CHAPTER – III

OFFICE OF THE PRIME MINISTER

CABINET Secretariat and the Prime Minister’s Office (PMO) are the two administrative institutions closest to the Union Cabinet, the former by design and the latter by history. The Cabinet Secretariat, following the British practice, is the apex bureaucratic institution in the country. It basically provides the secretariat to help the Cabinet in the preparation and circulation of agenda papers of the Cabinet, taking down the minutes, preparing and circulating them, and monitoring implementation of policy decisions taken by the Cabinet. On the one hand, it plays a coordinating role between the Prime Minister and his Cabinet colleagues and, on the other, among the various Ministries. It also acts as the crucial link between the Cabinet and various ministries and departments.

It is, therefore, only appropriate that the Cabinet Secretary, who heads the Cabinet Secretariat is made the head of the civil service of the country. In fact, the PMO as it is called today, is of recent origin and is said to have acquired “monstrous” dimensions since the early 70s. Critics ascribe the rise of the PMO to the imperial Prime Minister ship resulting in the eclipse of the Cabinet Secretariat, thus undermining statutory propriety and constitutional conventions.

The two institutions today stand side by side in the Indian Cabinet System, giving rise to a considerable controversy, debate and even political and administrative acrimony.
CABINET SECRETARIAT:

Following the British practice, Cabinet Secretariat was constituted, rather retained, when the Constitution of India came into force on 26 January 1950. In fact, a small secretariat created in October 1945 by Sir Eric Coates, former Adviser (Military Finance), at the instance of Viceroy Wavell, to service the Coordination Committee of the War Resources and Reconstruction of the Viceroy’s Executive Council, developed into (as was intended) secretariat to the Council. Since the Viceroy had explicitly stated that it would develop along the lines of the Cabinet Secretariat in Britain, there were no doubts, about how it would shape up (Mansergh and Moon, 1976:VI:836-27). It served the Council of the Interim Government and was retained after 1947 as the secretariat of the Cabinet.

THE CABINET SECRETARIAT IN BRITAIN:

It is a strange coincidence that Cabinet Secretariat in Britain also has its origin in the War Committee’s Secretariat. Only difference is that in Britain’s case it was the First World War and in India’s case it was the Second World War. A brief survey of the origin, role and functions of British Cabinet Secretariat would help in understanding the evolution of this institution and its relevance for India. The role of indigenous tradition and politics in the growth and development of the Indian institution can then be seen in a larger context.

The business of the Cabinet in Britain until December 1916, when the need was felt for the first time for a secretariat to service the Cabinet, was conducted more or less informally. In the absence of any secretarial office, the meetings were held without any formal agenda and no minutes were kept.
stresses of the First World War for the first time created the need for an institution to bring order into the conduct of business by the Cabinet. On the formation of the War Cabinet in December 1916, Prime Minister Lloyd George discussed with Lord Maurice Hankey, the Secretary to the War Committee, the need to create a secretariat for the War Cabinet. Within a week the new administrative arrangements were drafted and the War Committee’s Secretariat was attached to the Cabinet as Cabinet Secretariat (Jennings, 1969:244).

This new department was formally institutionalized when it appeared in the Estimates in 1917 (on a supplementary Estimate). The recommendation of the Machinery of Government Committee in 1918 to permanently maintain the Secretariat “for the purpose of collecting and putting into shape agenda, of providing the information and the material necessary for its deliberations, and of drawing up the results for communication to the departments concerned, made it a permanent fixture of the British Cabinet System." It is not surprising that Bonar Law in 1922 could not simply abolish what he considered as "one of the undesirable relics of the War Cabinet". (Jennings, 1969:244)

Jennings (1969:245) lists five basic functions of the Cabinet Office in Britain:

1) To circulate the memoranda and other documents required for the business of the Cabinet and its committees.

2) To compile under the direction of the Prime Minister the agenda of the Cabinet and, under the direction of the chairman, the agenda of a Cabinet Committee.
3) To issue summons of meetings of the Cabinet and its committees.

4) To take down and circulate the conclusions of the Cabinet and its committees and to prepare the reports of Cabinet committees.

5) To keep, subject to the instructions of the Cabinet, the Cabinet papers and conclusions.

Mackintosh (1968:509) further elaborates its functions:

While the office serves all ministers bringing business to the Cabinet, those with departments have their own briefs. The Secretariat works much more for those without a team of civil servants, that is for the Prime Minister and the minister without portfolio. To get information, the Secretariat can reach into ministries. If a particular department is trying to maintain a special case, it may feel a little reluctant to divulge all the arguments but resistance is not wise and there have been few complaints that anyone from the Prime Minister down has lacked information; the usual complaints are that there is too much paperwork, though it is sometimes added that the advice is not always unbiased.

ORIGIN AND GROWTH OF THE CABINET SECRETARIAT IN INDIA:

The Indian Cabinet system got a Secretariat at the very outset of independent India. By the time the foundation of the Cabinet system was laid in India, i.e., on 15 August 1947, the Secretariat, on the lines of the British Cabinet Secretariat, had by and large been stabilized. Writing to Pethic-Lawrence on 21 January 1946, nearly four months after the new department under Eric Coates was created. Viceroy Lord Wavell said: “The Secretariat has already proved its usefulness and in the last fortnight there has been a
conference with representatives of the Province, which was most successful and gave Provincial representatives a long-needed chance of getting to grips with the Government of India itself and not with one department or another”.

About its functions he wrote, “one of the most important functions of the Secretariat will be to co-ordinate the military and civil sides of the Government of India”.\(^7\) (Mansergh and Moon, 1976:827). To be more explicit, since the Secretariat was an extended and enlarged version of the Secretariat of the Co-ordination Committee of the War Resources and Reconstruction, looking into the needs of the military had to be its important function. This function assumed importance because of the nature of British colonial rule which made military as important, if not more, than civil administration.

H.M. Patel, a distinguished member of the ICS, was the first Indian civilian to be given an important position in the Secretariat when he was appointed Joint Secretary of the Council. When the Interim Government was formed under the leadership of Nehru, to facilitate transfer of power, H.M. Patel had risen to become the effective Secretary in the Cabinet Secretariat. He was also appointed Principal Private Secretary to Prime Minister Nehru, to help him familiarize himself with the business transacted in the various departments. The other reason to place the same person in the two offices was, as Wavell clarified in his letter to Pethic-Lawrence on 10 September 1946, that “his (Nehru’s) Private Secretariat will be integrated with the Cabinet Secretariat and I think it will be easier for Nehru and also limit the occasions on which he goes off at a tangent” (Mansergh and Moon, 1979:VIII:483-84).\(^8\)
Though Wavell had expressed his surprise that Nehru treated the Interim Government, which in legality was only the Viceroy’s Executive Council, as Cabinet Government, we can see that he himself not only intended the Council Secretariat to develop on the lines of the Cabinet Secretariat in Britain, he also referred to it as the Cabinet Secretariat. In reality (and in legal terms as well), however, the Government of India was organized on the lines of Cabinet Government only on 15 August 1947 and it is on this date that the Council Secretariat formally became the Cabinet Secretariat.

Nehru was initially in favour of organizing a high-powered secretariat to assist him in addition to the Cabinet Secretariat. But the idea did not find favour with either his colleagues or civil servants. Mountbatten’s last Report on 16 August 1947, captures the drama.⁹

There has been considerable informal discussion among the Congress members of my Cabinet as to how the Cabinet Secretariat should be organized and its relations with Nehru’s own personal Secretariat. Nehru is most anxious that he should have a high powered Secretariat under him, with which to “swamp” the Cabinet Secretariat. This was opposed by his Cabinet Secretariat and by V.P. Menon. When these discussions were going on, H.M. Patel, the Secretary of the Cabinet, brought a letter to Ismay asking him for his views in the matter. Ismay, with his valuable experience, sent a reply to H.M. Patel. This letter was placed informally before Sardar Patel, and one or two other members of the Cabinet. They were completely convinced by the remarks contained is Ismay’s letter.
The next question was how to convince Nehru. On the suggestion of Sardar Patel, an informal meeting was held on the 14th between Nehru and some officials, including H.M. Patel, Secretary to the Cabinet. Nehru heard patiently the arguments why he should not have a high powered Secretariat. He listened to the arguments carefully and also read Ismay's letter. The position now rests with him, and I very much hope that he will retain and use a proper Cabinet Secretariat (Mansergh and Moon, 1983:766).

However, after this initial proposal, Nehru did not try to create a separate secretariat for the Prime Minister during his long tenure from 1947 until his death in office in 1964. He did have a small secretarial staff known as Prime Minister's personal office, but he left the co-ordination of governmental functions to the Cabinet Secretariat. He also did not allow the staff of his personal office to assume extra-institutional powers. They remained "mechanics" or gatherers and conveyers of information (Mathai, 1978:74-79). Nehru, however, did a good part of his work through the Foreign Office, which he headed. As a result, this ministry did come to acquire an out of proportion prestige and importance but it was never a power focus (Gujral, 1987).

The Cabinet led by Nehru during 1947-50, was an interim arrangement. In fact, the entire governmental arrangement till the commencement of the Constitution of India was an interim one based on the Government of India Act, 1935. The Cabinet Secretariat also, therefore, was officially recognized to be created in 1950 (India, 1968:15). The role of the Prime Minister and the Cabinet Secretariat was now spelled out in the Articles of the Constitution under Article 77(3) and the Rules of Business emanating from it.
Nehru, more or less, followed the practice of conducting inter-ministerial business through the Cabinet Secretariat. He reduced the post of the Principal Private Secretary (PPS) of the Prime Minister to the level of a Joint Secretary. This was perhaps to protocol as well as the official status of the Cabinet Secretary and the PPS.

Transaction of Business Rules framed under Article 77(3) of the Constitution of India determined powers, functions and responsibilities of the Cabinet Secretariat. Still, to precisely define its role and functions, the committee on the reorganization of the machinery of Government was asked to include it in its purview.  

N. Gopalaswami Ayyangar, Minister without Portfolio, entrusted with the task of looking into reorganization of the machinery of government, submitted his report in 1957. The Cabinet considered its recommendations and agreed that the Cabinet Secretariat should be strengthened and the status and functions of the Cabinet Secretary should be redefined as proposed by it (Dubhashi and Ramiah, 1980: 378-79).

The Transaction of Business Rules, apart from other things, determines the relation of the Cabinet Secretariat with other departments. It prescribes, apart from submission of cases to the Cabinet Secretariat for obtaining orders of Cabinet (Rule 7), that each Department shall submit to the Cabinet (through Cabinet Secretariat) a monthly summary of its principal activities and such other periodical returns as Cabinet or Prime Minister may, from time to time, require (Rule 9). In addition, secretaries of all ministries/departments are required to send to the Cabinet Secretariat a monthly report indicating significant events and specially those where a departure from the Transaction of Business Rules has been made.
In matters of the following nature, the ministries expect guidance from the Cabinet Secretariat:

1) The line of action to be taken pursuant to specific direction of the Prime Minister/Cabinet/Cabinet Committee/Group of Ministers.

2) Cases where there is difference of opinion between the sponsoring Department and the Ministries/Departments consulted at official level.

3) Cases where decision taken in a particular Ministry could have repercussions on matters dealt within some other Ministries/Departments concerned.

4) Cases requiring discussion for evolving a definite stand, flagged for discussion during PM’s meetings with foreign dignitaries.

5) Cases of new policy initiatives or change in policy. (Dubhashi and Ramiah, 1980:385).

There are conflicting opinions regarding position and status of the Cabinet Secretariat during the brief tenure of Lal Bahadur Shastri. The controversy arises from the fact that he organized a full-fledged Prime Minister’s Secretariat under the leadership of L.K. Jha. It is said that Dharam Vira, the then Cabinet Secretary expressed his apprehension saying that it would disturb the hierarchical order of the bureaucracy and create two parallel lines of command (Gujral, 1987). Dharam Vira, however, told the research team explicitly that “Even when Shri Lal Bahadur Shastri expanded the PM’s Secretariat the Cabinet Secretariat retained its original importance”.\(^{12}\)

The first year of Mrs. Indira Gandhi’s Prime Ministership was essentially a continuity of the Shastri traditions. But it could not continue for long, as Mrs.
Gandhi’s approach to political power and governance was essentially different. Also Mrs. Gandhi’s commitments to institutions was not the same as either Jawaharlal Nehru or Lal Bahadur Shastri. So much so, that till P.N. Haksar took over as Secretary at the PM’s Secretariat, even the “PM’s Secretariat was marginalized and confined to the routine matters of governance”\(^ {13} \) (Gujral, 1987).

The Administrative Reforms Commission (ARC) submitted a report on The Machinery of the Government of India and its Procedures of Work in 1968. The Commission, chaired initially by Morarji Desai and later by K. Hanumanthaiya, also looked at the structure, responsibilities and organization of the Cabinet Secretariat. In fact, the ARC had based its recommendations on the report of a study team it had appointed to examine the Machinery of the Government of India and its Procedures of Work under the Chairmanship of S.G. Barve, upon whose death, the team was chaired by C.D. Deshmukh.

In its report submitted to the ARC in 1968 the Study Team felt that, “Despite very able and senior civil servants having functioned as Cabinet Secretary, the institution as such has been the object of some criticism on the score that it has not been effective enough in securing co-ordination, ironing out differences and helping to infuse into the governmental machinery a sense of unity of purpose” \(^ {14} \) (India, 1968a:76). The Study Team was in favour of strengthening the Cabinet Secretariat, for which it made eleven recommendations. The ARC, however, did not agree to all the recommendations of the Study Team.
In the absence of any authentic document detailing responsibilities, powers and functions of the Cabinet Secretariat\textsuperscript{2}, we are basing our analysis of this core institution of the Cabinet System on whatever information available in the above two documents.

The Cabinet Secretariat, when the ARC submitted its report, consisted of the Department of Cabinet Affairs and the Department of Statistics. It also had a Military Wing, which provided secretariat support to the Defence Minister’s committee, the Chiefs of Staff Committee and other committees dealing with defence. Its functions, the ARC pointed out, were as follows:

In addition to providing secretarial assistance to the Cabinet and its Committees, the Department of Cabinet Affairs assists in coordinating the major administrative activities and policies of the Government of India and in resolving inter-ministry difficulties and delays. Another major function of the Department is to keep a watch on the implementation of all Cabinet decisions and the progress of administrative measures which affect more than one Ministry.\textsuperscript{15}

Since the middle of 1954, the Department of Cabinet Affairs has evolved a special procedure for reporting every month the progress in implementation of the Cabinet decisions by the Ministries concerned. A special officer was appointed in the Cabinet Secretariat in March 1967 to ensure quick implementation of decisions and to look into delays. Since September, 1967, a Joint Secretary has been in charge of this work. He takes up matters personally with the Ministry concerned whenever he notices that progress has not been satisfactory. (India, 1968b: 13-14)
The Study Team suggested transfer of the Department of Statistics to the Department of Economic Affairs and of the Military Wing to the Ministry of Defense. The rest, it recommended, should remain as the Cabinet Secretariat and “should be so reorganized to have (eight) cells specialising in broad areas of governmental functioning”, (India, 1968a:76-77). This arrangement was “suggested with a view to improving the effectiveness of the Cabinet Secretariat in bringing about coordination and providing a continuing feeder line of information to the Cabinet and the Prime Minister about what is happening in different parts of Government Machinery” (India, 1968b:14). The Study Team appreciated that there was “a risk of this arrangement undermining ministerial responsibility but it was worth taking because of the advantages to be secured” (India, 1968a:77). The ARC, however, felt that “it would be unwise to create within the Cabinet Secretariat a parallel organization which would examine over again proposals coming from the Ministries to the Cabinet or its Committees”. (India, 1968b:14)

The ARC also did not agree with the Study Team’s suggestions of making the role and position of the Cabinet Secretary analogous to that of the Chief Secretary in a State Government and to give the Cabinet Secretary a salary which brings out his pre-eminent position vis-à-vis other Secretaries to Government. About the first, the ARC felt that “Considering. The vastness and complexity of governmental functions at the Centre, we do not consider that such a role is physically feasible for any person, no matter how competent he may be”. The Cabinet Secretary already drew a special entertainment allowance of Rs. 250/-, which was not admissible to other secretaries to
government. Increasing his salary, the ARC felt, “is likely to affect the present cordial feeling among his colleagues that he is one of them” (India, 1968b:14).

The ARC dealt comprehensively with the role of the Cabinet Secretary, which it thought needed to be strengthened. To quote its report:

The Cabinet Secretary is occasionally consulted by individual Ministers on particular problems. The Prime Minister also sends him cases in which he has to take initiative. This role of the Cabinet Secretary on important policy matters needs to be strengthened. It should be clearly recognised that the Cabinet Secretary is the principal staff adviser of the Prime Minister, the Cabinet and the Cabinet Committees on important policy matters. We would like to emphasize that the advice given by the Cabinet Secretary on policy matters should be tendered by him at his own level. It will be against the spirit of our recommendations if he passes this important work to his juniors in the Cabinet Secretariat.¹⁸ This implies that the role of the Cabinet Secretary in tendering advice on matters of policy would be restricted to a few very important cases with which he can deal personally. (India, 1968b:15)

The ARC also did not look favourably at the average two years eight months tenure till then of the Cabinet Secretaries. The Commission made two main recommendations:

1) The role of the Cabinet Secretary should not be limited to that of a coordinator. He should also act as the principal staff adviser to the Prime Minister, the Cabinet and the Cabinet Committee on important policy matters.
2) The Cabinet Secretary should ordinarily have a tenure of three to four years. (India, 1968b: 15)

The ARC also recommended the creation of a separate Department of Personnel with a full secretary in charge. The Commission visualized an important role for the Cabinet Secretary in the proposed Department. It recommended.

The Cabinet secretary should, by convention, be regarded as Secretary General of the new Department of Personnel, without being formally so designated. He should be actively involved in the development of and selection for “senior management” but not in appointments below that level.¹⁹ (India, 1968b: 107).

The ARC and its Study Team, looked at the Cabinet Secretariat, with the Cabinet Secretary as its head, as a vital institution supporting the Cabinet Government in India. An appraisal of their suggestions and recommendations should, therefore, not miss the point that the basic thrust of these two bodies was to revitalize the Cabinet Secretariat and give a position of eminence to Cabinet Secretary. The report of the ARC was tabled in the Lok Sabha. But little substantive action appears to have been taken on the report.

N. Gopalswami Ayyangar had looked slightly differently on the office of the Cabinet Secretary in his Report on the Reorganization of the Machinery of Government (1959). The Cabinet Secretary, according to Ayyangar:

Should be an administrative officer of the highest rank selected for the office for his special qualities of tact, energy, initiative and efficiency; and he
should be entrusted, as head of the Cabinet Secretariat, with the positive function of security coordination 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.

While not laying on the Cabinet Secretary any specific function which would impair the initiative and responsibility of heads of departments. I would further recommend that he should be ex-officio president of the Committee of Secretaries set up to advise the Prime Minister and other Ministries on selections for administrative opportunities (Dubhashi and Ramaiah, 1980:378-79).

It is, however, obvious that by 1968 the Cabinet Secretariat had lost some of its luster and bureaucratic predominance. This happened in spite of the fact that the PMO remained a relatively small outfit during the Nehru era. Obviously, within a couple of years of enlargement of the PMO, the Cabinet Secretariat began to decline in importance, though different accounts of that era suggest that Shastri never attempted to sideline the Cabinet Secretariat and Mrs. Gandhi built up her “Kitchen Cabinet” only after 1968. And, she expanded PMO according to her own requirements only after P.N. Haksar took over from L.K. Jha in 1967 as her Principal Secretary.

In Mrs. Gandhi’s post - 1971 phase all established political institutions were undermined as she chose to function through small cliques. It is not surprising, therefore, that the Cabinet Secretariat was also undermined. Increasing centralization of political power decreased its crucial coordinating
role, which most of our respondents (former Cabinet Secretaries and eminent Civil Servants) regarded as critical for the smooth functioning of the Cabinet Government. The role of Cabinet Secretary is so crucial that normally he should not even require an appointment with the Prime Minister to see him or her. But, it was pointed out to us, during Mrs. Gandhi’s regime, and even during Rajiv Gandhi’s regime, Cabinet Secretary often have had to wait for weeks before getting an appointment with the Prime Minister. In fact, the situation had deteriorated so much during the 1970s, pointed out one former Cabinet Secretary, that he had witnessed a Cabinet Secretary spending his time by convening meetings of the Joint Secretaries on systems of filing and other trivial administrative matters. His position apparently had declined to be worse than departmental secretaries. This, he thought, was a result of the undermining of the institution by the Prime Minister.\(^{21}\)

The post-1980 era of the Gandhi’s saw an almost complete erosion of the institution of the Cabinet Secretariat. The seniority principle, which was carefully adhered to till then, was not merely ignored but completely demolished. On her return to power in 1980, Mrs. Gandhi first superseded one person in appointing the next Cabinet Secretary; and after his retirement she superseded three people to appoint the Cabinet Secretary. Rajiv Gandhi superseded more than half a dozen persons on both the occasions (1985 and 1989), he made an appointment to the post (Subrahmanyam, 1989). The National Front did not create a better precedent by superseding nearly a dozen civil servants in making this appointment.\(^{22}\)
In spite of making this appointment on entirely political grounds, neither Mrs. Dandhi nor Rajiv Gandhi could fully trust the institution and the person. This is evident from the fact that the PMO was given clear precedence and priority over the Cabinet Secretariat. It is difficult to decide or point out whether decline of Cabinet preceded the decline of the Cabinet Secretariat or vice versa, but it is clear that the decline of the Cabinet Secretariat has resulted in considerable breakdown of coordination between the Prime Minister and his Cabinet. We shall return to the discussion on relative powers of the Cabinet Secretariat and the PMO after looking at the emergence and strength of the PMO.

THE PRIME MINISTER’S OFFICE:

As mentioned earlier, once Nehru’s attempt to have a high-powered Prime Minister’s Secretariat was aborted, the Prime Minister’s Secretariat (PMS) remained a small outfit, attending essentially to Prime Minister’s Secretariat needs. Since it was headed by an officer of Joint Secretary’s rank, it never overshadowed the Cabinet Secretariat. Moreover, as his own Minister for External Affairs, Nehru assigned much of his work to that Ministry. Naturally, since he divided his work between the PMS, the Ministry of External Affairs, and used the Cabinet Secretariat for his links with the Cabinet and inter-ministerial coordination, the PMS functioned within a limited perimeter.

When Shastri expanded the Prime Minister’s Secretariat (PMS), it was not with an intention of creating a rival centre of power, nor did he want to undermine the Cabinet Secretariat. His basic aim was to have a full-fledged Secretariat to aid him on economic and foreign affairs with which he was not
adequately familiar. Besides, L.K. Jha who headed the Prime Minister’s Secretariat as full Secretary with the assistance of two joint Secretaries-Srivastava and Rajeshwar Rao-kept a dignified low profile. (Gujral, 1987)

The eclipse of the Cabinet Secretariat by the PMS did not begin in the initial period of Mrs. Gandhi’s rule. According to I.K. Gujral, who was a member of her Council of Ministers and more important, a member of her “kitchen cabinet”, “she relied neither on one office, nor on one person, nor even on one particular group. She consulted persons and groups separately and clearly she seldom brought these groupings together. On the contrary, she encouraged a low voltage rivalry between the groups and the individuals”. (Gujral, 1987)

The first change in the PMS, according to Gujral, took place with the appointment of sushital Banerjee, who sailed close to the PM, particularly in parliamentary work (Gujral, 1987). But the final transformation came in 1967, when L.K. Jha was replaced by P.N. Haksar. He took full charge of the Secretariat and made it the main focus of power. He was assisted by P.N. Dhar and B.N. Tandon. But even at this stage the PMS was not expanded in any significant way. Apart from the PMS, Mrs. Gandhi also had other officially appointed advisors. She also depended on the advice of several other professionals and politicians as and when it suited her. The presence of three powerful ministers-Morarji Desai, Jagjivan Ram and Y.B. Chavan - also acted as a check against the rise of extra-constitutional and extra-legal centres of power till 1969.

After the Congress split in 1969 things started changing rapidly. Morarji Desai was eliminated, Jagjivan Ram appeased and, Chavan neutralized. In
fact, according to Gujral, Chavan was already neutralized by the end of 1967. He, as the Minister of Home Affairs, was blamed by Mrs. Gandhi’s coterie for tapping of Prime Minister’s telephone in the middle of 1967. It was consequently decided to transfer all effective organs of the state to the PM’s Secretariat, though it was implemented only after the party had split (Gujral, 1987). Thus, the intelligence network along with the Revenue intelligence were transferred to the PMS. Though Department of Personnel was placed in charge of an independent Minister of State (Om Mehta), he was supposed to report directly to the PMS. Similarly, the judicial appointments were transferred to the Law Ministers and the company Law Department to the Ministry of Industries, whose Ministers of State reported to the PMS. The PMS had thus acquired both direct and indirect control of most governmental organs and emerged as the main centre of power and authority by the end of 1970. (Gujral, 1987). During and after the Bangladesh war, the PMS was the main nerve-centre of the entire governmental activity in the country. The PMS maintained its importance till Haksar developed differences with the Prime Minister over several issues and was transferred to the Planning Commission as Deputy chairman with the rank of a Cabinet Minister. He was succeeded by P.N. Dhar.

But by this time the caucus built around Sanjya Gandhi had virtually hijacked the government. The real power of decision making shifted from the PMS to the PM’s Residence, often called the Palace. With the rise of this informal centre of power even the PMS was eclipsed and its powers eroded considerably. (Gujral, 1987)
The Janata Government was committed not only to undo the excesses of the Emergency, it was also committed to rectify the distortions and extra-institutionalism developed during Mrs. Gandhi’s regime. Morarji Desai personally and the Janata Government collectively were committed to the dilution of the PM’s Secretariat. The first step taken in this direction was to drop the nomenclature Secretariat for office. The PM’s Secretariat (PMS) was redesignated Prime Minister’s Office (PMO) by Morarji Desai. All that had been given to it from the ministries of Home and Finance were returned. All the ministries also got back their authority. The Cabinet Secretariat and the Cabinet Secretary regained their prestige.

But the PMO did not completely emerge out of controversies. Appointment of V. Shankar, a retired member of the ICS, at the head of this office conveyed the impression that Morarji Desai also wanted to have a committed office. Gujral feels that “part of the problem was that the bureaucratic and ministerial habits of nearly two decades continued to assign more importance to the PM’s Office “ (1987). P.N. Dhar, on the other hand, feels that Morarji Desai did not bring any qualitative change in the PMO. “All that he succeeded in doing was to change its name from Secretariat to Office and reduce the staff marginally from 229 to 211”. According to Dhar this “was not the result of any bureaucratic resistance but a recognition that it was necessary to have a group of aides who would assist the Prime Minister in discharging his multifarious tasks” (1989:58). Despite Dhar’s views, there is enough evidence both from Morarji Desai himself and, the then Cabinet Secretary, N.K. Mukarji that during Morarji Desai’s Prime Ministership, the Cabinet Secretariat was restored considerably to its formal position and
the PMO’s intervention, and interference in working of individual ministries was minimal.

*Status quo ante* was restored to the PMO with Mrs. Gandhi’s return to power in 1980. The PMO was reorganised with P.C. Alexander as the Principal Secretary. It is not known what quantitative (in terms of number of staff) changes were brought in the PMO, but several key departments from the Ministry of Home Affairs were again taken over by the PMO. Revenue Intelligence was, however, left with the Ministry of Finance. One of the notable features of this era was the increasing influence of Sanjay Gandhi, now an MP. Sanjay Gandhi exercised considerable power through R.K. Dhawan, and others. R.K. Dhawan was elevated to the rank of a Joint Secretary and designated as the Private Secretary to the Prime Minister (Gujral, 1987). Things did not change much after Sanjay Gandhi’s sudden death in an air crash in June 1980.

The PMO’s reorganization under Rajiv Gandhi only changed faces. Initially, for example, he removed R.K. Dhawan and brought in M.L. Fotedar, but after multiple political crises, he brought back R.K. Dhawan into the PMO towards the close of his five year tenure. It must be said to the credit of Rajiv Gandhi that he did begin by formalising structures and had parliamentary secretaries to help him. But soon it was all dissipated and he was surrounded by advisers who did not have any constitutional or formal status. At one stage he appointed a Minister of State to manage the PMO.24 *The Times of India* (27 June, 1988) commented:

The appointed of Mrs. Sheila Dixit as a Minister of State attached to the burgeoning Prime Minister’s Office shows the growing importance that is being
placed on centralizing and coordinating political and administrative initiatives. This is a dangerous trend which needs to be carefully reviewed. The PMO is threatening to become a parallel centre of power at the cost of the institution of the Cabinet.

OVERVIEW:

It is one of the ironies of history that the PMS, or later PMO, was to be made into a monstrous institution by the daughter of Jawaharlal Nehru, who on the advice of his colleagues dropped the idea of creating a strong Prime Minister's Secretariat. The problem was not merely regarding the creation of the PMS or PMO, or even of its expansion. The basic problem was that this institution was deliberately used to eclipse the Cabinet Secretariat, an institution formally created to service the Cabinet system its associated institutions, and signified a change from the cabinet system.

But while the Cabinet Secretariat has been bruised and suffered neglect, the time has not yet come to write its obituary. After each decade Indian political development seems to be creating a situation which resurrects the Cabinet Secretariat. This was witnessed in 1977 and again with a change in regime in 1989-90. It is difficult to foretell what will happen to these institutions in future as the issues of governance and the machinery of government are still unfolding themselves in the evolving Indian polity.

The fundamental point to be debated, however, is the relative position of the Cabinet Secretariat and the PMO. Both the Cabinet Secretariat and the PMO now are statutory bodies and derive their powers from the Transaction of Business Rules created under Article 77(3) of the Indian Constitution. We are
unable to analyse and debate the relative powers and strength in the absence of access to these Rules. But if we follow conventions of the British Constitution, which have guided in shaping our own constitutional practices and traditions, it is the Cabinet Secretariat which should be the premier institution of the system. The PMO is only meant to meet the Prime Minister’s day-to-day secretarial needs. However, like the emerging Prime Ministerial predominance in the Cabinet system, the PMO is a powerful reality today. Hence, it has to be viewed as an integral part of the processes of change taking place in the system of governance in India. However, an attempt to precisely define its relationship with the Cabinet and the Cabinet Secretariat on the one hand, and individual ministries and departments on the other is essential. That is perhaps the only way to check the PMO from going beyond its legitimate role. It would be appropriate to suggest that variations in the PMO’s non-formal powers would depend upon the personality and with the personal predilections of the individual Prime Minister.

Unfortunately, in spite of hue and cry regarding the PMO’s burgeoning size and growing power and influence, this issue has neither been sufficiently debated so far, nor has it been put in proper perspective. Two writings that shed some light on the subject are by I.K. Gujaral and P.N. Dhar. The former was an influential Minister of State in Mrs. Gandhi’s Council of Ministers till the Emergency, when he was first made a Member of the Planning Commission and, later, sent to Moscow as India’s Ambassador and finally became Foreign Minister in the V.P. Singh Cabinet. The latter was a Joint Secretary in the PMS when P.N. Haksar headed it and, later headed the PMO as Secretary to the Prime Minister Mrs. Indira Gandhi.
I.K. Gujral in his article in The Hindustan Times on 14 August 1987 as a part of a series to commemorate 40 years of Indian Independence, detailed the gradual rise of the PMO as an all-powerful body which eclipsed not only the Cabinet Secretariat, but also the Cabinet and the individual ministries and departments. It, in fact, hijacked the entire constitutional system of India for eighteen months. He, however, does not debate the question of desirability of a powerful PMO, nor does he raise the debate regarding the PMO’s relative strength.

P.N. Dhar (1989), on the other hand, presents a forceful plea for a strong PMO. His plea is based on the argument that Prime Ministerial government is a reality not only in India, but the world over. “The concept of the collegiate system of Cabinet in which the Prime Minister is but the chairman of the council of ministers, or first among equals, has been obsolete in the country of its origin for more than a century and is now only a hoary and pedantic anachronism” (Dhar, 1989). He bases his argument on the one hand on the plea that in India the “pre-modern attitude to authority based on hierarchical values (makes) Cabinet Ministers behave like members of feudal court towards Prime Minister and their colleagues in the Government, the party and the service. The Cabinet is (therefore a) deviant in the system” (Dhar, 1989:53). And, on the other, the increasing complexity of governance in India today, which makes the Prime Minister deal with contenders for power within and outside his party, and socio-economic and political complexities at home and abroad, cannot be dealt with by the Prime Minister with the help of his Cabinet without a score of specialized advisors on the pattern of the US President (Dhar, 1989:55-60).
The issue, however, is if the Cabinet Government having informally transformed itself into the Prime Ministerial government requires a body like the Cabinet Secretariat, designed to serve the Cabinet and coordinate between the PM, the Cabinet and the Ministers, or basically a secretarial body like the PMO. In fact, this leads us to a basic question regarding the relative constitutional position of the Prime Minister vis-à-vis the Cabinet. There is need to understand better whether the governmental system being operated in India is formally a Cabinet system, a Cabinet system with dominant Prime Minister or a Prime Ministerial system. If it is a Cabinet system, whether or not there is a PMO, the Cabinet Secretariat will play an important role. In fact, it is worth considering that not only the Prime Minister but other members of the Cabinet may also require expert technical and scientific advice. Then the question arises about the need to restructure the Cabinet Secretariat to have a panel of experts who could be consulted by all the members of the Council of Ministers including the Prime Minister. This would also help maintain some amount of uniformity in administrative decisions.

Relative powers, responsibilities and organizational structure of the Cabinet Secretariat and the PMO will have to be better delineated even though the actual relationship will depend a great deal on the outlook and personality of the Prime Minister. This will help in a more organized and effective machinery of government at the highest level rather than making it as part of expediency of an individual Prime Minister. Quite clearly both the institutions are here to stay and, therefore, the need to put a coherent and reasonably effective bureaucratic machinery at the top, which meets the needs of the governance of the system, is essential.
NOTES AND REFERENCES


