiative in proposing policy measures to their political superiors can only be surmised. There is reason to believe that the political heads of the departments have often found themselves opposed by certain top level civil servants, especially those belonging to the all-India Services. The basis for friction, apart from unequal association between the amateur and the expert (the generalist and the specialist) appears to be psychological. The former feels that, as a political head of the department, he can dictate policy and have it implemented in a way that suits his immediate political and electoral gain. The latter, on the other hand, is trained to analyse points at issue on
the basis of precedents and regulations and is thus hesitant to implement policy in a way that he may be dubbed as 'partisan' and consequently 'hanged' for being partial. This obviously results in creating tension between the amateur and the expert and both pull in different directions. The frequent transfers of the top-ranking administrative officials (viz. the Chief Secretary, the Conservator of Forests, the Inspector-General of Police, the Finance Secretary, and so on) and the switch over to politics of the three topmost civil servants (viz. the Chief Secretary, the Inspector-General of Police and the Superintendent

1. As recent as August 1968, Shri Madan Gopal Singh, Inspector-General of Police, was not transferred as Deputy Inspector General, Central Reserve Police, New Delhi, in the wake of criticism of police administration both by the opposition and senior Congress M.L.A. (See the Tribune, Aug. 7, 1968, p.3, Col.6). He challenged the transfer orders and filed a writ petition, which was admitted by the Single Bench of the Delhi and Himachal High Court. (Ibid., August 11, 1968, p.7, Col.3). The transfer orders were stayed by the Court pending disposal of the writ petition. (Ibid., September 11, 1968, p.3, Col.5).
of Police) in the Fourth General Election (1967), and their election speeches indicate, if anything, that the relationship between the amateur and the expert has not been very happy. To make matters worse, the Himachal Pradesh Government lacks full control over its senior officers. As a natural consequence thereof, the senior officers do not give that respect and loyalty to the Himachal Pradesh ministers as they do to the functionaries of the Government of India, who possess the 'real' power over them. Even the Chief Minister of Himachal has made no secret of the bitter fact that the top ranking officers of the Pradesh, on many occasions, flout the orders of their ministers in utter disregard of the established rules and regulations. "In any matter of disagreement between the Ministers and the

1. The author attended a few election meetings at Ambi, Saharan and Chamba and observed that the purport of speeches was anti-government, mostly aimed at ministerial corruption, nepotism and favouritism.
Services and between the Minister and Secretary", observes the Chief Minister\textsuperscript{1}, "the Government has been surprised to get orders from the Government of India in line with the thinking of the Secretary even though the matter had not been referred to the Government of India". Himachal Pradesh Government is consequently reduced to a complete impotence in regard to matters concerning its top ranking officers. This tension between the amateur and the expert vitiates the whole administrative machinery and its pernicious effect (viz. indiscipline, apathy and slackness), as discussed elsewhere\textsuperscript{2}, spreads even to the lower rungs of the bureaucratic ladder.

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1. See the Statement of Dr. Y.S. Parmar, Chief Minister, on the floor of the House on a Resolution "Statehood for Himachal" on January 24, 1968. Full text available in "Himachal Pradesh Vidhan Sabha adopts Resolution on 'Statehood for Himachal': Summary of Speeches on Resolution", pp.9-24.

2. See Chapter VI, pp.299-312.
Whereas the officers at the highest echelon of administrative hierarchy (i.e. J.U., I.A., etc.) may afford to bypass the ministers, this cannot be said in respect of officials at the lower level, particularly the local officials, who are amenable to political influence. A large majority of the employees, especially at the time of the formation of Himachal Prades, belonged to the erstwhile feudal states and the residencies or the political agencies. These employees were the 'most faithful servants' and were accustomed to 'orders from above' and 'obedience from below'. These traits have gradually been adopted by others partly to 'make hay while the sun shines' and partly to gain the fruits of subservience to the political bosses, especially in a democratic set-up. The gradual HIMACHALIZATION, coupled with politicization of administration (consequent

1. The number of 'Himachali' officers at the Secretariat level has increased from six in 1956 to twelve in 1965. The topmost 'Himachali' officers included, among others, the Chief Secretary, the Land Reforms Commissioner, the Excise and Taxation Commissioner, the Finance Secretary, the Secretary, Medical and Public Health, the Inspector-General of Police and the Directors of Agriculture, Panchayats, Animal Husbandry and Welfare.
on the launching of development plans and projects and the introduction of democratic government) account, in no small measure, for subservience on the part of the civil servants at the lower level. There is a tendency, it is alleged\(^1\), to interpret, each side and even at times report facts, which are likely to prove acceptable and be liked by the political bosses rather than what is true. Again, the activities of the party in power are reported with a degree of sympathy while those out of power with a degree of animus or at times, ridicule, that is not objective or true, to the realities in the field. The obvious result is that the administration, as will be discussed elsewhere\(^2\), is gradually losing its professional autonomy and is virtually becoming an arm of the ruling party to perpetuate its hold at all levels through its hold on the bureaucracy in administration and planning.

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1. Based on author's interview.
2. See Chapter VI, pp. 333-335.
4. **Handicaps**

The working of parliamentary government in Himachal Pradesh is greatly hampered because of the innumerable limitations imposed on it by the Union Government. Not to speak of higher matters of policy (executive, legislative and financial), Himachal Government is not free even in petty matters like financial sanctions, appointment of senior officers, service conditions of staff, management of revenues, and so on. The "Special Responsibilities" of the Lieut.-Governor, apart from being undemocratic, leave little scope for the exercise of power by the popular leaders, the Ministers. They tend to cause more disturbance in the pattern of relationship and co-ordination of policies, particularly when a non-service personnel happens to occupy the position of the Lieut.-Governor. Whereas the service personnel have a certain liaison with the central authorities, a non-service personnel sometimes acts in an erratic manner and behaves as a "Grand Mogul" than a constitutional head of a State.
This makes the position of the State Ministers rather untenable. The Ministers, though 'primarily' responsible for the day to day administration, are simply figure heads of the departments entrusted to their charge. They have no hold over their senior officers. Even in regard to the junior services, their powers are circumscribed in as much as they cannot take decision on major policies without the consent and approbation of the Central Government. The creation of all categories of posts (except those in the Secretariat) is subject to the condition that the pay scales thereof correspond to those obtainable in the neighbouring state of the Punjab. The grant of compensatory allowance to its employees and the alteration of service conditions are also subject to the prior approval of the Union.

1. As a Union Territory, Himachal Pradesh has a joint cadre of I.A.S., I.P.S. and I.C.S. officers with Delhi. These officers are under the control of the Central Government.
Government. Such limitations not only rob the State ministers of practically all initiative but sometimes bring them into 'complete ridicule', particularly when their pronouncements are nullified because of central apathy and intransigence.

In the legislative field, the Pradeshi Government - unlike States in the country - does not exercise 'exclusive' power over subjects given in the State List. It cannot legislate on such important matters like land reforms, revenue and taxation without the prior approval of the Centre. A bill passed by the State Assembly has no meaning unless it has the assent of the President. The Lieut.-Governor can neither give nor withhold his assent but merely functions as a POST OFFICE between the State Assembly and the President. Parliament continues to exercise legislative sovereignty and has the power to repeal or modify, whether directly or indirectly, any law made by the State Assembly and also to pass such laws as it thinks necessary.

1. The Himachal Pradesh Government took a decision to accept the recommendations of the Kohari Commission and to grant enhanced pay scales to the teachers of Himachal Pradesh on the Punjab pattern - a principle accepted by the Government
In financial matters, the Central Government exercises exclusive control. The State Government cannot present the budget to the assembly without the prior approval of the Centre. It cannot enter into any contract for the sale or lease for a term exceeding twenty years of any immovable property of the value of Rs.1 lac or more except with the previous sanction of the Government of India. It can neither decrease nor increase tax or revenue rates without first getting sanction from the Government of India. The emission of revenue beyond Rs.10,000 has to get a 'Green signal' from Delhi. The Pradesh Government of India in respect of Himachal subordinate services. The decision was negatied by the Government of India, thus bringing the Minister into 'ridicule'. (See the statement of the Chief Minister, Sh. Y.B. Parmar, on the floor of the House on a Resolution "STATIONS FOR HIMACHAL" on January 24, 1958, op. cit.


2. Ibid., rule 5.
has to send all schemes involving expenditure of more than Rs.25 lacs to the Centre for administrative approval and financial sanction.\(^1\) Works costing over Rs.14 lacs have also to be approved by the Union Government.\(^2\) "This procedure", remarks the State Chief Minister\(^3\), "not only involves inordinate delay in most cases but at times even the purpose for which schemes are chalked out is partially, if not wholly, defeated". In some cases, he adds\(^4\), there has been so much time lag between the submission of an estimate and its financial sanction by the Government of India that altogether fresh estimates have to be made!

\(^{1}\) Zaveri, H.I., "Statehood Essential for Mizoram" in the Tribune, April 15, 1967, p.6, cols. 1-3.
\(^{2}\) ibid.
\(^{3}\) ibid.
\(^{4}\) ibid.
Even at the political level, Himachal Pradesh is entirely swayed by the wishes of the Centre. It is in Delhi, the 'NNCC' of all politicians, that such politically beneficial activity is carried on at the Jantar Mantar road and at the Union Home Minister's residence. It is here that most of the party tickets are distributed and the ambitious power-hungry legislators can pull strings and ensure their future. No wonder, therefore, one often hears rumours spreading through the streets of Simla regarding the likely ministerial re-shuffle at the behest of the central leadership or the meeting of the faction leaders with the Congress President or the Prime Minister or the summoning of the Chief Minister by the Congress High Command for 'important' talks, and so on. This suggests political centralisation, which circumscribes the party in power to simply echo the voice of the central Congress High Command and to function as an OMBUSS of the latter rather than a representative party of the local people.

1. Official residence of the President of the Indian National Congress, the ruling party at the Pradesh and the Union levels.
The aforementioned limitations on the state government constitute a political anachronism in a democratic set-up in the country and appear to be based on a lack of trust in the capacity of the popularly-elected members to manage their own affairs. Even in the limited sphere of 'transferred' subjects, there is no real transfer of power to the people and no genuine responsible government. The special powers of the President of India pervade every department of the Himachal Pradesh Government, which can be checked and controlled at every turn and its cherished plans, thwarted. Being aware of such limitations, the state leaders have become vociferous in their demand for greater autonomy.

1. The Chief Minister, Himachal Pradesh, makes a strong case for statehood. (See his articles "Himachal Looks Ahead to Statehood" and "Statehood an Economic Necessity for Himachal" in The Tribune, 1.11.66, p.5, cols.1-3 and 26.1.67, p.5, cols.3-5 respectively); the Members of the Legislative Assembly, Himachal Pradesh, strongly advocate statehood (ibid., 29.3.67, p.3, cols.3-4); Himachal opposition parties threatened agitation to attain full-fledged statehood (ibid., 6.5.67, p.6, cols.6); an all-party meeting held at Shimla on 24.1.63 constituted a body called the "Himachal Purana Naya andolan Samiti" and decided to launch a Pradesh-wide campaign for achieving Statehood.
echo of this feeling was heard recently¹ in the Parliament when the elders espoused the cause of a full-fledged State for Himachal Pradesh and accused the Government of India for keeping the territory like a 'Jali' or 'Suruf-i-Charī'² to perpetuate its hold on it. The new Himachal, with an area and population double the size of the old territory, has obviously outgrown the straitjacket prescribed for it several years ago and now deserves a 'jacket' befitting its enlarged stature.³

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2. Private letter of the erstwhile feudal lords, Rajas and Ranas.

3. The Administrative Reforms Commission set up by the Government of India, in its report on the "Administration of Union Territories and UDAs" has pointed out that "Himachal Pradesh suffers from several shortcomings. It is frustrated by the over-centralisation of functions at the Centre and detailed supervision and frequent interference by the Union Ministries". The Commission has, therefore, recommended a plan of "MINI STATEHOOD" for Himachal Pradesh. (For details, see the Tribune, September 21, 1968, p.1, Cols.3-5 and January 23, 1969, p.1, Cols.1-2).