Chapter IV

LEGISLATURE & THE ROLE OF LEGISLATORS

1. Historical Background

The Part C States specified in the First Schedule of the Constitution of India, 1951, comprised the territories known immediately before the commencement of the Constitution as the Chief Commissioners' Provinces of Delhi, Agra-Horaz and Coorz and the centrally-administered territories of the Indian States of Bilaspur, Bhopal, Himachal Pradesh, Kutch, Manipur, Tripura and Vindhya Pradesh. These states were politically underdeveloped and economically backward. They were also small in area. The demand for democracy was pressing and insistent in large parts of India and consequently, the political leaders at the Centre provided full-fledged autonomous states in Part A and Part B states according to the peculiar conditions prevailing in these areas. In the Part C states, however, a process of gradual democratisation was initiated.
On the transfer of power, the administrative and legislative functions with regard to the centrally-administered states began to be exercised by the Government of India under the Extra-Provincial Jurisdiction Act, 1947.¹ Under this arrangement, a law passed by the Dominion Parliament did not automatically extend to these Provinces but had to be applied to them by a Notification.² This expedient, while suitable as a transitional provision, could not help the rapid and much-needed organic unification of the country. As a step towards binding dissimilar elements of the population under a single all-embracing law, the Government of India Act, 1935, was

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¹ The Extra-Provincial Jurisdiction Act, 1947 (XXVII of 1947), Section 3.

amended to introduce two new sections, viz. 290-1 and 290-3¹ to meet this situation. The sections related to the -

a) administration of certain annexing states as Chief Commissioners' Provinces or as part of a Governor's or Chief Commissioner's Province; and

b) administration of areas included within a Governor's Province or a Chief Commissioner's Province.

By virtue of the statutory orders² issued under Section 290-4 of the Government of India Act, 1935, the centrally-administered states could be administered in all respects as if they were a Chief Commissioner's Province or part of a Governor's or Chief Commissioner's Province. Then the Indian Constitution came into force.

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2. The States Reorder (Chief Commissioners' Provinces) Order, 1949, reproduced in appendix IV.
on January 26, 1950, the Chief Commissioners' Provinces, except Andaman and Nicobar, acquired the full status of Part C States.¹ The legislative power in respect of these states was delegated to the Central Government under the provisions of the Government of Part C States (Laws) Act, 1950. Section 2 of the act provided that the Central Government, while extending Part A States acts to the Part C States (except Coorg), could make a provision in such acts for the repeal or amendment of any corresponding law (other than a Central act) which was in force in that Part C State.

¹ The Constitution of India, 1951, om. cit., First Schedule.
The passing of the Government of Part C States (Laws) Act, 1950, raised a significant constitutional question as to whether the "essential legislative function" could be delegated. The Supreme Court, in its advisory opinion, held that the provisions regarding the delegation of legislative powers were valid except those dealing with power to repeal or amend the existing laws, i.e., laws in force in a Part C State. Its views, as summed up by Justice Pau L Ali, were as under:

"1. The legislature must normally discharge its primary legislative function itself and not through others;

2. Once it is established that it has sovereign powers within a certain sphere, it must follow as a corollary that it is free to legislate within that sphere in any way which appears to it to be the best way to give effect to its intention and policy in making a particular law, and it may utilise any outside agency to any extent it finds necessary for doing things which it is unable to do itself or finds it inconvenient to do. In other words, it can do everything which is ancillary to and necessary for the full and effective exercise of its power of legislation;"

In other two cases, viz. Harishankar Nagla vs. State of Madhya Pradesh.
3. It cannot abdicate its legislative functions, and therefore while entrusting power to an outside agency, it must see that such agency acts as a subordinate authority and does not become a parallel legislature.

As a result of the advisory opinion, Parliament had to enact the Government of Part C States Act, 1951, which brought the relations of Part C States with the Government of India on a solid legal framework, thus abrogating the earlier ad hoc arrangements. The Act also made a beginning in the introduction of democratic institutions in Part C States. It associated non-officials with the executive set-up and provided for

1. The background details are given in the report on the working of Ministry of States, 1951-52, Cmnd. 4217, Government of India Press, New Delhi, 1952, pp.16-18. The Act received the assent of the President of India on September 5, 1951.
Legislative Assemblies elected on adult franchise and Council of Ministers responsible to such legislatures in the states of Ajmer, Bhopal, Coorg, Delhi, Himachal Pradesh and Vindhya Pradesh. It provided for the Council of Advisers in the border states of Kutch, Manipur and Tripura to assist the Chief Commissioner in the discharge of his functions. The executive government was now to consist of Lieut.-Governors and Councils of Ministers in Himachal Pradesh and Vindhya Pradesh; of Chief Commissioners and Councils of Ministers in Ajmer, Bhopal, Coorg and Delhi; and of Chief Commissioners and Councils of Advisers in Kutch, Manipur and Tripura.

1. The Government of Part C States Act, 1951, (No.XLIX of 1951), Section 3. Table of seats in the Legislative Assemblies is given in the Third Schedule. Election to the Assemblies was governed under the provisions of Part I and Parts III to XI of the Representation of the People Act, 1951 (XLIII of 1951).

2. The Government of Part C States Act, 1951, Section 42.

March 24 is a red letter day in the history of the legislature in Himachal Pradesh. It was on this day that the first session of the Himachal Pradesh Legislative Assembly was held at the 'Rashtrapati Niwas' (the Presidential Estate or the former Viceregal Lodge), Simla. It was like the flash of a New Star rising across the ancient hills and glens of this Pradesh. Never before had so many persons (elected on the basis of universal adult franchise) from all parts of the Pradesh met to represent their constituents. In the lives of the newly-elected members, the day was of great importance. In the history of parliamentary institutions in this Pradesh, too, the day marked the beginning of a new era. It was the first occasion when an opportunity was given to the people's representatives to form responsible government and to work for the progress of this Pradesh.

1. Himachal Pradesh, Legislative Assembly Proceedings, Vol.I, No.1, March 24, 1952, p.3. The first two sessions of the Assembly were held at the Rashtrapati Niwas while the others, at the Chamber Council, Simla. (Ibid., III, 3; March 10, 1953, p.3).

2. For greater details, see the address of the first Chairman of the Assembly. (Ibid., Vol. 1, No.1; March 24, 1952, pp.3-4).
2. Legislature - Its Composition

The Legislative Assembly (1952-1956) was a representative sample of all sections of society, viz. the Rajputs, the Brahmins, the Scheduled Castes and the Bahajans. (Table VI) It included different professions like agriculture, business, medicine, law and service (government and public) as would appear from Table VII. 73.2% of the members belonged to rural areas, while the rest (26.8%), to urban areas. (Table VIII).

**Table VI**

<table>
<thead>
<tr>
<th>Castes</th>
<th>Congress</th>
<th>KMPF</th>
<th>SDF</th>
<th>Democratic Front</th>
<th>Independents</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rajputs</td>
<td>9</td>
<td>2</td>
<td>-</td>
<td>2</td>
<td>5</td>
<td>(43.9%)</td>
</tr>
<tr>
<td>Brahmins</td>
<td>8</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>1</td>
<td>(26.8%)</td>
</tr>
<tr>
<td>Scheduled Castes</td>
<td>8</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>(19.5%)</td>
</tr>
<tr>
<td>Bahajans</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>(9.3%)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>27</td>
<td>2</td>
<td>-</td>
<td>4</td>
<td>8</td>
<td>(100.0%)</td>
</tr>
</tbody>
</table>
### TABLE VII

**Occupational Divisions**

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Congress</th>
<th>KUPP</th>
<th>FCP</th>
<th>Democratic Front</th>
<th>Indep. %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>10</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>1 (43.9%)</td>
</tr>
<tr>
<td>Business</td>
<td>4</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>- (9.3%)</td>
</tr>
<tr>
<td>Medicine</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>- (2.4%)</td>
</tr>
<tr>
<td>Law</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>1 (7.3%)</td>
</tr>
<tr>
<td>Service</td>
<td>7</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>2 (26.9%)</td>
</tr>
<tr>
<td>Public Work</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1 (4.9%)</td>
</tr>
<tr>
<td>Ruling Family</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>1 (4.9%)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>21</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>8 (100.0%)</td>
</tr>
</tbody>
</table>

### TABLE VIII

**Rural-Urban Background**

<table>
<thead>
<tr>
<th>Location</th>
<th>Congress</th>
<th>KUPP</th>
<th>FCP</th>
<th>Democratic Front</th>
<th>Indep. %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural</td>
<td>12</td>
<td>3</td>
<td>8</td>
<td>2</td>
<td>5 (73.2%)</td>
</tr>
<tr>
<td>Urban</td>
<td>6</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>3 (26.8%)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>18</td>
<td>3</td>
<td>8</td>
<td>4</td>
<td>8 (100.0%)</td>
</tr>
</tbody>
</table>
The Legislative Assembly consisted mostly of semi-educated persons. (Table IV). 73.2% of the legislators were matric pass and below. Only a negligible fraction of members can be classed as literates. Nine of the legislators (21.9% of the total) were graduates while only two (4.9%) had post-graduate degrees.

**Table IX**

<table>
<thead>
<tr>
<th>Qualifications</th>
<th>Congress</th>
<th>BJP</th>
<th>SP</th>
<th>Des.</th>
<th>Indep.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-Graduate</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>(4.9%)</td>
</tr>
<tr>
<td>Graduate</td>
<td>4</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>3</td>
<td>(21.9%)</td>
</tr>
<tr>
<td>Matric.</td>
<td>7</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>4</td>
<td>(36.6%)</td>
</tr>
<tr>
<td>Under-Matric.</td>
<td>5</td>
<td>1</td>
<td>-</td>
<td>1</td>
<td>1</td>
<td>(19.5%)</td>
</tr>
<tr>
<td>Elementary.</td>
<td>6</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>(17.1%)</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>24</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>8</td>
<td>(100.0%)</td>
</tr>
</tbody>
</table>
The Legislative Assembly was dominated by age. (Table X) 58.6% of the members belonged to the age-group of 40-60. If age is the criterion for sobriety and seriousness, the Himachal legislature (1952-1956) came up to this standard. And this is proved by the fact that the legislators do not seem to have grossly offended against the rules of Debate and Conduct. Unlike other Indian legislatures of the same period\(^1\), no member of the Assembly was either forcibly removed by the order of the Speaker or suspended for gross misbehaviour. Although there had

1. In the House of the People, for instance, one member was ordered to be removed by the Marshal. (See Indian Parliamentary Debates, House of the People, III, 12, Part II, July 18, 1952). In the Uttar Pradesh Assembly, three members were forcibly removed by the police by order of the Speaker. (See U.P., Legislative Assembly Proceedings, Vol.120, March 4, 1953, pp.18-19). In the Rajasthan Assembly also, a member was forcibly removed by the Marshal. (See Rajasthan, Legislative Assembly Proceedings, Vol.7, May 21, 1954, pp.2027-28).
been ten walk-outs during the period 1952-1956 by
indignant members against the rulings of the Speaker,
it was only on two occasions that two of the members
were ordered to withdraw from the House. Again, the
use of defamatory, indecent, unparliamentary or
undignified words on the floor of the House was rare.
It was only on five different occasions during the
period 1952-1956 that undignified words were used.
The expressions held unparliamentary and later on
withdrawn by the members concerned or expunged from
the Proceedings of the House included: 'JAN BHUJ KAR'
(deliberately), 'JHOOT' (lie), 'JUNRAH KARMA' (to
mislead the people), 'JHAROO PHER NIYA' (to discredit
with one stroke all the past achievement) and 'CULAM'
(slave).  

1. Himachal Pradesh, Legislative Assembly
Proceedings, II, 2, October 15, 1952, p.57;
October 20, 1952, p.48; March 13, 1953,
p.51; December 21, 1953, p.19; H.P. Legis-
lative Assembly Journal No.79, December 24,
1953; H.P.L.A.P., March 27, 1954, p.44;
December 3, 1954, p.54; H.P.L.A.J., No.121,
March 18, 1955; Also No.125, March 24, 1955
and No.159, February 29, 1956.


Vol.V, p.46; Vol. V, 10, March 29, 1954,
p.50; Vol. II, No.7, August 25, 1954, p.1,
### Table I

Comparative age-groups

<table>
<thead>
<tr>
<th>Age-Groups</th>
<th>Congress</th>
<th>SPFP</th>
<th>SF</th>
<th>Dem. Front.</th>
<th>Indep.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>25-30</td>
<td></td>
<td>-</td>
<td>1</td>
<td>-</td>
<td>1</td>
<td>(4.4%)</td>
</tr>
<tr>
<td>31-40</td>
<td>9</td>
<td>2</td>
<td>-</td>
<td>2</td>
<td></td>
<td>(36.6%)</td>
</tr>
<tr>
<td>41-50</td>
<td>3</td>
<td>1</td>
<td>-</td>
<td>2</td>
<td>1</td>
<td>(29.3%)</td>
</tr>
<tr>
<td>51-60</td>
<td>7</td>
<td>-</td>
<td>-</td>
<td>4</td>
<td></td>
<td>(29.3%)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>24</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>8</td>
<td>(100.1%)</td>
</tr>
</tbody>
</table>

The legislators, as would appear from Table VI, were quite new to their jobs. 82.7% of the members had no previous legislative experience. This perhaps accounts for the breaches of rules here and there. It may be that some of the breaches were due to excitement or lack of self-control but most of them were perhaps the result of inexperience. A glance through the proceedings of the Legislative Assembly (1952-1956) would show that there have been occasions when some of the members asked questions even before they were permitted to do so by the Speaker¹, read books in the

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¹ Himachal Pradesh, Legislative Assembly Proceedings, II, 4; October 9, 1952.
House, 'crossed' the floor, addressed members and not the Speaker, passed slips across the table, distributed papers in the Assembly, sat improperly, failed to take their seats even when the Speaker was on his feet, and so on.

### TABLE XI

Pre-legislative Experience

<table>
<thead>
<tr>
<th></th>
<th>Congress</th>
<th>H.P.</th>
<th>S.P.</th>
<th>Dem.</th>
<th>Indep.</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>No previous experience</td>
<td>14</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>(32.94)</td>
</tr>
<tr>
<td>Local.</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(12.24)</td>
</tr>
<tr>
<td>State.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>(2.41)</td>
</tr>
<tr>
<td>National.</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(2.41)</td>
</tr>
<tr>
<td><strong>TOTAL</strong>.</td>
<td>18</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>3</td>
<td>(99.94)</td>
</tr>
</tbody>
</table>

1. Himachal Pradesh Legislative Assembly Proceedings, III, 5; March 12, 1953.
2. Ibid., III, 13; March 25, 1953.
4. Ibid., III, 25; April 16, 1953, p.22.
5. Ibid., IV, 10; December 14, 1953, p.27.
6. Ibid., IV, 14; December 18, 1953, p.24.
7. Ibid., II, 2; March 17, 1954, p.51.
The foregoing analysis of the First Assembly (1952-1956) does not offer sufficient data to make a comprehensive study of the Himachal Pradesh legislature at work. In order to have an objective analysis of the various trends and tendencies, the other three assemblies (including the Territorial Council, 1957-1963) have also been brought within the ambit of this thesis. An effort has been made to identify the important variants of political socialization and role orientation of the legislators. For this purpose, the author interviewed 41 legislators belonging to different political parties and representing different castes, communities and professions. They included the Praja Mandal workers (15), retired service personnel (3), incipient members of the services (13), scheduled castes (9) and the ex-rulers (2).
The class composition of the four Legislative assemblies reflects that the Rajputs - the ex-feudal class - have been dominating the political scene. (Table XII). Their number, though at its peak in the third assembly (67.4%), has now shrunk to 46% in the present assembly. Notwithstanding this downward trend in their representation, they are still in a vantage position vis-a-vis other classes. Their dominance in all the four assemblies suggests that the traditionally entrenched social as well as economic sections of the society have greater access to positions of power not only in the party but also in the government. It is symptomatic of the tendency, which favours a "go slow" policy in social reforms (upper castes vs. lower castes), if not "status quo".

**Table XII**

<table>
<thead>
<tr>
<th>Caste</th>
<th>1952 Election.</th>
<th>1957</th>
<th>1962</th>
<th>1967</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rajput.</td>
<td>19 (46.3%)</td>
<td>20 (46.5%)</td>
<td>29 (67.4%)</td>
<td>29 (66.3%)</td>
</tr>
<tr>
<td>Brahmin.</td>
<td>13 (24.4%)</td>
<td>3 (7.0%)</td>
<td>2 (4.6%)</td>
<td>15 (23.8%)</td>
</tr>
<tr>
<td>Khajur.</td>
<td>4 (9.8%)</td>
<td>7 (16.3%)</td>
<td>2 (4.6%)</td>
<td>3 (4.8%)</td>
</tr>
<tr>
<td>Soc. Caster.</td>
<td>8 (18.5%)</td>
<td>13 (30.2%)</td>
<td>10 (23.3%)</td>
<td>16 (25.4%)</td>
</tr>
<tr>
<td><strong>TOTAL.</strong></td>
<td><strong>41 (100.0%)</strong></td>
<td><strong>43 (100.0%)</strong></td>
<td><strong>43 (99.9%)</strong></td>
<td><strong>63 (100.0%)</strong></td>
</tr>
</tbody>
</table>

*Figures for the 1957, 1962 and 1967 also include nominated members (two, two and three respectively).*
A perusal of Table XIII reveals that, in the second and third assemblies, the veterans and the old-timers were almost "snuffed out" by the new comers (of the age-group of 31-50), who were in absolute majority (86%). It appeared as if the old-timers would be eliminated in the fourth assembly, but to the surprise of all, the trends were reversed as a result of the Fourth General Election. The present assembly is a happy blend of the youth and the age. The dash and drive of the new is being chastened and subdued by the wisdom and experience of the old guards. The old-timers who had lost their prestige during the second and the third General Elections have now, it seems, retrieved their lost glory.

Table XIII
Age-wise Division

<table>
<thead>
<tr>
<th>Age Group</th>
<th>1952 Election 1957</th>
<th>1962</th>
<th>1967</th>
</tr>
</thead>
<tbody>
<tr>
<td>25-30 years</td>
<td>2 (4.9%)</td>
<td>1 (2.3%)</td>
<td>1 (1.6%)</td>
</tr>
<tr>
<td>31-40 &quot;</td>
<td>15 (35.8%)</td>
<td>19 (41.9%)</td>
<td>22 (51.1%)</td>
</tr>
<tr>
<td>41-50 &quot;</td>
<td>12 (29.3%)</td>
<td>18 (41.9%)</td>
<td>15 (34.9%)</td>
</tr>
<tr>
<td>51-60 &quot;</td>
<td>12 (29.3%)</td>
<td>5 (11.6%)</td>
<td>6 (14.0%)</td>
</tr>
<tr>
<td>Above 60.</td>
<td>1 (2.3%)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>TOTAL.</td>
<td>41(100.0%)</td>
<td>43(100.0%)</td>
<td>43(100.0%)</td>
</tr>
</tbody>
</table>
Table XIV will suggest that most of the members can be classed as semi-literate. Politics in the state has failed to attract highly qualified persons or the cream of the Pradesh for it is more concerned with the distribution of "spoils" than with issues or ideologies. As such, the preponderance of semi-literate persons in the legislature is not surprising. This reveals the low level of education in the society. It is also indicative of the apotheosis of the tendency of living off rather than for politics.

**TABLE XIV**

<table>
<thead>
<tr>
<th>Educational attainments</th>
<th>1952 Assembly</th>
<th>1957</th>
<th>1962</th>
<th>1967</th>
</tr>
</thead>
<tbody>
<tr>
<td>Post-Graduate</td>
<td>2 (4.9%)</td>
<td>2 (4.6%)</td>
<td>2 (4.4%)</td>
<td>3 (4.8%)</td>
</tr>
<tr>
<td>Graduate</td>
<td>9 (21.9%)</td>
<td>9 (20.9%)</td>
<td>12 (27.9%)</td>
<td>19 (39.1%)</td>
</tr>
<tr>
<td>Matriculate</td>
<td>15 (36.6%)</td>
<td>14 (32.6%)</td>
<td>5 (11.6%)</td>
<td>27 (49.9%)</td>
</tr>
<tr>
<td>Under-Matric</td>
<td>8 (19.5%)</td>
<td>10 (23.4%)</td>
<td>6 (13.5%)</td>
<td>8 (15.6%)</td>
</tr>
<tr>
<td>Elementary</td>
<td>7 (17.1%)</td>
<td>9 (18.6%)</td>
<td>8 (18.6%)</td>
<td>6 (9.5%)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>41 (100.0%)</td>
<td>43 (100.0%)</td>
<td>43 (99.9%)</td>
<td>63 (100.0%)</td>
</tr>
</tbody>
</table>
Occupation-wise, most of the W.L.As. are mainly drawn from the agricultural families as would appear from Table XV. The other professions, though represented in the legislature, have rather a negligible number vis-à-vis agricultural class. Most of the professionals are, of course, lawyers but law is not their main vocation. They are mostly big landlords and orchardists. So are the service personnel. The preponderance of the agriculturally affluent persons in the legislature suggests that the traditional hold of the upper castes has not weakened and that the ownership of land is largely concentrated in their hands. It is a reflection of their dominance in the society which they have enjoyed for centuries.

**Table XV**

**Occupational Background**

<table>
<thead>
<tr>
<th>Occupation</th>
<th>1952 Assembly</th>
<th>1957</th>
<th>1962</th>
<th>1967</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>13 (43.9%)</td>
<td>27 (62.8%)</td>
<td>33 (75.8%)</td>
<td>32 (50.8%)</td>
</tr>
<tr>
<td>Business</td>
<td>4 (9.8%)</td>
<td>5 (11.6%)</td>
<td>1 (2.3%)</td>
<td>2 (3.2%)</td>
</tr>
<tr>
<td>Professional</td>
<td>4 (9.8%)</td>
<td>7 (16.3%)</td>
<td>7 (16.3%)</td>
<td>15 (22.3%)</td>
</tr>
<tr>
<td>Service</td>
<td>13 (31.7%)</td>
<td>2 (4.6%)</td>
<td>-</td>
<td>14 (22.2%)</td>
</tr>
<tr>
<td>Ruling Family</td>
<td>2 (4.9%)</td>
<td>2 (4.6%)</td>
<td>2 (4.6%)</td>
<td>-</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>41 (100.1%)</td>
<td>43 (99.9%)</td>
<td>43 (100.0%)</td>
<td>63 (100.0%)</td>
</tr>
</tbody>
</table>
Political Socialization: how have you become interested in politics? Response to this question yielded six different variants, viz. 'indignation', 'useful occupation', 'to gain lost prestige', 'obligation towards the community', 'struggle for independence' and 'organised political work' as would appear from Table XVI.

### Table XVI

<table>
<thead>
<tr>
<th>Political Socialization</th>
<th>Congress</th>
<th>WPP</th>
<th>ICF</th>
<th>Dem.</th>
<th>Front</th>
<th>Indep.</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Indignation</td>
<td>5</td>
<td>2</td>
<td>1</td>
<td>4</td>
<td></td>
<td>1 = 13</td>
<td>31.7%</td>
</tr>
<tr>
<td>2. Useful occupation</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 = 3</td>
<td>7.3%</td>
</tr>
<tr>
<td>3. To gain lost prestige</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 = 2</td>
<td>4.9%</td>
</tr>
<tr>
<td>4. Obligation towards community</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 = 7</td>
<td>17.1%</td>
</tr>
<tr>
<td>5. Struggle for independence</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1 = 4</td>
<td>9.9%</td>
</tr>
<tr>
<td>6. Organised political work</td>
<td>6</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td>5 = 12</td>
<td>29.3%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>24</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td></td>
<td>8 = 41</td>
<td>100.1%</td>
</tr>
</tbody>
</table>
The service personnel (teachers, clerks, petition writers, patwaris and ex-servicemen) mentioned 'indignation'. The retired servicemen, on the other hand, considered politics as a 'useful occupation'. The two members of the ruling family wanted 'to gain lost prestige' through politics while the Scheduled Caste members indicated 'obligation towards their community' as their role orientation. "Struggle for Independence" oriented four members of the assembly (three belonging to Congress and one, independent) towards politics while 'organised political work' (campaign against irresponsible state administration, agitation for responsible government in the erstwhile states, seating of the Praja Mandal workers, and so on) created political interest among the Praja Mandal workers. It appears, however, that desire to have influence in government circles and to attain higher status in life are the motivating factors responsible for political socialization. The old levers of power are gone and the prospective members of the assembly want to lift them somehow or the other to be in the centre of power exercise and decision-making.
Purposive

Role Orientation

That is the purposive role of a legislator? Response to this question brought to light three major variants - INVENTOR, EXECUTIVE and STATESMAN, as would appear from Table VII. The members of the Scheduled Castes (eighth) and those belonging to the backward areas of Chini and Senri (two) mentioned 'protection of their classes'. As one respondent put it: 'We have been ignored for centuries. It is now for us to work for the uplift of our brothers in the far-flung areas of Biochul Nadu - areas which are still inaccessible and far removed from the state headquarters.' The nationalists, the kula mandal workers and those who joined politics because of their indignation (teachers, clerks, petition writers, potters and ex-servicemen) mentioned 'general welfare' as their purposive role. "By job," said one

---

1. The terms have been borrowed from Janika, Kastu, Buchanan and Ferguson in the Legislative System: Explorations in Legislative Behavior, John Wiley and Sons, Inc, New York, 1962.

2. Based on author's interview.
respondent, "is that of a doctor to cure ills and to work for the general welfare of the people". "I espouse the cause of the underdogs in the legislature", added another, "and advocate better amenities to the people". These indignant persons, as noted earlier, belonged to the services and hence seem to be progressive. The retired service personnel wished to 'balance conflicting interests' while the rulers (two) wanted to 'regain lost prestige' through politics. It will thus appear that the members of the Scheduled Castes and those belonging to the far-flung areas of this Pradesh had the role orientation of a TIBOTS (to confine to the limited interests of particular classes) while the

1. Based on author's interview.
2. ibid.
retired service personnel, that of a BROKER (to balance conflicting interests). The rulers who joined politics 'to regain their lost prestige' were, however, balked in their desire and consequently they were rather disillusioned. However, there are reasons why they could not be given any offices or position of power in the new set-up. Perhaps, their insignificant number in the Legislative Assembly (two members in a House of 41) and the past bitterness between the Praja Mandal workers (who now wielded power in the government) and the ruling families stood in their way.

<table>
<thead>
<tr>
<th>Role Orientation</th>
<th>Congress</th>
<th>FP</th>
<th>SC</th>
<th>Dem.</th>
<th>Indep.</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>INVENTOR.</td>
<td>12</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>7</td>
<td>28 (68.3%)</td>
</tr>
<tr>
<td>BROKER.</td>
<td>2</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>3 (7.3%)</td>
</tr>
<tr>
<td>TRIBUNE.</td>
<td>10</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>10 (24.4%)</td>
</tr>
<tr>
<td>TOTAL.</td>
<td>24</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>8</td>
<td>41 (100.0%)</td>
</tr>
</tbody>
</table>
How would you describe the job of a legislator? Are there any important differences between what you think of this job and the way your constituents see it? Responses to these questions yielded three major orientations—TRUSTEE, DELEGATE and POLITICO— as shown in Table VIII.

### Table VIII

<table>
<thead>
<tr>
<th>Role Orientation</th>
<th>Congress</th>
<th>EMPF</th>
<th>BCF</th>
<th>Dem. Front</th>
<th>Indep.</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRUSTEE</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>1 = 2</td>
<td>(4.9%)</td>
</tr>
<tr>
<td>DELEGATE</td>
<td>6</td>
<td>2</td>
<td>1</td>
<td>-</td>
<td>1 = 10</td>
<td>(24.4%)</td>
</tr>
<tr>
<td>POLITICO</td>
<td>18</td>
<td>1</td>
<td>-</td>
<td>4</td>
<td>6 = 29</td>
<td>(70.7%)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>24</td>
<td>3</td>
<td>1</td>
<td>5</td>
<td>8 = 44</td>
<td>(100.0%)</td>
</tr>
</tbody>
</table>

The members of the ruling family (two) claimed that there was no difference between their ideas and those of their constituents and so they made decisions on the basis of their own judgement and understanding of the facts and the perusal of interests involved. They may be said to have the role orientation of a TRUSTEE. The legislators belonging to the backward areas of Chini and Panga (two) and the members of the Scheduled Castes (eight) considered themselves as the 'spokesmen' of their special interests in their constituencies so that they may be said to have the role orientation of a DELEGATE. The retired service personnel (three), Araja Mandel workers (ten), indignant service personnel (twelve) and the nationalists (four) felt that they had specific responsibility to the people of their constituencies on matters of local interest but were also responsible for the general welfare of the people. They claimed to make decisions after weighing their own judgement vis-a-vis the interests of their constituents and may be said to have the role orientation of a POLITICO.
It appears, however, that the members of the legislative assembly are considered by their constituents, as their 'servants', who are required to do all sorts of jobs, i.e. setting employment for their constituents, finding places in the hospital, meeting departmental officials for matters like appointments, transfers, grant of quotas, permits and licences, losses and subsidies, scholarships and stipends. Asked if this really constituted the job of a legislator, one respondent said¹: "The voters give us votes and, in return, expect us to do all type of work for them". It appears that the members of the assembly are under constant pressure from their constituents, followers and friends to intervene on their behalf in governmental working. One member of the assembly went to the extent of asserting² that the "primary duty of the members of the Legislative Assembly is to help their constituents

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1. Based on author's interview.
2. Ibid.
who are unable to approach administration and to get justice from officials". Many legislators, it is a matter of daily observance, fulfill this role by approaching not only the ministers and the Heads of Departments but also petty clerical staff in offices. Talking of nepotism in administration in general, one member belonging to the party in power (Chief Whip of the Congress Party) said thus: "... whether we are on the treasury benches or on the opposition benches, we all go to ministers with request and exert influence on the officers to accede to our demands, whether fair or unfair. In case the officers are reluctant to do irregular work, we pressurise them from above ..."\(^1\) The obvious conclusion appears to be that the legislators in Himachal Pradesh - as in the rest of the country - perform the role of a POLITICO more than that of a LEGISLATOR or a TRUSTEE.

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3. State Legislature at Work

The legislature, as a structure of power, has many functions to discharge but the most important functions in a parliamentary system of government, as listed by Morris-Jones\(^1\), are that it must provide a forum for public policy; furnish a channel for the ventilation of grievances and aspirations of the people; afford opportunities not merely for the expression of given public opinions but also for the political education of the people so that they may have opinions worth expressing; and both sustain and control leadership in such a way as to encourage initiative without permitting arbitrary governmental action. How far does the Himachal Pradesh Legislative Assembly come up to these tests?

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1. Forum for public policy: The bills passed by the Legislative Assembly and the resolutions sponsored by the legislators (belonging both to the party in power and the opposition) reflect the ideas of the general masses and reveal intentions and outlook of the legislators. The main focus of the legislators appears to be the economic betterment and social uplift of the people who, for centuries, were denied the right to good life. During 1952-1956, the members passed as many as 55 legislative measures covering a wide variety of topics, viz. occupancy rights to tenants; debt reduction measures; abolition of big landed estates; land reform and development measures; livestock improvement; irrigation facilities; consolidation of holdings; Panchayati Raj; abolition of untouchability; compulsory primary education, and so on. Out of the bills passed, thirty were economic;

1. Bills passed by the Legislative Assembly (1952-1956), arranged subject-wise, are given in Appendix V.
eight, social; two, educational; nine, administrative; and six, fiscal and financial. The most important progressive laws aiming at socio-economic development included, inter alia, the Himachal Pradesh Reorganisation Act, 1952, the Himachal Pradesh Debt Reduction Act, 1953, the Himachal Pradesh Compulsory Primary Education Act, 1953, the Himachal Pradesh Abolition of Untouchability Act, 1953, the Himachal Pradesh Abolition of Sardar and Land Reforms Act, 1953, the Himachal Pradesh Tenants (Rights and Restoration) Amendment Act, 1954, the Himachal Pradesh Land Development Act, 1954, the Himachal Pradesh Ryot Act, 1954, and the Himachal Pradesh Ex-communication Act, 1955.

The bills passed by the first Assembly (1952-56) reveal that the S.I.A.s., though semi-literate, were liberal in their outlook. It is true that the bulk of the work behind legislative enactments was that of the civil servants but the contribution of the legislature, to borrow the words of Morris-Jones, in getting big issues stated, details scrutinised and the interests

of affected parties heard was not negligible. However, a detailed scrutiny and minute study of the important legislative enactments passed by the first assembly would reveal that the legislators, in their enthusiasm, passed a great many laws of socio-economic development but failed, in a majority of cases, to have them enforced. For instance, the Himachal Pradesh Panchayati Raj Act (seeking to extend democracy to the very door of the people) though passed in the year 1952 remained in 'cold storage' till 1963! Again, the Himachal Pradesh Compulsory Primary Education Act, 1953, evinced a new and progressive trend of the members and constituted a radical departure from the previous policy and practice of the Princes of the erstwhile states. Whereas education in the feudal states of Himachal Pradesh had been restricted to men of privilege, now primary education was made compulsory to all people, high and low, men and women. Progressive though the act was, it has not yet (till 1969) seen the light of the day! It is still buried either in the Statutory Books of the government or is in the old record of the Education Department! The Himachal Pradesh Abolition of
Big Banded Estates and Land Reform Act, 1953, though progressive in spirit, was actually harmful in effect. It did not concede occupancy rights to the tenants, better known as 'BETHUS' in Vishnu Pradash— a privilege denied to them for centuries— but in actual practice, it resulted in their wrongful eviction in a large number. The law fixed a ceiling on individual holding but not the holdings of families. Many landlords thereafter, in connivance with the Betvis (village accountants), it is alleged, transferred titles and since a high limit was placed on the use of lands, they evicted their tenants and enlarged their holdings. As a result, the initial effect of the

1. Based on author's interview.
2. Lands personally used by the landlords.
The aforementioned land reform act was to increase the
number of landless labourers and to neutralise much
of its intended effect. This seems to be the fate of
the land reform legislations in other parts of India
(live west Bengal, Bihar and Uttar Pradesh) also as
the study of Daniel Thorner\textsuperscript{1} would reveal. The
social-economic legislation, viz. the Himachal Pradesh
V\textsuperscript{0}-communication act, 1955, likewise has more of a
political than a real value. 'Untouchability',
though an offence under the act, is still an order
of the day, an unchangeable part of the people's life
evenly in the interior of Himachal Pradesh. A
democratic outlook, it may be said, is more a matter
of attitudinal adjustment than a legal enforcement.

\textsuperscript{1} Daniel Thorner, "The Agrarian Prospect
in India" (Delhi: University Press,
1966) quoted in H. L. Weiner, The
Politics of Scarcity, Asia Publishing
To be fair, it may be pointed out that the original work done by the first assembly (1952-1956) was thrown into the cold storage as a result of the withdrawal of the democratic set-up consisting of the Council of Ministers and the popularly-elected legislature during the period 1957-1963. The Territorial Council was an 'apology' for a legislature. It could make bye-laws which were subject to approval by the Government of India. As a result of the re-introduction of democratic set-up in 1963, however, the old thread of legislative enactments was picked up. The second assembly (1963-1966) passed not less than twenty-eight laws but its work pales into nothingness as compared to the achievements of the first assembly. Most of the laws passed by the second assembly pertained either to the salaries and allowances of the ministers and legislators or amendments to those bills passed earlier or mere adoption of certain laws passed by other State Assemblies.

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1. Laws passed by the Second Assembly (1963-1966) are given in Appendix VI.
Like legislative enactments, the resolutions of the Assembly serve as a channel for the dissemination of personal ideas and reflection of the mind of the W.L.A.P. In the first Assembly (1952-1956), as many as thirty resolutions were moved. An equal number of resolutions was moved in the second Assembly (1963-66). The resolutions adopted by the Assembly covered a wide range of subjects, viz., integration of Punjab hilly regions with the Pradesh; introduction of free and compulsory primary education; exploration of natural resources of the Pradesh; provision for better employment opportunities to the people of the Pradesh; extension of transport and communication facilities in the State; retention of Himachal Pradesh as a centrally-administered area, and so on. Though recommendatory in nature, the resolutions have had some effect not only on the Himachal Pradesh government
but also on the Government of India. For example, the resolutions pertaining to consolidation of holdings, enforcement of compulsory primary education, adoption of land reform measures and reduction in tobacco tax have, among others, resulted in the enactment of legislative measures. The other resolutions (viz. the creation of greater Himachal Pradesh, extension of transport facilities, retention of Himachal Pradesh as a separate entity, exploration of natural resources of the Pradesh, and so on) have not only evoked great public enthusiasm but have also been accepted by the State Government or the Government of India, as the case may be. It has thus to be said that the resolutions do reflect the will of the people and play a vital role in influencing the policies of the government.
2. Ventilation of Grievances: The legislature provides an effective means for the ventilation of grievances and the aspirations of the people. The legislators have had their opportunities at the question time, discussion on the Lieut.-Governor's Address, the Demands for Grants, and so on. The question time constitutes "the liveliest" period of the parliamentary work. The questions admitted are invariably answered unless they lapse or are withdrawn by the members concerned. It appears, however, that the ministers sometimes give stereotyped replies, such as, "information not available", "figures not available", "information being collected", and so on. At times, their replies are elusive while at others, perfunctory and ephemeral. A few replies of this type, selected at random from the proceedings of the first assembly (1952-1956) are given below:

1. Has the Hon'ble Minister ever visited Sehgul?

A. It is not necessary for the Minister to visit every place."

1. Will the Hon'ble Minister tell us to how many shares of the Sirmur Bank have been transferred into the Himachal Pradesh Apex Co-operative Bank?

2. The four banks which are in the four districts are the branches of the apex Bank. 1

3. Is it ascertained that the loan given by the government is spent on the work for which it has been taken?

4. A committee is formed for giving loan and it is given on its recommendations. It has to be returned after 15 months. 2

5. Is it a fact that in Rohru Tehsil there are two Konuzo Circles and three Middle Schools?

6. The Konuzo Circles have to be opened at places where needed. 3

Discussions on the Lieut.-Governor's address, demands for grants, adjournment motions and reports of the various committees provide other opportunities to the legislators to ventilate their grievances to spotlight, among other things, cases of maladministration, slowness, inordinate delay, corruption, nepotism and favouritism. 4 Such occasions are made use of by the

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2. ibid., II, 2; August 17, 1954, p.7.
3. ibid., p. 20.
4. For detailed discussion, see Chapter VI, pp. 299-312.
opposition for streamlining and lashing at the acts of commission and omission of the government. The efforts of the opposition to tarnish the image of the government by pin-pointing cases of administrative delay and inefficiency are, however, ridiculed and thwarted by the treasury benches because of the latter's overwhelming majority in the legislature. The opposition, out of sheer frustration, resorts to undemocratic means like mass demonstrations, strikes and fasts (sometimes, fasts unto death) to register their views, to cultivate support for themselves and to exert pressure upon the ruling party. After the Fourth General Election, the frequency of such pressure tactics has considerably increased.1 The other trend - equally disconcerting -  

1. During January–March 1968, for instance, College lecturers went on strike (Tribune, 21.1.68, p.12, col.2); Simla Traders held demonstrations against revival of octroi duty (ibid., 24.1.68, p.3, col.8); Poly-technic students observed strike (ibid., 4.2.68, p.7, col.3); P.V.I. workers (about 2,000 in number) held demonstrations over a two-mile route demanding regularisation of service and increased wages (ibid., 6.2.68, p.7, col.4); Transport workers agitated in support of the striking Punjab roadways employees (ibid., 13.68, p.3, col.7); and the Simla Civic employees threatened to go on an indefinite strike to press their demand for dearness allowance at enhanced rates (ibid., 23.68, p.3, col.4).
is to synchronize the timings of strikes and fasts
with the holding of the assembly session. These
trends are hardly consistent with the democratic way
of life but the impression prevails, rightly or wrongly,
that the government does not remedy grievances, even
though just, unless supported by pressure tactics.
"When fifteen million present quietly petition", 
comments a critic?, "Congress leadership cannot hear,
and when fifteen hundred rioters loot shops and tire
trams, it stirs to respond. . . ."

1. A batch of five teachers from Kanpur
District began a 48-hour hunger strike
on the road leading to the Prayag Pant
Pradesh Legislative Assembly in support
of their demand for the implementation
of the Kothari Commission's recommenda-
tions and the abolition of professional
Again, the President, Indra Hills P. ..D.
Workers' Union, Kanpur, reported to
hunger strike on January 26, 1968, at
that very place to protest against the
non-fulfillment of the demands of the
workers and work-charged stuff of the
P. ..D. (ibid., 23.1.68, p.13, col.5).

2. Senji, Ronald, The Crisis of India,
3. Political Education: The third important function of the legislature is to educate its electorate, the electorate, so that it has an intelligent opinion and exercises a real choice in the election of the candidates. "In an uneducated democracy", correctly remarks Ivor Brown, "is a contradiction in terms for the simple reason that the power will remain with those who can manufacture opinion at their will". If democracy is to function effectively, it must be based on the education of the electorate through the media of press, platform and the legislator-voter contact.

In Himachal Pradesh, the media of mass communication - the press, radio and the cinema - are under-developed so that the proceedings of the legislative assembly remain confined to the offices of the Secretariat at Simla. again, the individual legislator-voter contact is difficult because of the hilly terrain...

of the Pradesh and the large size of the constituencies. The mass contact is consequently convenient at the time of annual fairs and festivals when the people gather at one place in large numbers. Such occasions are invariably made use of by the politicians (including the legislators) to disseminate ideas and ideologies to the people. Door-to-door canvassing and mass contact are, however, conducted just before the elections. It is just then that the organisation is 'heated up' for party propaganda. It is then that committees are formed to draw up mass contact programmes, to allot 'specific tasks' to members to redress the complaints of the poor voter who remains neglected throughout the five-year interval between one general election and the other. Partly efforts are made and exhortative generalizations resorted to in a bid to revive dormant or defunct bodies - but only for a time. As soon as
the elections are over, the political parties and the politicians relapse into 'impotent lethargy'. As a natural consequence, there exists a rather weak link between the government and the people and one hears the complaint that real grievances, more often than not, go unheard. The legitimate pressing demands of the people living in the far-flung areas of the Pradesh, it is alleged¹, remain unfulfilled while the affluent and influential sections of people can easily attract the notice of the government even for the fulfilment of their undue demands. A man of substance, said one respondent ², is given the ear of those in authority while a deaf ear is turned towards the poor, ordinary people.

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1. Based on author's interview in the interior of Himachal Pradesh at Sarahan (District Kinnaur).

2. Ibi.3.
4. Control over the executive: This brings us to the final test of a legislature in a parliamentary system of government, i.e. control over the executive. This control is exercised by parliamentary institutions like the opposition parties and the legislative committees, especially the Estimates Committee and the Public Accounts Committee, to name the important two. How far has the legislature been able to exercise this control over the executive in Himachal Pradesh?

The political scene in Himachal Pradesh, as already noted, has been dominated by a single party, the Congress, ever since the First General Election. Opposition to the party in power has been, and continues to be, fragmented with the result that it has never constituted a real alternative to Congress as the governing party. The absolute majority of the Congress

1. See Chapter III, Table V, page 146 above.
in all the four legislatures (including the Territorial Council) and the practical absence of opposition parties has led to the emergence of a virtual "one-party democracy" in Himachal Pradesh. Consequently, the role of opposition parties in creating an effective stir in government circles has been rather weak. So is the role of the Public Accounts Committee and the Estimates Committee. Their recommendations, it appears, receive a rather scant attention at the hands of the executive. This is evident from the fact that the complaint of the Estimates Committee that the P.A.D. "takes up one road and after widening it up to four feet and at places even eight feet for a number of miles abandons the alignment and takes another course" appears to be as true today as it was in the year 1953-54. The 21-mile Sanjauli-Shogi road, for instance, built at a cost of Rs.33,541 lacs by the Himachal P.A.D. has now been abandoned! Again, the complaint regarding

"frightful soil erosions" in the Chamba and Sutlej catchment areas voiced in the year 1954-55 is still being heard. Similarly, the complaints of the Public Accounts Committee pertaining to defective budgeting and financial irregularities (viz. unnecessary or excessive supplementary grants, non-surrender of savings, uncovered excesses, execution of works without sanctioned estimates, drawing of money at the fag end of the year to avoid lapse of grants and so on) appear to be a "voice in the wilderness". These irregularities are repeated year after year. The Audit Report 1967, for instance, revealed that out of a total of Rs.33.24 lacs, accounts in respect of Rs.8.15 lacs were not available with the respective departments!?

A further probe brought forth the fact that no less than Rs.35 lakhs which were drawn and disbursed during 1961-65 and earlier had yet to be accounted for. This included a sum of Rs.5.57 lakhs which related to the period 1961-62 and even earlier:¹ again, the magnitude of official culpability and governmental irresponsibility would be evident from the fact that as many as 9,456 audit objections involving an amount of Rs.35.88 lakhs (some of them related to the years 1959-60 and earlier) and 1,642 inspection reports containing 8,117 paragraphs (some of which dated back to 1949-50) remained undisposed till November 30, 1966!² Such instances can be multiplied. This is rather an unfortunate aspect of administration's disregard of public interest and popular will as expressed by the members of the Legislative Assembly.

It appears that the recommendations of the various legislative committees, however sound and coherent they may be, do not get the respect that they deserve at the hands of the executive. Why? Most of the plans and projects, which come under the withering criticism of these committees, are politically motivated. They are abandoned as and when there is a political somersault. The Sanjauli-Shogi road, referred to above, was taken in hand by the Himachal Pradesh P.L.D. at the instance of the then Lieut.-Governor. No sooner did he relinquish the charge of his high office than the aforesaid road was completely ignored. The Rohtang Pass also met a similar fate. In such a predicament, the administration has to keep silent on the recommendations and the critical pronouncements of the various legislative committees. The crowning irony is that the members of these committees are susceptible to political or administrative influence so that they cease to pester the government by creating a stir in the legislature. Consequently, their recommendations are shelved and forgotten:

1. See p.204 above.
2. For details, see Chapter VI, p.303.
The obvious conclusion is that the legislative committees in Himachal Pradesh play a rather limited role in keeping the members of the executive (political and permanent) on the path of rectitude. Perhaps, these committees cannot do better since the legislature itself functions merely as a handmaid of the executive. With an absolute majority at the back of the party in power, the role of the legislature is merely to debate and with the support of the majority of the ruling party, to ratify executive decisions. It no doubt provides a training ground to the members of the assembly and performs a useful role in the ventilation of grievances and as a public forum but plays a rather limited role in decision-making and controlling the government from becoming oppressive or arbitrary. This is evident from the fact that law making, though a special prerogative of the legislature is in fact decided at the party level (not necessarily by a majority vote) and hardly in the legislature. Again, the major
policy decisions are made in the Working Committee of the Congress Party or elsewhere in the apparatus of the dominant political party. Executive in Himachal Pradesh, as discussed elsewhere, is controlled more by the Central Government in the Ministry of Home Affairs at the administrative level and by the Congress High Command at the political level than by the opposition or the legislative committees. Whereas home, control comes more from within the party in power than from the opposition. Perhaps, the party in power is influenced, as observed by Morris-Jones in the context of India as a whole (and this is applicable to Himachal Pradesh also), by the desire to retain power and by the need to take some account of movements of opinion among its own rather varied supporters.

1. See Chapter V, pp.262-269.