CHAPTER-V

CHIEF SECRETARY AS THE CABINET SECRETARY

5.1 Overview:

The founding fathers of Indian Constitution adopted the parliamentary form of government at the centre as well as in the states on the Westminster model. The Council of Minister headed by the Chief Minister is, accordingly, the de-facto executive of the State government.

The British Prime Minister under the Westminster model has been aptly described by John Morley as ‘Keystone of the Cabinet arch.’ Although in a Cabinet all its members stand on equal footing and speak with equal voice, yet the head of the Cabinet is primus inter pares and occupies a position which is one of exceptional and peculiar authority. Lord Rosebary’s description of Prime Minister is applicable with equal force to the Chief Minister in an Indian State when he says that “the position of the Prime Minister is similar to the foreman of a jury, his influence depending on his own personal qualities and belief.”

Before going to deal with the role of the Chief Secretary as the Cabinet Secretary and his relationship with the Chief Minister it will be worthwhile to highlight the functions and the role of the Cabinet Secretary at the National level in India.

Cabinet Secretary: The Cabinet Secretary is the administrative head of the Cabinet. On the formation of interim Government on 5th September 1946, the Secretary to the Viceroy’s Executive Council, Sir Eric Coates became the Cabinet Secretary, who was later replaced by H.M. Patel followed by N.R. Pillai. The Cabinet Secretary is generally the senior most civil servant of the IAS cadre, and such a status was recommended by the Gopalaswasi Ayyangar in his Report on Reorganization of the machinery of Government (1949), as follows:

“He (the Cabinet Secretary) should be an administrative officer of the highest rank, selected for the office for his special qualities of tact, initiative, and efficiency and he should be entrusted as head of the Cabinet Secretariat with the positive function of securing co-ordination as well as timely and effective action by all departments of the Government of India in all matters in which the Cabinet as a whole or the Prime
Minister is interested. He should be a person commanding the respect and confidence of all ranks of the permanent services.”

List of Name of Cabinet Secretary in the Central Secretariat

Table 5.1

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<thead>
<tr>
<th>Cabinet Secretary</th>
<th>From</th>
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<tbody>
<tr>
<td>N.R.Pillai</td>
<td>06-02-1950</td>
<td>13-05-1953</td>
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<tr>
<td>Y.N.Sukthankar</td>
<td>14-05-1953</td>
<td>31-07-1957</td>
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<tr>
<td>M.K.Vellodi</td>
<td>01-08-1957</td>
<td>04-06-1958</td>
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<tr>
<td>Vishnu Sahay</td>
<td>01-7-1958</td>
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<td>B.N.Jha</td>
<td>10-11-1960</td>
<td>08-03-1961</td>
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<tr>
<td>Vishnu Sahay</td>
<td>09-03-1961</td>
<td>15-04-1962</td>
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<tr>
<td>S.S.Khera</td>
<td>15-04-1962</td>
<td>18-11-1964</td>
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<td>Dharam Vira</td>
<td>18-11-1964</td>
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<td>D.S.Joshi</td>
<td>27-06-1966</td>
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<td>B.Sivaraman</td>
<td>01-01-1969</td>
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<td>T.Swaminathan</td>
<td>01-12-1970</td>
<td>02-11-1972</td>
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<td>N.K.Mukarji</td>
<td>31-03-1977</td>
<td>31-03-1980</td>
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<tr>
<td>C.R.Krishnaswamy Rao</td>
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<td>08-02-1985</td>
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<tr>
<td>P.K.Kaul</td>
<td>08-02-1985</td>
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<td>B.G.Deshmukh</td>
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<td>27-03-1989</td>
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<td>T.N.Seshan</td>
<td>27-03-1989</td>
<td>23-12-1989</td>
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<tr>
<td>V.C.Pande</td>
<td>23-12-1989</td>
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<tr>
<td>Naresh Chandra</td>
<td>11-12-1990</td>
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<tr>
<td>S.Rajgopal</td>
<td>01-08-1992</td>
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<td>Zafar Saifullah</td>
<td>31-07-1993</td>
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<tr>
<td>Surendra Singh</td>
<td>01-08-1994</td>
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<td>T.S.R.Subramaniam</td>
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<td>Prabhat Kumar</td>
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<td>T.R. Prasad</td>
<td>01-11-2000</td>
<td>31-10-2002</td>
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<tr>
<td>Kamal Pande</td>
<td>01-11-2002</td>
<td>14-06-2004</td>
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<tr>
<td>Ajit Kumar Seth</td>
<td>14-06-2011</td>
<td>Till date</td>
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Source: Cabinet Secretariat, Govt. of India⁴
The above list shows the name of the Cabinet Secretaries appointed at different point of time. It is quite evident that the Cabinet Secretaries do not have any uniformity regarding their office tenure. The 5.2 table shows the wide variation so far the actual tenure that has been enjoyed by different Cabinet Secretaries at the National Level under the Union Government.

**Table 5.2**

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<tr>
<th>Less than a year</th>
<th>Less than two year</th>
<th>2 years but less than 3yrs</th>
<th>3 yrs and more</th>
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<td>N.R.Pillai</td>
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<td>B.D.Pande</td>
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<td>N.K.Mukharji</td>
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<td>S.S.Grewal</td>
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<td></td>
<td>Kamal Pande</td>
<td></td>
<td>B.K.Chaturvedi</td>
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<td></td>
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<td></td>
<td>K.M.Chandrasekhar</td>
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*Source: Compiled by this Researcher*
Functions and Role of the Cabinet Secretary:

By virtue of his position in the power structure, the Cabinet Secretary exercises much more influence in the decision making body of the Cabinet than his formal position suggests. Although his function is to provide secretariat assistance to the Cabinet, he sits near the Prime Minister in the Cabinet meetings and briefs him personally. He transforms the actual proceedings of Cabinet in the form of the Cabinet minutes (that is, he puts in what is better and relevant). Although he keeps an eye upon the smooth functioning of the working of the ministries and departments; he does not have a supervisory function over any of them. He is the head of the Civil Service and ensures that the morale of the civil servants is kept high. He protects their interests in a situation of conflict between politicians and civil servants. Dwarkadas observes that “he is sort of advisor and conscience—keeper to all the permanent officials”\(^5\).

The role of the Cabinet Secretary has been very well described by Khera when he says:

> “The Cabinet Secretary provides the eyes and ears for the Prime Minister to keep in touch with the process of official business in the Central Government. But he is in no sense the watch-dog or invigilator on behalf of the Prime Minister. The worst thing that could happen would be for any member of the Council of Ministers to feel that the Cabinet Secretary or for that matter any other official, is sent to spy on him, or that the official may have the ear of the Prime Minister to carry tales. The Cabinet Secretary’s is a very general staff function, not a line function in relation to the ministers. His business is to help, not to oversee\(^6\).”

Thus after discussing about the Cabinet Secretariat and role of the Cabinet Secretary at the national level it would be appropriate to discuss the role of the Chief Secretary as Cabinet Secretary in the following manner:

5.2 Chief Secretary as the Cabinet Secretary:

Retired Chief Secretary Pranab Kumar Bora regarding the role of the Chief Secretary as Cabinet Secretary made the following observation:

> “As name implies the Cabinet Secretary’s most important task is to be Secretary to the Cabinet. He has to keep the records of all Cabinet papers and decisions. Cabinet papers are confidential. A Cabinet decision, when it is for action and the matter is not secret, is passed on to the department in normal correspondence, for necessary action. Departments raise issues for decisions through a Cabinet paper prepared in consultation with other departments concerned in the matter. The paper
points out the pros and cons of the case clearly and specifies the points for a decision. All discussions in the Cabinet are confidential. The Cabinet Secretary only records the decision taken on the points raised.

When a decision is not reached, the department may withdraw the paper and bring it up again in the light of the discussion, which the Minister is expected to keep in mind. There is no record. The paper may be adjourned to the next meeting by the order of the CM. The matter may also be postponed and in that case it can be brought up again at a future meeting by orders of the CM. At the discussions, normally the secretary of the department or departments concerned are present when their subjects are taken up, to answer any point of detail, that may need clarification. In very important political matters, only the Chief Secretary remains. He has to tackle any problem of administration or law that may arise. He can, with the approval of the CM, send for the concerned secretary to answer that particular question. Normally the Chief Secretary as Cabinet Secretary does not intervene in the discussions. If any minister or the CM asks for his views on a particular matter he replies. In a few cases where I felt that the discussions were proceeding on a misconception of administrative or financial problems I have, with the permission of the CM intervened to clear the misconception. Subjects to these observation, as all Cabinet discussion have to remain secret and cannot be revealed legally.

Thus authentic details regarding the internal functioning of the Cabinet meetings are difficult to obtain through official source.

As Secretary to the Council, the Chief Secretary performs a variety of functions. It may be pointed out that in Assam there is no separate Cabinet Secretariat Department to assist the Chief Secretary in performing his role as Secretary to the Council of Minister. Here the Cabinet Cell of the Political Department deals with the activities which could help the Chief Secretary to perform his role as Cabinet Secretary. In some of the Indian states there is full-fledged Cabinet Secretariat Department. For e.g. Government of Rajasthan has a full-fledged Cabinet Secretariat department which performs large number of functions which can be broadly categorized as under:

1. Work pertaining to the Cabinet meetings.
2. Matters relating to the other states, the Union and the constitution.
3. Instructions received from Government of India and important decisions taken in various conferences.
4. Matters relating to cash award and merit certificates.
5. Matters relating to the conference of the Senior Administrative Officers, Collectors and Superintendents.

6. Discretionary grants of Governor, Chief Minister and other Ministers.

7. Functions pertaining to Parliamentary and Assembly Questions

8. Collection and compilation of data.


10. Miscellaneous functions

Some of the important role of the Chief Secretary as Cabinet Secretary could be analyzed in the following manner;

**A. Work pertaining to Cabinet meetings.**

**B. Participation in the policy formulation process.**

**C. Role in the follow-up of the implementation of Cabinet decisions.**

**A. WORK PERTAINING TO CABINET MEETINGS**

The Chief Secretary derives his power from the Rule of Executive Business framed by the Government of Assam under article 166 of the Constitution of India. The said article provides that the Governor shall make rules for the more convenient transaction of the business of the government of state. In the State of Assam, the Assam Rules of Executive Business was first framed in 1968. The Rules are, however subject to amendment from time to time. It seems pertinent to note that though the Chief Secretaries function in all the states of India, yet the Indian Constitution has not made any specific provision for this office. Hence the office of the Chief Secretary is a non statutory post and has developed merely as a convention.

The Cabinet shall meet as such place and time as the Chief Minister may direct. Part II of the Rule of the Executive Business deals with working of the Cabinet meeting in Assam. The Rule 13 of The Rules of Executive Business, Government of Assam provides that the Chief Secretary, or such other officer as the Chief Minister may appoint, shall be the Secretary to the Cabinet. As per Rule 14 of Rule of Executive Business following are the cases that should be submitted to the Chief Minister through the Chief Secretary after
consideration by the Minister, with a view to obtaining his orders for consideration at a meeting of the Cabinet as mentioned in the Second Schedule:

Cases Mentioned in the Second Schedule:

1. Proposals for the appointment or removal of the Advocate General or for determining or varying the remuneration payable to him.

1. (A) Proposals for the appointment or removal of the Chairman, Assam State Electricity Board except temporary officiating arrangement which can be made by the department with the approval of the Chief Minister.\(^{11}\)

2. Proposals for recruitment from open market to the post of grade I and II of the Assam Legal Service including appointment of Legal Remembrancer\(^ {12} \).

3. Proposals to summon prorogue or dissolve the Legislature of the State.

4. Proposals for the making or amending rules regulating the recruitment and conditions of service of-
   
   (a) Persons appointed to the Secretariat Staff of the Assembly [Article 187(3)];
   
   (b) Officers and servants of the High Court under the Article 229, provision to clauses (1) and (2);
   
   (c) Person appointed to the public service and posts in connection with the State (provision to Article 309)

5. Decision on questions arising as to whether the Member of a House of the Legislature of the State has become subject to any disqualification under Article 191 and any proposals to refer such questions for opinion of the Election Commission, any proposal to recover or to waive recovery of the penalty due under Article 193.

6. The Annual Financial Statement to be laid before the Legislature.

7. Proposals relating to rules to be made under Article 208, clause (3).

8. Proposals for the making or amending rule under the Article 234.

9. Proposals for the issue of a notification under the Article 237.

10. Any Proposal involving any action for the dismissal, removal or suspension of a member of the Public Service Commission.

11. Proposals for making or amending regulation under the Article 318 or under the proviso to clause (30 of Article 320).
12. Report of the Public Service Commission on its work [Article 323 (2)] and any action proposed to be taken with reference thereto.

13. Proposals for legislation including the issue of ordinance under Article 213 of the Constitution.

14. Proposals for the imposition of a new tax or any change in the method of assessment or the pitch of any existing tax or land revenue or irrigation rates or for raising of loans on the security of revenues of the State or for giving of a guarantee by the Government of the State.

15. Any proposals which affects the finances of the State which has not the consent of the Finance Minister.

16. Any proposals for re-appropriation to which the consent of the Finance Minister is required and has been withheld.

17. Proposals involving the alienation either temporary or permanent or of sale, grant or lease of Government property exceeding Rs.1lakh in value or the abandonment or reduction of revenues exceeding that amount except when such alienation, sale, grant or lease of Government property is in accordance with the rules or with a general scheme already approved by the Cabinet.

18. Proposals involving any major policy or practice.
   A. Proposals to vary or reverse a decision previously taken by the Cabinet.

19. Any proposal for the institution or withdrawal of a prosecution, suit or other court proceedings by Government against the advice tendered by the Law Department.

20. Proposals involving any important alteration in the conditions of service of the members of any All India Service.

21. Reports of the Committees or Commissions of Inquiry appointed by the Government on its own initiative or in pursuance of a resolution passed by the State Legislature.

22. Proposals to act otherwise than in accordance with the advice of the Public Service Commission.
   (A) Proposals which adversely affect the operation of the policy lay down by the Central Government.

23. Cases required by the Chief Minister to be brought the Cabinet.
However, in practice, such cases are submitted to the Chief Minister only after they are examined by the Minister—in charge, as the case may be, with a view to obtaining his orders for circulation of the case under Rule 15 or for bringing it up for the consideration at a meeting of the Cabinet.

The Chief Secretary may direct that any case referred to in the Second Schedule may instead of being brought up for discussion at a meeting of the Cabinet, be circulated to the Ministers for opinion and if all the Ministers are unanimous and the Chief Minister thinks that a discussion at a meeting of the Cabinet in unnecessary, the case shall be decided without such discussion. If discussion at a meeting is necessary, the case shall be discussed at a meeting of the Cabinet.

If it is to circulate for opinion any case to the Ministers, copies of all papers relating to such case which are circulated among the Minister shall simultaneously be sent to the Governor. In cases which are circulated for opinion under Rule 15, the Chief Minister may direct, if the matter be urgent, that if any Minister fails to communicate his opinion to the Secretary to the Cabinet by a date to be specified by him in the Memorandum for circulation, it shall be assumed that he has accepted the recommendation contained therein. If the Ministers have accepted the recommendation contained in the Memorandum for circulation or the date by which they were required to communicate their opinion has expired, the Secretary to the Cabinet shall submit the case to the Chief Minister. If the Chief Minister accepts the recommendations and if he has no observation to make, he shall return the case to the Secretary to the Cabinet, who will pass it on to the Secretary concerned who will thereafter take steps to issue the necessary orders.

When it has been decided to bring a case before the Cabinet, the Department to which the case belongs shall, unless the Chief Minister otherwise directs, prepare a Memorandum indicating with sufficient precision on the salient facts of the case and the points for decision. Such Memorandum and such other papers as are necessary to enable the case to be disposed of shall be circulated to the Ministers. Copies of the Memorandum and other papers shall at the same time be sent to the Governor.
In cases which concern more Ministers than one, the Ministers shall attempt by previous discussion to arrive at an agreement. If an agreement is reached the Memorandum shall contain the joint recommendations of the Ministers and if no agreement is reached, the Memorandum shall state the point of difference and the recommendations of each of the Ministers concerned.

After an agenda paper showing the cases to be discussed at a meeting of the Cabinet has been approved by the Chief Minister, copies thereof, together with copies of such Memoranda shall be sent for circulation by the Secretary to the Cabinet, to the Chief Minister and other Minister so as to reach them two clear days before the date of such meeting. The Chief Minister may, in the case of an emergency, curtail the said period of two days. Copies of the agenda and the Memoranda shall at the same time be sent to the Governor.

Except with the permission of the Chief Minister, no case shall be placed on the agenda of a meeting unless papers thereto have been circulated as required by him. If any Minister in on tour, the agenda paper shall be forwarded to the Secretary in the Department concerned who, if considers that the discussions of any case should await the return of the Minister, may request the Secretary to the Cabinet to take the order of Chief Minister for postponement of the discussion of the case until the return of the Minister.

The Chief Minister or, in his absence, any other Minister nominated by him shall preside at a meeting of the Cabinet. The Secretary to the Cabinet shall attend the meetings of the Cabinet and shall prepare a record of the decisions. He shall forward a copy of such record after approval by the Chief Minister or by any other Minister presiding, to the Chief Minister, other Cabinet Minister and the Governor.

When a case has been decided by the Cabinet after discussion at a meeting, the Minister concerned shall take action to give effect the decision. If, however, any deviation is proposed to be made from that decision, the case shall be submitted to the Chief Minister by the Minister concerned and further action on it will be taken according to any directions of the Chief Minister. The Secretary in the Department concerned will in each such case cause to be supplied to the Secretary to the Cabinet such documents as the latter may require to enable to maintain his record the case.
The record of the case to be maintained by the Secretary of the Cabinet shall consist of (i) a copy of all papers circulated and records prepared under Rules 16, 17 and 19(ii) and all documents supplied under sub-rule (1) of this Rule.

**INSTRUCTIONS REGARDING CABINET MEMORANDUM:** The instructions regarding submission of Cabinet memoranda for Cabinet meeting, have been issued from time to time and are as follows:--

1. After obtaining the orders of the Ministers-in-charge, the Secretary of the Department or in his absence an officer not below the rank of Deputy Secretary will obtain the approval of Chief Minister direct (and not through Appointment Department) for placing the matter before the Cabinet.

2. The concerned Department will be consulted by the Administrative Department, where necessary, before putting up the matter to the Chief Minister and their views will be incorporated in the draft Cabinet memorandum.

3. In drafting the memoranda a uniform pattern will be adopted as follows:--

   (1). Title—The title of the cabinet memoranda will be given in the following form:

   Memoranda for the cabinet

   (2) Subject—The subject of the cabinet memorandum will be selected carefully so as to indicate clearly the matter discuss therein, for example: “Revision of allowances of nursing staff”.

   (3) Facts of the case—The points in issue will be brought out clearly one by one indicating necessity for proposed action, previous decisions, if any, similar practices in other departments/Governments, the advantages or disadvantages of a proposal or alternatives available etc., and the recommendation of the Administrative Department on each of the points.

   (4) Comments of the other Departments—The comments of other Departments will be given verbatim as far as possible. In any case, the comments included should be faithful to the comments made. In case of Service Rules sometimes reproducing the all comments of the Departments should be included.
(5) Point or points on which decision is required—The Administrative Department and the Ministers as soon as the point or points on which is required.

4. The memorandum will be signed by the Secretary of the Department or in his absence an officer not below the rank of Deputy Secretary.

5. The memorandum will be sent to the Political Department for circulation to the Governor and the Ministers as soon as it is ready without waiting for the exact date of the Cabinet meeting.

6. All memoranda for Cabinet meeting will be sent to the Political Department within the prescribed time limit with 20 (twenty) or such number of spare copies as may be laid down by Political Department. The Administrative Department will see that all the copies are legible.

7. Where the Administrative Department requires a memorandum to be circulated to any officer other than the Governor and the Ministers, this will be done by the Department itself.

8. Where a proposal is of an emergent nature and it is not possible to send it to the Political Department within the time limit prescribed in paragraph 6 above, the Secretary concerned may, with the previous permission of the Chief Secretary, circulate the memorandum direct to the Governor and the Ministers, sending a copy of it to the Secretary to the Cabinet (Chief Secretary) together with the prescribed number of spare copies.

9. The important items, discussed in the Cabinet Meeting without formal Cabinet memoranda are known as “Informal items”. In such cases, brief notes are sometimes required and care should be taken that they are raf ted, as far as possible on the lines mentioned in paragraph 3.

10. The cabinet decision, being confidential, should be pasted on note sheet and not kept on the correspondence part.

The Chief Secretary being the ex-officio Secretary to the Cabinet attends all the meetings of the cabinet and may also attend all the meetings of the sub-committees thereof. He arranges for the recording of the decisions taken in the Cabinet meetings and forwards a
copy of such record to each of the ministers, including the Chief Minister, Ministers of
state, Deputy Ministers as also to the Governor.

The above discussion gives an idea of the formal duties and responsibilities of the Chief
Secretary pertaining to the conduct of Cabinet meetings. The Chief Secretary sometimes
discusses important cases with the Chief Minister prior to holding of Cabinet meetings.
The circulation of the memorandum is done at the level of the Deputy Secretary of the
Cabinet Cell of the Political Department. When a Cabinet meeting is to be convened, the
agenda papers are prepared by the Assistant Secretary of the Political Department, but
these are approved by the Chief Secretary before the circulation. The agenda is prepared
in accordance with the requirement of the administrative situation.

**B. PARTICIPATION IN THE POLICY FORMULATION PROCESS**

**Policy Formulation:**

The process of policy formulation is the governmental function. It is true that in a
democracy people’s representatives do form a link between the administration and the
people, and policy formulation is the responsibility of the political executive i.e. the
ministers, the bureaucracy is expected to play an important part in the policy formulation
and decision-making. As B. Sivaraman says:

“The administrator is gradually becoming the policy maker in quite a large number of fields of
government control in the country. The Greater the trend towards a welfare state and the greater
the emphasis on social justice, the more the programme becomes multifaceted and multi-
organizational; as a result, the expert coordinator assumes the role of a policy guide and ultimately
the policy maker.”  

The members of the higher civil services not only advice the ministers in the formulation
of policy, they indirectly influence decision-making. Policy in this context indicates a
basic decision, from which a chain of specific decision follows as a consequence. S. Lall
rightly analyses the impact the higher echelons of the services make on public policy.
While, in theory, civil servants are supposed to advice ministers about the practical
advantages and disadvantages of a particular policy or course of action, and not at all on
its political aspects in reality, the political and practical considerations are often
inseparable.
The search for a correct role of the administrator in policy making reveals that the real policy is made by the civil servants. K.B. Saxena has put forward several reasons for such an assessment. As the minister is a member of Cabinet Committees, a member of the House, and a leading member of the political party, it is virtually impossible for him to devote enough attention to the broad policy matters of his department. Inevitably, the minister has to rely heavily on the advice he receives from the high-ranking officials. Secondly, the minister has no expertise. A minister coming fresh to a department is generally unfamiliar with the subjects and needs the co-operation of the officials. Thirdly, the minister has only to choose between alternatives in respect of a proposal and the limited alternatives are usually presented to him by the officials. Finally, as the ministers change frequently and the civil servants remain permanent in government, it is natural that the later acquire more power in the process of formulating policies.  

As an eminent scholar puts it:

“Though it is true those ministers are nearer to public opinion than administrators, the latter are nearer to facts than the former. That places the Higher Civil Services in a special position in the matter of policy formulation.”

Whereas most public policy decisions are taken in the political arena, most policy planning and implementation takes place in the bureaucratic arena. While formulating public policies, a large number of factors are taken into consideration, particularly because of a variety of sub system such as legislature, judiciary, political executive, administrative executive, political parties, pressure groups and people, participate-manifestly or latently—in the process of policy formulation. At the state level the policy formulation, at least in the formal sense, is the sole concern of the Cabinet, i.e., the Chief Minister and his senior colleagues. But the Chief Secretary in his capacity as the Cabinet Secretary acts as the focal person or the central actor of this process. A Chief Secretary’s association with the policy formulation body is not an innovation of the post-independence India. It is one of the oldest and traditional functions of the Chief Secretary in a state to act as Secretary to the council of Ministers or as Cabinet Secretary. This practice had continued since then and the highest civil servant of the state i.e., the Chief
Secretary, works as the ex-officio Secretary to the Council of Ministers as the Cabinet secretary.

The Chief Secretary while attending the meetings of the Cabinet may be asked to express his opinion on important matters. He acts as the main source of information and advice to the C.M. and other ministers. As the Secretary to the Council, he attends all the meetings of the Cabinet. His presence in the Cabinet meetings becomes crucial because the ministers present are elected by the masses and, they are prone to be easily swayed by the winds of public opinion and, sometimes, only to please their constituency, they pressurize the C.M. to take decisions that might not be proper in the long run. Here, the Chief Secretary, with his long administrative experience, "may be in a position to strike a balance between the policy preferences of the politicians and their implementation ramifications"

This way he participates informally in the policy making process in the top echelons of the state administration. Though constitutionally, the formulation of policies is the business of the Chief Minister and the Cabinet, in actual practice it is the higher civil servants and especially the Chief Secretary who act as the main source of information and advice.23

As already mentioned, normally a Cabinet meeting is called as and when the Chief Minister of the State wishes but in certain emergency circumstances more meeting can be convened or an emergency meeting can be called to discuss any exigency. This is done when certain crucial matter of urgent importance to the state government is to be examined and discussed. The duration of a Cabinet meeting is normally about three hours but on occasions it may go on for a longer period, depending upon the nature of cases on the agenda. A Cabinet meeting is generally attended the Chief Minister, the Cabinet Ministers, the Chief Secretary, the Secretary to the Chief Minister and the Deputy Secretary of the Political Department. The Secretaries and Ministers of state are called to attend the meeting only when matters relating to their department are discussed. The Chief Minister presides over the meeting and in his absence, a minister nominated by him—generally the senior most minister-presides over the meetings and in his absence,a
minister nominated by him—generally the next senior most minister—presides over the meetings.

The Chief Secretary attends all the Cabinet meetings in his capacity as Cabinet Secretary. Generally, Cabinet meetings are not held if the Chief Secretary is on leave or out of station or is unable to attend the meeting on account of other reasons. It is especially so when some cases of major importance concerning a large number of departments are discussed. But, sometimes, if only a few minor matters are to be discussed, meetings may be held even in the absence of the Chief Secretary. In such cases the Additional Chief Secretary would substitute for the Chief Secretary. The records all the proceedings of the Cabinets and the minutes of the meeting are recorded by the Chief Secretary which is to be finally approved by the Chief Minister.24

In some other Indian states where there is Cabinet Secretariat Department, normally the Deputy Secretary of the Cabinet records the all the proceedings and minutes and show those things to the Chief Secretary before final approval from the Chief Minister. During Cabinet meetings, the Secretaries of those departments, whose cases are taken for discussion, are to be present in office or at least available on telephone. They may be called to attend a meeting if so desired by the Chief Minister.25

In the Cabinet meetings, the agenda is normally followed, but sometimes other important matters are raised for discussion which are not in the agenda with the permission of the Chair, i.e., the Chief Minister, or in his absence, the minister presiding over the meeting. The discussions which take place in a Cabinet meeting generally are more political than administrative in nature and character. The major concern of the members of the Cabinet remains with the practical implications of a decision—whether it would be palatable to the people at large. This is, however, unavoidable because the Ministers are ultimately people’s representatives and while taking any final decision, they have to keep in mind as to how the government policies will be received by the people. The Ministers with a view to sustaining their influences in their constituencies, are interested in inducing such decisions which are likely to arouse mass acceptance. In this process, certain decisions may be taken in the cabinet which are difficult to be implemented on account of scarce resources or administrative constraints involved. It is here that the presence in the Cabinet
meetings of a senior civil servant such as Chief Secretary becomes of crucial significance. With his long experience of administration in the state and wide knowledge of the problems involved in this realm, he is in a sound position to strike a balance between the policy preferences of the politicians and their implementation ramifications.

Usually, the Chief Minister, and at times even a Minister, seeks the Chief Secretary’s assistance in getting necessary information relating to policy matters. In the Cabinet meetings the Chief Secretary’s advice may also be sought on certain administrative matters. On occasions, the Chief Secretary may even intervene in a discussion and expresses his opinion on the subject under discussion. Though it is not obligatory on the part of the Chief Minister or other Ministers to accept the Chief Secretary’s suggestions, yet generally his suggestions are given due weightage and are accepted. But, there have been cases when the advice tendered by a Chief Secretary has not been accepted. This happened only in such cases where political considerations are given more weightage than any other considerations. In a politically homogeneous cabinet, the influence of the Chief Secretary is likely to be more, while conversely, if the cabinet, politically speaking, has groups and sub groups, the Chief Secretary’s suggestions and comments may become subservient to the pressures of the political exigencies. An important point is that in the minutes of the Cabinet meetings no reference is made to the fact that any idea or suggestion emerged from the Chief Secretary. He remains “anonymous” in the minutes. It is only cabinet memos that a mention is made of the suggestions advanced by the Chief Secretary. 26

In brief, the Chief Secretary plays a positive role in the final policy decision. The Chief Secretary’s opinion is on record in all matters which are referred to the Cabinet and since his advice is generally accepted, his is a critical role in the final formulation of policies. But much depends upon the personality, capabilities and influence of the person holding the post of the Chief Secretary. Chief Minister Sarat Chandra Singha had given Assam an efficient administration with the assistance of Rana K.D.N.Singh as Chief Secretary who with wide experience in the Government of India and UN bodies, gave the kind of support that an organized bureaucracy is supposed to give. He made the system work and deliver exacting standards by his own conduct. He was much admired all round. 27 Similarly Chief Secretary A.N.Kidwai, Nari.K.Rustomji, and more recently H.N.Das
played their role as Cabinet Secretary in a responsible manner and in most of the cases their advice was well accepted in the Cabinet meetings. The decisional process involves enormous responsibility and hence sometimes there is temptation in the politico-administrative circles to avoid taking of a decision than to take one and bear the responsibility for the same. However, the senior civil servants and more so the Chief Secretary cannot pass the buck easily. Essentially, senior civil servants do not relish a state of non-decision making, but it is only in situations of political uncertainty and ambivalence that they become hesitant in using their discretion in decision making. The significance of taking decision by a civil servant is beautifully expressed by Dharma Vira in the following exhortation to senior administrators:

"Two things you must always do. One is to take decision and to take it quickly, right and wrong. Most often you are likely to be right in your decision. But, even you are wrong, less damage will be done than by not taking a decision. And, the second thing is that you are an executive officer, you should keep your mouth shut as far as possible. The less you talk less trouble you will get into--------. Talking is the task of politicians. You will be judged by your actions and not by your talks. So you better speak less and act more."

Thus, the Chief Secretary, by logic of circumstances, participates informally in policy or decision making at the Cabinet meetings. According to the opinion of the some of the retired Chief Secretaries the practice in Assam has always been that the Chief Secretary’s opinion is generally accepted by the Cabinet. It is because he puts forth his views after analyzing the situation from the point of view of administrative feasibility. Thus the Chief Secretary is expected to have his hand on the pulse of entire administration to enable him to render valuable assistance to the Cabinet and to provide guidance to the departments of the government.

C. ROLE IN THE FOLLOW-UP OF THE IMPLEMENTATION OF CABINET DECISIONS:

When a decision is arrived at by the Cabinet, it is the task of the secretary of the concerned department to implement that particular decision. Here, the Chief Secretary plays an effective supervisory role, as the most important cases of the various departments are sent to the Chief Secretary for final decision or for onward transmission to the C.M. or the concerned ministers.
The responsibility of the Chief Secretary do not end with efficient conduct of Cabinet meetings and with his participation in the policy and decision making processes. The follow-up of the implementation of Cabinet decision is a much more critical task to be performed by the Chief Secretary. When a matter has been decided by the Cabinet or a sub-committee thereof, after discussions at a meeting, the Secretary of the concerned department takes action to give effect to such a decision. The decision of the Cabinet relating to each case is separately recorded and after being approved by the Chief Minister or any other Minister presiding, a certified copy thereof is placed with the record of the case. A copy of the record of decision is also sent to the Governor.

When a decision is arrived at in a particular manner, it is for the Secretary of the department concerned to act upon it as per the decision of the Cabinet. In the departmental execution of the decision taken also, the Chief Secretary plays an effective supervisory role, for the most important cases of various departments are generally sent to the concerned Minister of the Chief Minister. As per the Rules of Executive Business of the Government of Assam all important cases involving adoption of new schemes are to be submitted by the concerned Secretary to the concerned Minister through the Chief Secretary.

The Chief Secretary is empowered to see any papers relating to any case in any department and any such request by him is to be complied with by the Secretary of the department concerned. The Chief Secretary, after examining such cases, may submit them for the orders of the Ministers concerned. Sometimes a question may arise as to the specific department to which a case properly belongs. Such matters are referred for the decision to the Chief Secretary who, if he considers necessary, may obtain the orders of the Chief Minister in a matter.

5.3. Chief Minister –Chief Secretary Relationship in Assam:

After discussing the role of the Chief Secretary as Cabinet Secretary it would be appropriate to discuss Chief Secretary’s relationship with the Chief Minister. The significance of the position of the Chief Secretary depends upon the Chief Minister’s style of working and the confidence he reposes in the incumbent of this office. Here an
attempt has been made to narrate the Chief Minister –Chief Secretary Relationship in Assam.

Assam had been ruled uninterruptedly by the Congress, from independence up to 1978. The Chief Ministers were Gopinath Bordoloi, Bishnuram Medhi, B.P. Chaliha, M.M. Choudhury and finally Sarat Chandra Sinha. The Congress lost the 1978 Assembly election. Since then, the State has had a Janata Government under Golap Borbora, a short lived Assam Janata Dal Ministry headed by J.N. Hazarika, a long spell of President’s rule, then a short lived Congress Ministry headed by S.A. Taimur, another period of President Rule and a second short-lived Congress Ministry under K.C. Gogoi. From march 1982 onwards, Assam was again under President’s Rule and in the subsequent controversial election Hiteswar Saikia became the Chief Minister. After that Prafulla Kumar Mahanta became the Chief Minister of Assam with the emergence of AGP but could not complete the full term entirely. President’s rule was imposed because of deteriorated law and order situation. Hiteswar Saikia became the Chief Minister for the second time in 1991 election. There after again Prafulla Kumar Mahanta became the Chief Minister for the second term in 1996. But in the 2001 election the Asom Gana Parishad was defeated by the Congress and Tarun Gogoi became the Chief Minister. Since then he has been the Chief Minister of Assam till date.

The following table shows the name of Chief Secretaries who worked under different Chief Ministers:

**Table 5.3**

Chief Secretaries worked under different Chief Ministers of Assam since 1972

<table>
<thead>
<tr>
<th>Name of Chief Ministers</th>
<th>Name of Chief Secretaries</th>
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<tr>
<td>1. Sarat Ch. Sinha (31.01.1972-12.03.1978)</td>
<td>1. Dharmananda Das</td>
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<td></td>
<td>2. K.G.R. Iyer</td>
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<td></td>
<td>3. B.K. Bhuyan</td>
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<td></td>
<td>4. Rana K.D.N. Singh</td>
</tr>
<tr>
<td></td>
<td>5. S.M.L. Bhatnagar</td>
</tr>
</tbody>
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2. Golap Borbora (12.03.1978-09.09.1979) 1. S.M.L. Bhatnagar
2. R.S. Paramshivam
3. B.S. Sarao
(During the leave of Paramshivam)

2. B.S. Sarao
(During the leave of Paramshivam)


2. P.H. Trivedi
3. A.K. Palit
4. Mrs. P.P. Trivedi

2. J.C. Nampui
3. A.K. Saikia
4. S. D. Phene
5. A.P. Sarwan
6. H.N. Das

2. A. Bhattacharjee

9. Dr. Bhumidhar Barman (22.04.1996-14.05.1996) 1 A Bhattacharjee
2. T.K. Kamilla

10. Prafulla Kumar Mahanta (15.05.1996-17.05.2001) 1. T.K. Kamilla
Gopinath Bardoloi the first Chief Minister of Assam had a very forceful Chief Secretary in the person of S.P. Desai, who spent 30 years in this State. He was upset to see that the Govt.of India being easily influenced by all sorts of intelligence reports and propaganda of the time regarding the settlement of refugees that he wrote on 15th June to HVR Iengar, Secretary to the Govt.of India:

“It appears that there was a risk of the Government of India, situated as they are far away from this part of India, being misled into wrong actions by too uncritical a reliance on the reports of the agency specially maintained by them. The source of information which the agency had to draw upon have naturally to be the Bengali Hindu, add to this the fact that the agency itself is probably in a large measure Bengali Hindu in composition. Allowance has to be made these factors in information coming from these sources and through such channels and has to be properly evaluated”

Desai ended his dispatch saying: “Here again we as a Govt. who have to consider action are likely to have standards which are different from yours”

Patel got so furious at reading this dispatch that he insisted Chief Minister Bardoloi change his Chief Secretary at once. To the new Governor of Assam Jairamdas Daulatram, Patel wrote that Desai’s remarks showed the extent to which provincial bias can blind a man and the danger of having as the Chief Adviser of the ministry a person who identifies himself with the prevailing “provincial prejudices”
Patel saw in Desai “an unshakable prejudice against Bengalis”. But it proved to be completely unfounded. Only a few weeks after Patel’s letter, Jairamdas Daulatram informed Patel what Mukherjee, the Chairman of the Commission of Inquiry for Assam and Bengal under the Delhi Pact, thought about Desai. Mukherjee admitted that Desai was a very hard working and honest officer who really had no provincial prejudices. He had told Daulatram that Desai supported Bengali against Assamese and vice-versa on merits of the cases. Even this clarification from Centre’s Chief Agent in Assam did not change Patel. He continued to insist on and eventually acquired his “pound of flesh”—early retirement of Desai.

Bishnuram Medhi who succeeded Gopinath Bordoloi as Chief Minister of Assam was frank in dealing with affairs of the government without realizing that in administration tact was important than frankness. It was for this that New Delhi’s corridor of power had misunderstood Medhi and his well meaning policies on certain matters such as the rehabilitation of East Bengal refugees about which the Centre had in Medhi’s view followed a generous policy that he possibly felt went counter to the interests of the indigenous population. Within a few months of Medhi’s assumption of office of the CM in 1957, the Union Home Ministry sent A.D. Pandit, a senior ICS officer, as Chief Secretary of Assam, apparently to tone up the administration in the State to cope with the various problems but actually to oversee the working of the Medhi administration and to report secretly to the Centre. The Chief Minister was not aware of this concealed fact and soon found the new Chief Secretary obstructive to Medhi’s way of functioning even in matters vital to the interest of Assam. In the process differences of serious nature erupted between Chief Minister and Chief Secretary. Ultimately Pandit had to leave Assam. Although Medhi won the battle, the Centre was not happy with Medhi’s administration in particular Medhi’s handling of the Tribal Affairs caused serious misgiving in New Delhi which was worsened by the anti-Medhi lobby of a section of the Assam MPs at that time. However Medhi completed his five year term from 1952 to 1957, but soon after the General Election of 1957 the move to oust Medhi from office was vigorously pursued by the Central leaders in the matter. The problem was to find out an honourable berth for Medhi after his ouster. Ultimately, the centre appointed him Governor of Madras which Medhi had to accept though somewhat unwillingly in December, 1957.
Though the Centre can play a role under certain circumstances in removing a Chief Secretary but ultimate power rests with the Chief Minister who can take the final decision. A situation arose in 1979 when Jogen Hazarika was the Chief Minister of Assam for a brief period of time. His working relation with the then Chief Secretary R.S.Paramshivam was not good and gradually deteriorated. It was exactly this time that the historic six year long Assam Movement on foreigner’s issue was picking up gradually. The Chief Secretary R.S.Paramshivam was removed from Assam scene for his alleged sympathy for Assam’s problem in connection with revision of electoral roll so that every foreigner’s name was deleted. Accordingly he was reportedly force to go for long leave during the tenure of Assam Janata Dal Govt. led by Chief Minister of Assam Jogen Hazarika at the instance of the leaders of some supporting partners of the then Government including Congress (U),Congress(I) and also some important ministers belonging to the Assam Janata Dal.B.S.Sarao the additional Chief Secretary was appointed to officiate as the Chief Secretary. The sudden leave granted to Chief Secretary at a time when the State was facing some peculiar problem including that of law and order came as a surprise. There were some misgivings even in the public mind that some political pressure to certain extent worked in effecting the sudden change.

Removal of Chief Secretary Paramshivam created public resentment. Chief Minister Jogen Hazarika when he was on his way to Janata Bhawan,about a thousand of workers of the Asom Jatiyatabadi Dal gheraoed him. The Chief Minister had to assure the leaders of the organization that he would reconsider the decision regarding the transfer of the Chief Secretary after discussion with his Cabinet colleagues.Nagoan Students Union and Sangram Parishad also staged a demonstration shouting slogans against the reported suspension of Hiranya Bhattacharya,DIG,and leave granted to R.S.Paramshivam by the Assam Government which the demonstrators alleged that it was ‘politically motivated”. The processionist submitted a memorandum to the Government through the Deputy Commissioner which demanded cancellation of suspension of order on H.Bhattacharya and allow Paramshivam to continue as Chief Secretary.
The Assam Tribune wrote in its Editorial “CM’s Statement”:

….As regard Sri Hazarika’s statement on the Govt’s anxiety to see that the electoral roll are correctly prepared, the proof of the pudding will be in the eating of it. Already something like 3 lakh objections have reportedly filed and it is the Govt’s duty to see that every foreigner’s name in the electoral roll is deleted. Interested elements are bent upon creating trouble so that the Government has to remain engaged in other issues allowing little time to go through the voter’s list which is the need of the hour. In such a critical period with time running out, it is not understood why the Chief Secretary to the Govt. of Assam who had been able to make a proper assessment of the situation had to be removed suddenly. 

Because of political uncertainty President’s Rule was imposed in Assam. Under the changed political scenario the then Governor of Assam L.P. Singh called back Paramshivam and he took over charge as the Chief Secretary to the Government of Assam thereby relieving B.S. Sarao, Additional Chief Secretary.

During the time of Assam agitation, according to ONGC headquarters, oil exploration in Assam had been severely hit because of the picketing. The Chief Secretary of the State being the administrative head of the state has to ensure that normal life is not disturbed because of bandh. During the period of Assam Agitation the Government prohibited strikes in thirteen different essential services in Assam under the ESMA. The Notification covered the postal, telegraph and telephone services, railways, road transport, water transport, aerodromes, armed forces and defence establishments. Since the State was under the President’s Rule, Mr. H.C. Sarin was appointed as Principal Adviser on 20th of April, 1980. A few days later, it was announced that the Chief Secretary, Mr. Paramasivam, was going on long leave with effect from 1st May; with Mr. Ramesh Chandra, Chief Secretary of Meghalaya taking over from him.

When the Capital of Assam was shifted from Shillong to Dispur in 1974 with the creation of the State of Meghalaya in 1972, Sarat Chandra Sinha was the Chief Minister of Assam. Five Chief Secretaries worked under Sarat Ch. Sinha’s Chief Ministership and those were: Dharmananda Das, KGR Iyer, B.K. Bhuyan, Rana K.D.N. Singh and S.M.L Bhatnagar. Dharmananda Das remained Chief Secretary for about five years. He had a good working relationship with the Chief Minister. After the superannuation of Dharmananda Das, Chief Minister invited KGR Iyer who was on central deputation to take over as Chief Secretary. But unfortunately he expired on the day of joining. At that
moment the next senior officers were all outside the state on central deputation. Under that circumstances the Chief Minister Sarat Ch.Sinha appointed the additional Chief Secretary B.K.Bhuyan as acting Chief Secretary and he continued as Chief Secretary for about less than year.Rana K.D.N.Singh joined as Chief Secretary on 3rd May 1976 and he took over from B.K.Bhuyan.Prior to joining as Chief Secretary he was on deputation to the United Nations Industrial Development Programme and was serving as Project Director of Major UN Project of the Development of the Capital Goods Industries in Mexico. Both Sinha and Rana because of their interpersonal skills and qualities they developed shortly an excellent rapport with each other, which was based on mutual admiration and respect. This was evident from the fact that both of them used to address jointly different meetings and thereby inference can be drawn that they had a very good working relations. Rana used to address press conferences giving details of the Government plan for taking different steps for bringing the administration closer to the people by implementing the 20 points programmes which was initiated by the then Prime Minister Indira Gandhi. Even prior to his assignment as Chief Secretary he had close understanding of the different problems of the state. It may be recalled here when the news of fall of Tawang and Bomdilla was eminent due to the advances of the Chinese Army in 1962, the then Deputy Commissioner of the undivided Darrang District Dr.P.K.Das, IAS fled to Calcutta in a courier Plane leaving the District without the administrative head during the crisis of greatest magnitude. Rana K.D.N.Singh was sent to take over the charge of the district. Rana K.D.N.Singh received fullest co-operation from his junior colleagues in maintaining law and order in the ghost town where any thing could have happened. After Rana, S.M.L. Bhatnagar became the Chief Secretary and he equally maintained the spirit of professionalism of an organized bureaucracy like that of his immediate predecessor.

After Sarat Ch.Sinha, Golap Borbora became the Chief Minister and S.M.L. Bhatnagar and R.S.Paramshivam provided full support of the bureaucracy respectively as Chief Secretary and there was no reported case of any tension between the two heads of the administration. When Jogen Hazarika became the Chief Minister he had to inherit the Chief Secretary R.S.Paramshivam who was appointed during the term of Golap Borbora. The relation between Jogen Hazarika and Chief Secretary R.S.Paramshivam
deteriorated as explained earlier and the Chief Secretary was compelled to go for a long leave by the Chief Minister.\textsuperscript{41}

Removal of R.S. Paramshivam from the Assam scene created a lot of noisy scenario in the state and many public organizations and student bodies came openly demanding the revocation of removal order. The Jogen Hazarika Ministry could not survive more because of political instability. Subsequently the Presidential Rule was imposed and Paramshivam was called back to his post by the then Governor L.P. Singh. It is to be noted here that during the Presidential Rule, All Assam Students Union and Assam Ganasangram Parisad became more active with their Anti-Foreigners agitation which created a challenge for the Government for maintenance of law and order. Interestingly the same Chief Secretary Paramshivam reportedly made some adverse comment on women and also upon the role of the older generation for allegedly ‘misleading’ the younger generation. Several organization and leading citizens condemned the ‘deregatory’ and ‘provocative’ utterance of the Chief Secretary and observed that the language used by the Chief Secretary was ‘unbecoming of a civil servant’. The signatories of the statement were Birendra Kumar Bhattacharya, Lakshayadhur Choudhury, Girin Choudhry, K.K. Baishaya, Dilip Hazarika, M.C. Deka, Dizen Phukan and Dhiren Baruah. They said that the tone of the remark and use if such words as ‘cowardly’ ‘senseless’ ‘overnight netas’ and ‘mischief’ were unbecoming of a civilized administrator committed to the path of negotiation\textsuperscript{42}. It was presumed that because of such development that ultimately he took long medical leave on the plea that that he was not keeping well and he got appointment as officer on Special Duty in Cabinet Secretariat, Govt of India.\textsuperscript{43} However the State Government through a press release cleared that the Paramshivam had asked for a long leave on health ground much earlier and had granted accordingly\textsuperscript{44}. When Paramshivam left for Delhi Ramesh Chandra joined as Chief Secretary to the Government of Assam and prior to that he was the Chief Secretary of Meghalaya. The President’s Rule continued up to 5\textsuperscript{th} Dec, 1980.

After that Sayeda Anowara Taimur was able form the Govt. but for a brief period. President’s Rule was required to impose for the second time because of political instability from 30 June 1981 and that continued up to 13\textsuperscript{th} January 1982 and subsequently Keshab Gogoi became the Chief Minister which was also only for two
months. In both the case Ramesh Chandra was the Chief Secretary and there were no reported case of tensions in the Minister–Civil Service relationship at the highest level. Again there was Presidential rule in Assam for a period of almost one year from 19 March 1982 to 27 February 1983. In subsequent controversial election of February 1983, Hiteshwar Saikia became the Chief Minister. There were four Chief Secretaries during his tenure. They were the Ramesh Chandra, P.H. Trivedi, A.K. Palit and Mrs. P.P. Trivedi. During this period also there were no serious reported case of deterioration of Chief Minister and Chief Secretary relation in Assam. There was rarely any occasion of differences between them and through out their tenure they worked with full confidence and support.

In December 1985 there was a major change over in the State Government and for the first time a non-Congress regional political party came into power. After the signing of the Assam Accord on 15th of August 1985 and holding of election in the month of December of the same year the newly formed AGP captured the seat of Dispur. The New Government was headed by the Youth leader Prafulla Kumar Mahanta assumed office. Immediately after coming to power the AGP Government reshuffled the administrative set up by transferring as many as 21 high officials for ‘smooth’ functioning of the Government. During that period of the AGP rule there were six Chief Secretaries. They were Mrs. P.P. Trivedi, J.C. Nampui, A.K. Saikia, S.D. Phene, A.P. Sarwan and H.N. Das. Chief Secretary Mrs. P.P. Trivedi was appointed during the time of Hiteshwar Saikia. It became difficult for the new government to continue with the Chief Secretary appointed by the previous government. Accordingly she was removed and shifted to the post of Chairman of Assam Administrative Tribunal. This is an equivalent post carrying same salary but not the power and prestige of the post of Chief Secretary. She took central deputation and joined as Secretary Personnel, Govt. of India. It would pertinent to mention here that Mrs. P.P. Trivedi was the signatory of Assam Accord on behalf of the Government of Assam and being the signatory she owed the responsibility to implement the Assam Accord which she tried within her permissible limit. Reportedly the next choice of the Government for the post of Chief Secretary was S.D. Phene. Phene was holding the post of the Chairman, Administrative Tribunal when the AGP government came to power but since he was junior he was first promoted to additional Chief
Secretary and was practically running the administration during the intervening period of sudden shift of Smt. P.P. Trivedi and appointment of J.C. Nampui as the Chief Secretary\(^47\). J.C. Nampui was able to maintain good relation with the Chief Minister Prafulla Kumar Mahanta. His tenure was extended for having good working relation the Prafulla Kumar Mahanta. Even after his superannuation the then AGP government decided his to appoint him as Vice –Chairman of the Planning Board for the Hill Areas, Assam, with the status of Minister for State, for a period of three years.\(^48\) After the retirement of J.C. Nampui, A.K. Saikia was additional Chief Secretary and he was asked to continue as acting Chief Secretary to the Government of Assam. It is to be mentioned here that though S.D. Phene was senior to A.K. Saikia, but he could not be appointed immediately to the post of Chief Secretary as he was preoccupied with some important job being Chairman of the Assam Administrative Tribunal. Even prior to that when he was working as additional Chief Secretary the AGP Government appointed One Man Committee headed by him to enquire into various irregularities committed by the Forest department of the States since February 27, 1983.\(^49\) Soon after the completion of the assignment he took over as Chief Secretary and replaced A.K. Saikia who had been shifted to the Planning Commission as Adviser. Though Phene took over but the working relation between Chief Minister P.K. Mahanta and him was not satisfactory. Thus S.D. Phene also could not able to continue for long and was reverted to the post of Chairman of Administrative Tribunal. In place of S.D. Phene, A.P. Sarwan was appointed as the Chief Secretary.\(^50\)

Sarwan had good working relation with Mahanta but because of some steps that he was compelled to take against the then Chairman of Assam State Electricity Board, Jyoti Prasad Rajkhowa had created controversy in the administration. The trouble started on November 16, 1989 when the ASEB disconnected the power supply to the stadium Guest House in the peak stage of the Bordoloi Trophy tournament. An agitated Prabin Gogoi, supply Minister, a minister of Cabinet rank in the Mahanta Ministry, who was also the President of the Assam Football Association, rang up the ASEB Chairman, asking him to restore the power as two foreign teams were then playing. However the ASEB Chairman reportedly stuck to his officer’s decision as a bill of Rs. 2.48 lakhs was due to the ASEB from the Guest House.
The supply Minister then strongly wrote to the Chief Minister asking for stern action against the ASEB Chairman. He even reportedly threatened to resign if action was not taken against Rajkhowa.

The corridor of power was agog with activity on November 20, when the Chief Secretary A.P. Sarwan, passed an order asking the ASEB Chairman to proceed on leave. However the Government was stumped when the ASEB Chairman refused to go on leave by citing All India Service Rules. Rajkhowa also argued that the Government could not arbitrarily change the Chairman of an autonomous body like the ASEB.

The episode created a furore among the officers and employees of the Board. There was total support from them to their Chairman against the Govt. decision. They pulled up the Government for taking action against the Chairman when he was initiating efforts to collect outstanding dues to the Board. Even the power connection to the Cotton College was disconnected for outstanding bill. Ultimately the State Government had to cancel the order asking the ASEB Chairman J.P. Rajkhowa to proceed to leave. It was reported that the main actors of the episode, the ASEB Chairman, Rajkhowa and Probin Gogoi decided upon a compromise in the presence of three Cabinet Ministers, Forest Minister S.N. Medhi, Health Minister Samsingh Hangse, the Power Minister Gunin Hazarika.

Few days later a letters to the editor was published in the Assam Tribune, Nov 30, 1989, ‘Rajkhowa Vs. Sarwan’:

“... The Chief Secretary, Sarwan’s order asking the ASEB Chairman J.P. Rajkhowa to go on ‘forces leave’ has displeased the people in general and officers and employees in particular. Sarwan’s order is allegedly a sequel to the Supply minister, Prabin Gogoi’s reported discontent over the stoppage of power supply to the Nehru Stadium complex for non-payment of huge arrear bills. What is striking is that the power minister, Gunin Hazarika is not aware of the State government’s order against the ASEB Chairman. It means that the Hazarika was not consulted. So such a vital decision on the part of the Chief Secretary without knowledge of the power minister is extremely unfair and in fact, should have hurt the sentiments of the power minister, but nothing unpleasant has been stated so far by Hazarika…”

This episode reflects that too much of pressure from the political boss may not be good for administrative effectiveness.
After the superannuation of A.P. Sarwan, Harendra Nath Das, additional Chief Secretary and Director General of Administrative Staff College and Training was appointed Chief Secretary on 28th of February 1990. But very soon the working relation between Mahanta and H.N. Das deteriorated. H.N. Das and also the Commissioner (Personnel) S.K. Tiwari reportedly objected to Chief Minister Mahanta recommending promotions to some officers violating established procedures. Chief Minister Mahanta wanted to promote A.C. Changkakati, Secretary Forest to Super time scale along with P.C. Sharma, Secretary to the CM, and C.K. Das, Commissioner Revenue in place of D.K. Gangopadhyaya, who was to be transferred as Commissioner, Health and Family Welfare. There were 22 posts under the Supertime scale but there were already 23 officer-incumbents in the scale, which means it was already over staffed. The decision of the Chief Minister to promote the three officials for the Supertime – Scale was objected by the Chief Secretary H.N. Das. Another problem that cropped up was the status of Mrs. Parul Devi Das, who was under the Meghalaya government but was senior to Mr. Changkakoti. According to rules, the matter should have been referred to the Joint Cadre Committee which was however ignored by the Chief Minister. Ultimately Chief Minister changed his decision slightly and asked for promotion of the officers as: C.K. Das – Commissioner, Home and Political, S. Mahajan – Commissioner, Health and Family Welfare, and A.C. Changkakati – Commissioner Forest. In the meantime Chief Secretary H.N. Das applied for two days casual leave. Reportedly he had been asked to go on leave by the Chief Minister and initially it was not clear whether he had applied for earned leave or casual leave. But later H.N. Das made it clear that he himself applied for two days casual leave on November 9 and 10, 1990. Interestingly, H.N. Das was relieved of the post of the Chief Secretary by a notification. The additional Chief Secretary P.C. Mishra though assumed the charge, but H.N. Das did not hand over the charge to P.C. Mishra since the notification issued was not in order. Interestingly when the notification was issued it was Sunday which is a holiday. The notification mentioned Mr. Das as ‘Director General of Training, Assam Administrative Staff College and Chief Secretary to the Government of Assam’ and stated that he was ‘relieved’ of the post of CS with immediate effect but would continue as the ‘Director General of Training, Assam Administrative Staff College’. In fact there is no such post as Director General,
Training, Assam Administrative College—the actual designation should had been ‘Director General, Assam Administrative Staff College and Training. The notification also gave the impression that H.N.Das was holding temporary charge as the Chief Secretary while the fact was that his was a substantive appointment to substantive post in which case he should have been transferred and not ‘relieved’

Thus the Assam bureaucracy was understood to have divided, with H.N.Das, the Chief Secretary leading one group and P.C.Mishra, additional Chief Secretary leading the other. Moreover it was reported that the whole of ACS cadre officers were totally disgusted with the Government whimsical promotion and posting. The matter went to the Court of law. A Divisional Bench consisting of Chief Justice A.Raghuvir and Justice A.N.Srivastava of the Guwahati High Court issued a show cause notice on 16th Nov, 1990, to the Government of Assam asking ‘why the impugned notification of appointment of P.C Mishra, IAS, Additional Chief Secretary, relieving H.N.Das should not be set aside or quashed and also the subsequent notification passed by P.C.Mishra as Chief Secretary on November 12, 1990, promoting four senior officers in the super-time scale of IAS’.

In the meantime, the Government of Assam by an order issued on 26 November, 1990, placed H.N.Das under suspension on the plea that he had prior information about the airlifting of some tea executives of the Uniliver Company in Upper Assam on Nov 8 and that he had suppressed it from the Assam Government. H.N.Das clarified that it was baseless and what actually happened was that the Minister of Economy in the Indian High Commission in London, Mr. M.P. Bezarauh had ring him up the day after the tea persons were airlifted, saying the Uniliver Director had complained about threats of extortions to his Company Managers in the Upper Assam Tea Estates.

The Editorial of the Sentinel wrote “Rewarding the Blue-Eyed”:

When any government gets caught red-handed ordering frantic overnight promotions and supercessions, and generally doling out largesse to the blue-eyed boys in the bureaucracy against all norms, justice and reason, it has one stock answer: such matters are within the prerogatives of the government. There are two pertinent questions that are seldom raised in the face of such seemingly irrefutable retort: (a) Is a Government run by robots or rational man that it must ever pretend to be something in the nature of the disembodied entity? (b) If all rules and norms can be
flouted whimsically, why have any rules at all? The Government of the day can merrily carry out as the one is doing in Assam now in an adhoc manner.

Why does any government feel obliged to indulge in such large-scale violation of norms and rules established for its smooth functioning, and in such tearing hurry? Experience has shown that most of these irregular supercession and promotions take place before election or at a time when a change in government in the form of President’s Rule perhaps –is anticipated. It is a means of rewarding people who do not deserve to be promoted for what they have done for the people –the ultimate masters in a democracy(or so we are led by the defacto master to believe) –but rather for what they have done for their political bosses. But no government can project itself as a just government it has to resort to Sunday Darbars in order to pass wholesale promotion orders because someone lower in the hierarchy has to be rewarded because someone has to be helped to supersede a score of his senior colleagues. And yet, this is precisely what has been done. Promotion in the IAS cadre have been made beyond the quotas fixed for the Supertime Scale. And when a senior execute of the State Government is declined to endorse all these irregular actions in violation of the established norms, he is promptly removed.

Over the years, one has been exposed to the depressing experience of politicians with a total lack of foresight and vision destroying the administrative system rather than building it up and strengthening it. But never before has the destruction and demoralization of the bureaucracy has been purposefully and single mindedly pursued as in the last five years.

In the meantime the law and order situation of deteriorated because of the unlawful activities of United Liberated Front of Assam (ULFA)and that compelled the Chandra Sekhar Government at the Centre to impose Presidential Rule in Assam. The AGP government was suspended and later dismissed. According to the Union Home Ministry all this had to be done ‘due to unchecked activities of the ULFA and the need to improve the law and order situation so that free and fair elections in the state could be held early’. The Editorial of the Sentinel wrote:

“Never in the last 43 years of independence had one seen the kind of assassination, kidnappings, extortions and intimidation that have marked the AGP rule. Never before has the rule of law been so completely and systematically repudiated in favour of political preference. Never before has the bureaucracy and the police been as demoralized by the political bosses. Worst of all, never before has a popularly elected government been openly accused of having a nexus with an extremist organization. Thus all said and done, if anyone is really responsible for invoking President’s rule in Assam by its acts of omission and commission, it is the AGP itself”.
With the imposition of President’s Rule there was rapid change in the political scenario. D.D. Thakur, the then Governor of Assam, while taking charge of Assam Government as the representative of the Union Government by a notification withdrew the suspension of H.N. Das and directed that the said order of suspension should be treated as if it were never made or issued. By another notification P.C. Mishra, Chief Secretary to the Government of Assam was transferred and posted as Director General, Assam Administrative Staff College and Training.

In subsequent Assembly Election the AGP was defeated by the Congress(I) and new Government came headed by Hiteswar Saikia as the Chief Minister. During the second term of Hiteswar Saikia as Chief Minister there were two Chief Secretaries and they were H.N. Das and Arunodoy Bhattacharya. Hiteswar Saikia did not disturb H.N. Das though immediately after coming to power there was a major reshuffle of the entire administration. Chief Secretary H.N. Das maintained cordial relation with Hiteswar and gave the kind of support that is required to tackle insurgency hit state of Assam and to a great extent because of which administration was brought back to normalcy while dealing with militancy with a tough hand. It may be recalled here that the National Press, India under the then Chairman of Lok Sabha Speaker Shivraj Patel selected Assam Chief Secretary H.N. Das for its ‘Golden Jubilee Award’ for distinguished services. After giving distinguished service of almost for five years H.N. Das retired. Thus Chief Secretary H.N. Das had the credit of working with two different Governments. After his superannuation Arunodoy Bhattacharya became the Chief Secretary to the Government of Assam. Arunodoy Bhattacharya was very much close to the Chief Minister and there were impression among a section of observers that he crossed the line of “Civil Service Neutrality.” After the death of Hiteswar Saikia, his senior colleague Bhumidhar Barman became the caretaker Chief Minister. Chief Secretary Bhattacharya was also close to the new caretaker Chief Minister.

In the next Assembly election of 1996 the ruling Congress party was defeated and the AGP could able to form a coalition Government. The coming of the AGP Government for the second time in 1996 under the leadership Prafulla Kumar Mahanta saw another episode of tension with the senior bureaucrats of Assam. In a significant development two top bureaucrats including the Chief Secretary Arunodoy Bhattacharjee and the two
senior police officers, including Director General of Police Ranju Das left the State, vacating their official residences, on the eve of the AGP-led five party alliance taking over reigns of power at Dispur.

The sudden departure of the bureaucrats caught the administration unaware as at least three of them left the State without handing over charges. The other two who left the State were Commissioner and Secretary Finance, Niranjan Ghose and Inspector of Police, law and order, Ashim Roy. Barring the Chief Secretary none of the officials even informed their colleagues about their decisions to quit the state. The Chief Secretary, however handed over charges to his deputy, the additional Chief Secretary T.K. Kamilla, before leaving the state. The Director General of Police left for Calcutta in an after jet Airways flight on 12th of May 1996, while the Chief Secretary left for New Delhi in another flight. The Finance Secretary, Ghose and IGP Ashim Roy left for Calcutta and New Delhi respectively. Their departure was reported to have been kept under tight wraps. The DGP Das and IGP Roy both moved their leave application a few days earlier only before the Chief Secretary, who personally had it sanctioned by the caretaker Chief Minister Dr. Bhumidhar Barman, besides recommending then for central deputation minutes before he resigned.

“The Deserters” the Editorial of the Assam Tribune wrote:

“The piquant situation that the Assam administration is currently facing without the heads of both the bureaucracy and the police force is entirely due to the flight of the two incumbents who decided to desert the state at a crucial time of transition from one Government to another. It is inconceivable that both the Chief Secretary and the Director General of Police should decide to go on long leave when their presence is imperative because of the change in the Government with possible effect on the law and order situation. The Chief Secretary Aronudoy Bhattacharjee reportedly left the additional Chief Secretary, T.K. Kamilla in charge but in change whether the charge was given formally and the official procedure was followed is unclear. In the case of Ranju Das, the charge is more serious as he is alleged to have left with bag and baggage without handing over charge to anybody. That at a time when the Army Operation is in progress in Upper Assam and violence gripping some areas is a display of extreme irresponsible, unbecoming of a senior of Police officer. It is stated that these two officers were receiving threatening telephone calls and they fled because they were feared bodily harm. It is strange that the police Chief of a State could run away like for fear of life when he himself is supposed to provide security to others. Intimidatory anonymous calls are nowadays all too common. Politicians get them and even
the journalist including the editors often receive such calls. But we have not seen any political leaders or a journalist quitting office because of such calls.

Two other officers who left the state reportedly on the same day are Niranjan Ghose and Ashim Roy. It cannot be more coincidence that these four officers with the same mother tongue should decide to virtually desert their posts and seek sanctuary elsewhere.

The Chief Minister, Prafulla Kumar Mahanta (designate) showed maturity in refusing to be dragged into a controversy over the matter. While acknowledging the officers right to go on leave, he however questions the propriety of the person who sanctioned the leave and recommended their names for deputation with the centre. The reference is obviously to the outgoing Chief Minister Dr. Bhumidhar Barman, who should have exercised sufficient caution and discretion before allowing top officers to leave the state whether on long leave or on deputation particularly when a new Government was to take charge immediately.

Fear of personal safety is possibly not the only reason as to why these officers had left. In police parlance flight is evidence of guilt. The four officers who have literally fled the State must have some guilty of conscience to behave this manner."

The Editorial of the Sentinel also wrote entitled “Desertion by Design”:

“The state administration of today stands in sharp and ignoble contrast to the one of the 1962. There is no major calamity that has befallen the state, nor is there any armed aggression by any foreign power. All that has happened is that one ruling party has been replaced by another. And yet, what is the shameful scenario that stares the new government and the people of Assam in the face today? Senior officers of the IAS and IPS abdicating their responsibilities and fleeing the state as if there was plague epidemic or worse, without a thought for the administration that sustained them over the years and which they were duty bound to sustain regardless of the party in power. And if the IAS and IPS officers feel that they are not beholden to the state administration for their jobs, or careers, there are those from the State Civil Service too who have reaped undeserved benefits from the state administration for which they did not have career records that could even be called clean. Their decision to desert the ship is therefore, no more than confirmation of the fact that their impressive career graphs were more the outcome of personal equations than administrative competence of the desirable kind. In the case of a few officers, their sudden desertion is tacit admission of their partisan and unethical role in seeking to secure a Congress victory in Assam by hook or by crook. All of them stand exposed by their desertion at the point of transition from one elected government to another.

The new-constituted Government of Assam thus has a duty to itself and to the people of the State. It must do everything necessary and possible to prevent the exodus of those officers who have deserted the state Government at this juncture, even though their services are not indispensable, so
that a full inquiry can be conducted into their recent activities that have now impelled them to leave that state in unholy haste. These inquiries will reveal that fears of remaining in the state arises from their administrative misdeeds and a conspiracy calculated to promote the interests of a political party or a community rather than the overall interests of the state. These officers need to be punished in the interests of administrative discipline in the state. They should be tried for desertion regardless of the excuses that may be advanced. Meanwhile the new Government should make every effort to bring back those officers of the State who were exiled during the Congress regime for being upright and inflexible as far as the rule of law was concerned. True even the new Government will not be entirely comfortable with the inflexible officers. But this is a discipline that it will have to impose on itself if it seeks to be any different from the previous one.”

After this episode, the Government appointed T.K.Kamilla, the additional Chief Secretary as the Chief Secretary. As usual the law and order situation started to deteriorated and the State government this time was compelled to go for establishing Unified Command Structure (UCS) under the overall charge of the Chief Secretary. T.K.Kamilla was a bid vocal regarding Army excess and also cautioned the Army that it should not commit any excess and must within the law. Chief Minister Mahanta reportedly was not happy with the style of functioning of the Chief Secretary more particularly in matters relating to maintenance of law and order. As he was not able handle the situation, he too could not continue for long. He was removed from the post and there by giving way to another senior officer V.S.Jafa. Jafa is an expert in the field of counter-insurgency strategy. Very soon Jafa became the centre of attention because of the highly sensational Tata-Tea Ltd –ULFA Controversy, the handling of the Sadau Asom Karvasari Parishad tangle among others. Though Jafa did not have any direct confrontation with Chief Minister Mahanta but his alleged involvement in 1.72 crore TRIFED scandal when he was the Executive Director, Tribal Cooperative Marketing Development Federation of India (TRIFED) created trouble for his continuation as Chief Secretary. The Central Bureau of Investigation in its FIR said that Jafa with others abused their official position causing pecuniary advantage to the private firm by appointing it the agent of TRIFED for procuring paddy, mustard seed and niger seeds for Assam in 1990. Jafa applied in the Delhi High Court to quash the CBI’s FIR. But the Delhi High Court refused to quash the FIR against Jafa. The High Court’s observation prompted Jafa’s counsel to withdraw his petition seeking quashing of the CBI FIR. Thus after High
Court’s order, reportedly the Central Government advised the Assam Government to replace its Chief Secretary and for the Assam government also it was not feasible to continue with him at the helm of affairs. Jafa had been in controversy since his coming to the office because of the highly sensational Tata-Tea Ltd—ULFA controversy, the handling of the Sadau Asom Karmasari Parisad (SAKP) among others. The SAKP was demanding vigorously removal of the Chief Secretary following the removal of its Secretary, Charan Deka. It was alleged by several quarters that Jafa made the State Government to take firm stand against the Tea giant like the Tata Tea and Williamson Magor and against the State Government employees which resulted in crisis for the Government. This step of the State Government made most of the ruling alliance members and the intelligentsia resentful. The situation came to such a pass that even the senior members of the AGP raised the demand for the removal of Jafa in the Steering Committee meeting of the party.

These entire situations compelled the Chief Minister Prafulla Kumar Mahanta to think for alternative and reportedly Government was considering the name of three senior most IAS officers of Assam Meghalaya cadre. They were former Meghalaya Chief Secretary, C.S. Agnihotri, the then Union Sports and Youth welfare Secretary, Bhaskar Baruah and Union Tourism Secretary M.P. Bezbaruah. But finding a replacement was not that easy as Agnihotri’s appointment as the new Chief Secretary of Arunachal Pradesh was confirmed and during that time he was about to take over his new assignment. Besides, both Bezbaruah and Baruah were well entrenched in New Delhi and were not willing to take over the post of Chief Secretary.

Ultimately Jafa was removed and he was transferred as the Resident Representative at Delhi Assam House. However he continued to enjoy the status of Chief Secretary there even though he was bereft of the executive powers of the Chief Secretary. The additional Chief Secretary Pranab Kumar Bora was appointed as the next Chief Secretary.

In the Assembly election of 2001 this coalition headed by the regional Party Asom Gana Parishad was defeated by the Congress (I) under the leadership of Tarun Gogoi. With the coming of Tarun Gogoi as the Chief Minister of the State the issue of Chief Minister-Chief Secretary relationship took a new turn. Immediately after the becoming the Chief
Minister, Tarun Gogoi declared that there would be no vindictive transfer of officials and transfer would be only as per need and requirement. As result of this statement of the Chief Minister, Pranab Kumar Bora was not removed and he continued as the Chief Secretary though the fact was that he was appointed during the AGP regime.\textsuperscript{68}

It would be pertinent to mention here that on the eve of election the ruling AGP government alleged that the Congress party was maintaining close relation with the banned outfit ULFA and the Assam Government submitted a report to the Ministry of Home Affairs, Government of India with supporting document. Chief Secretary Pranab Kr.Bora was himself present in the North Block along with the Chief Minister Prafulla Kr.Mahanta\textsuperscript{69}. Thus true to the statement made by the Chief Minister Tarun Gogoi, there was no removal of the Chief Secretary and Pranab Kr.Bora worked with him in very cordial manner giving best of the service that a professional bureaucrat supposed to give and had his normal superannuation. Till date Tarun Gogoi is the Chief Minister of Assam as he won the subsequent two elections. Apart from Pranab Kr.Bora the other Chief Secretaries who worked with Tarun Gogoi are: P.K.Datta, J.P.Rajkhowa, P.C.Sharma and Naba Kumar Das (present incumbent till the writing of the report). All the Chief Secretary who worked with Tarun Gogoi is of the opinion the they were never compelled to do against well established principle of civil service ‘neutrality’. While talking to P.K.Datta and J.P Rajkhowa both of agreed that they could work with ease and self respect with Chief Minister Tarun Gogoi. This has been corroborated by the fact that during their tenure there was no reported case of tension in the leading news papers of the State.

5.4 Conclusion

Since both the Chief Minister and the Chief Secretary have to act in close cooperation with each other, the Chief Secretary has to be a man of the former’s confidence. In this connection it would be relevant to mention here the views of R.P.Naronha former Chief Secretary of Madhya Pradesh. He observes:

\textquote{The post of Chief Secretary is one that calls for, above all things, a personal equation with the Chief Minister. The two have to work as parts of one whole, the upper and lower jaws, as it were. The Chief Secretary must be able to think with the Chief Minister’s mind, so that he can act on his own when need arises, in the full assurance that he is acting in accord with the line of thought of his principal. The Chief Minister on his part
has to have the most complete confidence in the Chief Secretary. None of this is possible unless they are both on the same wavelength. It follows, therefore, that the Chief Minister must be free to choose his Chief Secretary without niggling question of seniority vitiating the issue. 70

To sum up, the Chief Secretary as Cabinet Secretary plays a very important role and acts as eyes and ears of the Cabinet. It is only with the close association of the Chief Minister and the Chief Secretary that the wheels of the State administrative machinery can operate smoothly. And the co-ordination and co-operation between the political and the administrative heads of the state government considerably affects the functioning of the Cabinet which is an important nerve of the state’s politico administrative system.

While performing his role as Cabinet Secretary, the Chief Secretary has to facilitate a blending of ‘political’ acumen and administrative needs. Without compromising with the basic requirements of good administration, the Chief Secretary has to emerge as a pragmatic administrator who can mould the administrative machinery according to the logic of democratic political system. And finally, he has to activate his bureaucratic apparatus to ensure that the letter as well as the spirit of the Cabinet decisions is faithfully implemented by those who are entrusted with the responsibility of executing them.
Notes and References


3. *Ibid*.


7. This interview was taken with Retd.Chief Secretary Pranab Kumar Bora on 8th September, 2009.


10. This has been corroborated by Retd Chief Secretary P. K. Datta.


12. Vide notification No.AR.40/84/8 dated 09/05/1984.


24. This information has been shared to this researcher by Retd. Chief Secretary Pranab Kumar Bora.


28. Interview with Retd. Chief Secretary H.N. Das.


30. Compiled from the list of Chief Ministers of Assam, Assam Assembly, @http://assamassembly.nic.in/biodata-cm.html


60. This fact has been corroborated by some of the retired Senior IAS officers of the Assam Government who worked during that period.


64. *The Assam Tribune*, Nov 6, 1997 “HC refuses to quash FIR against Jafa.”


Note: 1. Authentic details regarding the internal functioning of the Cabinet meetings are difficult to obtain through official source. Retrieval of intelligible information is a challenge. It is perhaps because of this situation that there is a tendency to give bulk unprocessed information rather than pertinent and relevant information.

2. The origin of the Cabinet Secretariat dates back to November 1935, when the Private Secretary to the Governor-General, Lord Wellington (1931-1936) was designated as Secretary to the Executive Council for recording its proceedings and to provide assistance to him. But an office known as the Council Secretariat came into existence on 5th September 1946, when the interim government was formed. (Wikipedia)
3: Dr. Haren Das in his article “Bureaucracy and AGP Government” which he wrote in the Assam Tribune, February 22, 1988 narrated a typical situation that arose in Assam Administration with the coming of the AGP in the following manner:

“A section of civil servants in Assam is reportedly not yet reconcile to the rule of the AGP Government. They are even now apprehensive of and skeptical about the style and mode of functioning of the new ministers, the majority of whom fall within the age group of 26-35 years. The bureaucracy which settled itself into a permanent mould as a result of its long association with the Congress rule in Assam has become confused and nervous. They, so to say, are living in two worlds—one dead and another just struggling to be born. It is being widely reported that the civil servants in Assam were apprehensive that the inexperienced and new ministers may spell disaster in the State. It is also reported that the senior bureaucrats were not reacting favourably to a situation where they have to take orders from ministers whose average age would be same as of their sons and daughters. Report and rumours regarding ego clashes between the bureaucrats and the ministers are galore.

….long periods of uninterrupted rule by a single party have numbed everyone into the fond belief that an ideal civil servant is one can successfully cultivate his political boss and ingratiating himself with the party in power sacrificing all values that make life worth while.

In Assam, during the last six years of the Congress rule, the civil servants, at least a majority of them, failed to make distinction between the commitment to an ideal and the commitment to an individual. The brutality perpetrated by a section of civil servants (which also includes policeman) on the innocent and the unarmed during the period of anti-foreigners agitations will go down in Assam’s history as its darkest chapter. Killing of people, firing, arrest of citizens, particularly of the young boys without any warrant or cause was the order of the day. When the civil servants were asked to bend, a section of them just crawled…”