

NEHRU-MEMORIAL LECTURE SERIES

A MINISTER AND HIS RESPONSI- BILITIES

MORARJI DESAI

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INSTITUTE OF CONSTITUTIONAL & PARLIAMENTARY STUDIES

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The principal objects of the Institute are to promote and provide for constitutional and parliamentary studies with special reference to the evolution and working of the Indian Constitution in all its aspects; to undertake comparative studies in the constitutional systems and governmental institutions of various countries as well as their problems and processes; to institute and facilitate fundamental research on matters relating to developments in constitutional law, conventions and practices, parliamentary procedure, legislative drafting, trends in judicial interpretation and other allied matters; to set up a nationwide legislative research and reference service; to organise seminars, lectures, symposia,

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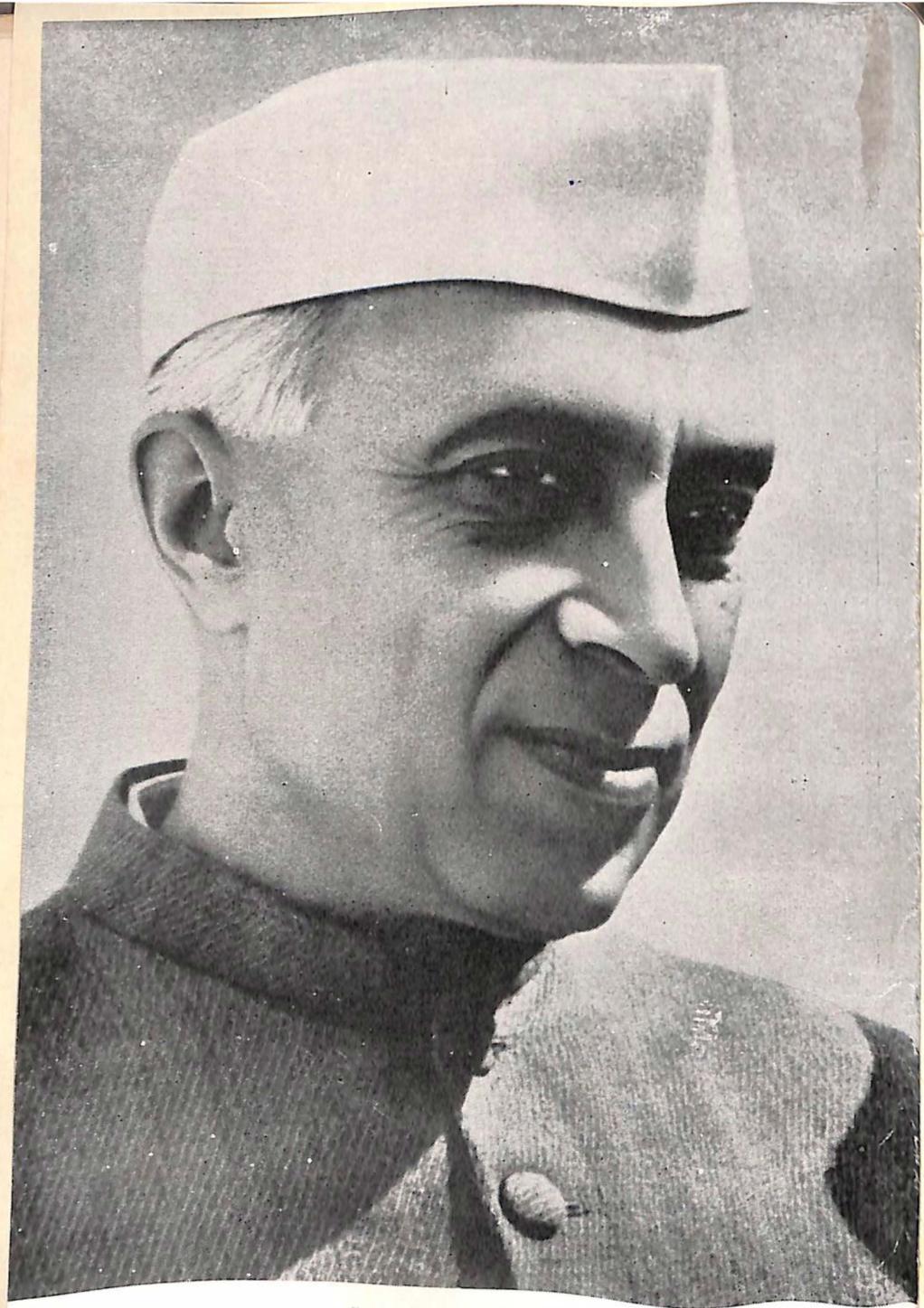
Lal Bahadur Shastri Memorial Lecture delivered on April 28, 1968 by the *Rt. Hon. John Freeman* on 'Problems of Parliamentary Reform in Britain'.

Jawahar Lal Nehru Memorial Lecture delivered on November 24, 1968 by *Shri Morarji Desai* on 'A Minister and His Responsibilities'.

B. N. Rau Memorial Lecture delivered on February 26, 1969 by Chief Justice *Shri M. Hidayatullah* on 'Judicial Methods'.

Moti Lal Nehru Memorial Lecture delivered on May 6, 1969 by *Dr. S. Chandrasekhar* on 'Demography and Democracy in India'.

Gopal Krishna Gokhale Memorial Lecture delivered on May 8, 1970 by *Professor V. K. N. Menon* on 'Politics as a Profession'.



Jawaharlal Nehru
(November 14, 1889—May 27, 1964)

THE FIRST
JAWAHAR LAL NEHRU MEMORIAL LECTURE

**A
Minister
And His
Responsibilities**

MORARJI DESAI

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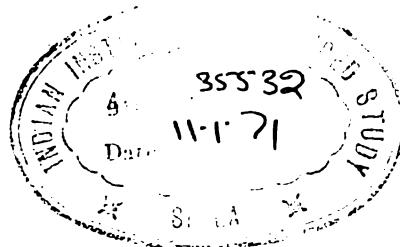
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Introductory Remarks

by

Dr. L. M. Singhvi

Executive Chairman

The Institute of

Constitutional and Parliamentary Studies

Respected Shri Morarji Bhai, Ladies and Gentlemen:

We have assembled here this evening to pay our homage to a great son of India whose contributions to the making of the Indian Constitution and to the strengthening of parliamentary institutions were phenomenal. Jawahar Lal Nehru was a renaissance statesman and he synthesized in himself many rare and versatile attributes. This is not an occasion for me to dwell at length on his enduring impact on Indian polity, Indian Constitution and the kaleidoscope of Indian life. Future historians and scholars perform the task of evaluating Jawahar Lal Nehru's successes and short-

comings. For us today, this is an occasion to remember him with beholding respect and heartfelt affection and to pay our homage from the innermost feeling of our hearts to that remarkable world leader and a friend of the teeming millions of India. It is befitting that we should have on this occasion with us Shri Morarji Bhai Desai to pay a tribute to him and to deliver the first Jawahar Lal Nehru Memorial Lecture.

The Institute has instituted a number of such memorial lectures to perpetuate the memory of the great architects of our renascent nation. In that galaxy the name of Jawahar Lal Nehru is unquestionably one of the foremost. Shri Morarji Bhai needs no introduction to this audience. He is a proven sentinel, an outstanding administrator and an inspiring exponent of India's deep commitment to democratic ideals. We have chosen for him this evening a subject which is at once crucial, far-reaching and somewhat unexplored in India, namely 'A Minister and his Responsibilities'.

A Minister is the hyphen that joins and the buckle that fastens the administrative and the legislative arms of the government and he

belongs to that committee of the legislature which leads the legislature and at the same time presides over the administrative and executive deliberations of his Ministry and participates in those pertaining to the government as a whole. A better understanding of Cabinet Government and the functions of a Minister is the key to an understanding of our parliamentary system and process. Parliamentary government has come to be known as Cabinet Government. Cabinet Government depends largely on the functioning of the Minister, on the homogeneity of the Cabinet and on the inter-relationship which the Ministers have on the one hand with the bureaucracy and on the other with the Parliament and the people in general.

It was said once by Lord Morely that a Minister is very busy person who answers 'Yes' or 'No' to a question and offers imperfect information. Perhaps that was merely a caricature of a Minister's functions. In fact a Minister has to play an important part in the determination and execution of policies and, therefore, it is befitting that we should have this first convocation—if I may describe it so, for analysing, defining and understanding the responsibilities of a Minister in our system of government. One cannot over-emphasize the

dire need for superior ministerial timber and the desirability of purposeful action for improving the performance capabilities of our Ministers at all levels, for streamlining their functions, and rationalizing their equations with other constituents of government.

I am grateful beyond words to Shri Morarji Bhai for having agreed to deliver this memorial lecture. I know that this is due to his great affection and love for the late Shri Jawahar Lal Nehru and for his deep interest in the work that this Institute is doing. I now request him on behalf of you all and on behalf of the Institute to deliver the first Jawahar Lal Nehru Memorial Lecture.

Memorial Lecture

by

Morarji Desai

Formerly Deputy Prime Minister & Finance Minister
Government of India

Mr. Chairman* and Friends :

It is a privilege to be speaking to your Institution on such an important subject—a subject on which I can claim to have one of the longest experiences in the practical domain. I underwent my initiation as a Minister more than 30 years ago under conditions which made responsible functioning no easy task. After an interregnum of seven years, I again resumed the thread of my ministerial responsibilities in quite different conditions, in that the British Government had then decided to quit India and we could function in true democratic fashion. After more than 12 years' experience

* Dr. L.M. Singhvi in the Chair.

as Minister and Chief Minister in Bombay Province or State, I shifted to the Centre where I functioned for nearly seven years under the leadership of late Pandit Jawahar Lal Nehru and now for more than a year and a half under that of Smt. Indira Gandhi.

After I accepted your invitation to speak to you this evening I began to reflect on these varied experiences under different conditions, and working with different colleagues I could not but recall the exacting calls which parliamentary life in a democracy makes on one's temperament, on one's physical frame and on one's mental make-up. Nevertheless, it would be true to say that it is the incontestable lesson of history that democratic system is the only one which can make a government duly representative of, and responsive to, the millions only for whose welfare a government has the right to administer. There are certain inherent drawbacks in working a democratic constitution. There may be delays inevitable in the process of discussions and consultations. There may be a lot of talk unavoidable in a deliberative assembly. There may be apparent shifts in decision and opinion indispensable in the administration of human affairs for human beings. But there can be no doubt that in a

truly democratic system it is the end-product, evolved after deep deliberation and consideration, which finally justifies having to go through delays and drawbacks. In the fashioning of the end-product, the most significant part is played by Ministers individually and the Cabinet as a whole on which the ultimate authority and responsibility for administration rests. Howsoever qualified the individual members of the Cabinet may be, ultimately much depends upon the leadership that is provided by the chief, be he the Prime Minister or the Chief Minister. It is not as if Ministers are merely shadows of the substance that the Prime Minister or the Chief Minister may be. In fact, under the guidance of the Prime Minister or the Chief Minister or the stimulus of the collective wisdom of his Cabinet colleagues, a Minister is free to dispose of his work according to his judgment. But this freedom has to be tempered by the consideration that whatever he may do without consulting his other colleagues, he has to do in a manner that they can hold themselves vicariously responsible for his actions in accordance with the principle of collective responsibility. In this context it is pertinent to recall the famous dictum of Lord Melbourne "It does not matter what we say so long as we say the same thing

at the same time."

As a member of the team that a Cabinet worth its name must be, a Minister has thus to impose upon himself self-restraint and self-discipline; he has to take into account not only public opinion but also the opinion of his parliamentary colleagues and members of his own team. Very often, this opinion need not be actually expressed; it has to be assessed and anticipated. Similarly, not un-often he has to put up with such opinion against the lessons of experience, judgment and commonsense. Experience may be his own or may be that of his predecessors or may be that of the large body of administrators who work under him. In other words, both precedents and practice have to be taken note of by him. So far as judgment is concerned, it is subject to the well-established liability of human beings to error. So far as commonsense is concerned it is not so common and it is sometimes astonishing to find how much lacking in it sometimes are the deliberations of a deliberative assembly under the influence of feelings and emotions. At the same time, commonsense is normally the touch-stone on which policies and measures have to be tested and in relation to which we expect those policies and measures to be

accepted. In this manner, a Minister has not only to be convinced himself about his decision but he has to be able to convince others as well.

The second sphere in which a Minister had to function is as the head of the vast net-work of administrators in the secretariat, in the executive departments and in the field. It is they who translate his decision into practice and it is through them that he has to keep in touch with the hard realities of field experience and field work. In that position he has to display a firm reason, temperate will, endurance, foresight, strength and skill and with a combination of all these he has to be in a position to warn, to comfort and to command. Obviously, the warning has to be against the consequences of failure of duty. The comfort has to be in terms of the hard lot of administrative existence, namely lack of appreciation on the part of those for whose welfare administration exists. The word of command has to be as befits the head of a vast organization through words and policies which will carry instinctive or instant or deliberate obedience, as the case may be. I have used the word 'deliberate obedience' advisedly. We must remember that we cannot always order

human beings like dumb-driven cattle. They have a mind and will of their own and it is not always possible to make them work without studied conviction in the soundness and effectiveness of what they are asked to do.

These are the fields in which a Minister has to function in daily association or close consultation. Ultimately, however, he is the servant of the people through their chosen representatives who sit in the legislatures. His relations with the parliamentary colleagues mostly depend on himself—his own ability to carry things through, his amenability to sound arguments, his tact, his knowledge of the subjects with which he is concerned and the impact his own personality and handling of the affairs of his Departments make on his party and his other Parliamentary colleagues. There is no doubt that the support which he receives from the leader of the team, namely the Prime Minister or the Chief Minister, is a valuable asset to him but ultimately it is the quality of his own showing in Parliament or Legislature that will mark him out or in his executive functioning either for success or for failure or a state of being more or less equivalent to twilight between the two. Dealing with interpellations, he has to show an intimate

familiarity with the subjects concerning his Department; he has to display a ready wit and has to be quick in the uptake while giving full and correct information. Very often, a humorous remark saves a ton of trouble for him. While dealing with the other business before the House, he has to make the most of points on which he finds himself in agreement with the general opinion of the members and to use all his persuasiveness in dealing with points on which he finds himself otherwise. Mere oratorical flourishes or excellent choice of phrases will not help him if he is unable to muster arguments which can prevail. As one distinguished Parliamentarian has said : "Oratory is the art of persuasion and the best way to persuade is to show a complete knowledge of the subject". Ultimately, it is only through this knowledge that a Minister can be on solid ground in dealing with the business before the House. He must treat the opposition with respect and should constantly show readiness to hear and understand their view fully.

I shall now deal with the public image which a Minister has to keep in order to discharge his responsibility adequately. There is no doubt that the hall-mark of a successful

Minister is his efficiency. The public itself is multitudinous; each one has his own idea where the shoe pinches. They are liable to be carried away on an emotional wave into stormy waters. Educated and studied public opinion so necessary for successful working of democracy is not so common. Consequently, it is not un-often that a Minister has to face unformed or ill-informed criticism or a biased or interested expression of views. He has to steer his way between these two rocks and finally attain a sheltered anchorage. It is often an uphill task, the accomplishment of which is made easy if he can carry with him the understanding of his colleagues and the support of his party. It is for these that he has to labour and strive with determination and will. In the exposition of his case before the public, he has to display not only sound judgment and an understanding approach but also a sympathetic imagination so that he can avoid treading on painful corns. I realise that sometimes a Minister has to apply the surgeon's knife. Whenever he has to do so, he must be sure of his ground, confident of success and firm in his resolve to see it to a successful end and to justify it as a painful necessity. He must create a confidence in the public mind that he will see everybody whose grievance he

should hear and remove if possible, and that he will not allow prejudice to interfere with doing justice to every one.

In the brief time at my disposal, I have tried to dwell not on the details of the Ministerial responsibility in a democratic set-up, but on the requirements of its various aspects. I have done this deliberately for I thought that the constitutional position of a Minister, as a member of the Council of Ministers and as the head of his Ministry and his responsibility to Parliament is well known. I therefore thought it best to deal with how a Minister has to handle his responsibility in its various fields, forms and phases and what is required of him in doing so. In whatever manner and whatever field a Minister has to function, he has to be conscious throughout that in the first and ultimate analysis he is a servant of the people. Welfare of the people is the supreme requirement. There may be a conflict between what he considers to be demanded by this 'welfare' approach and what the public may feel on the same subject or what his colleagues or the various forums of public opinion might express. In the event of such a conflict it becomes the duty of a Minister to resolve it in accordance with the dictates of

prudence and judgment. If he fails to do so and the question arises as to whether he has acted rightly or wrongly, he has to be prepared to face the battle of conscience that must eventually ensue. The result of such a battle may be his own submission, or his resignation. If he acquiesces in the judgment of others, he must do so with a clear conscience and without mental reservations. Otherwise it is his moral and democratic duty to face the consequences of his difference of opinion with the people or the majority of his colleagues and to tender his resignation. This does not preclude, as is implied in my statement of this case, his own adjustment with the majority of the public view. Life is a continuous process of compromises and adjustments. Man does not live like Robinson Crusoe in a far off island or by himself making the best of his environment. He lives in a world where he makes an impact and at the same time has to bear the impact of different influences in everyday life. Reasonable adjustment with prevailing circumstances or opinions or even in the objectives and ideals is therefore in keeping with the principles of human existence and natural life. In the case of men with conviction and conscience, this process cannot be merely mechanical, but has to be idealistic or ideologi-

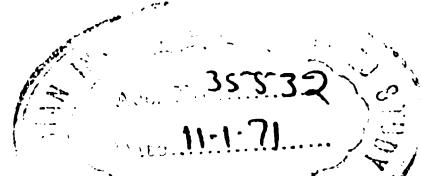
cal as well and it is when idealistically or ideologically a Minister is unable to reconcile himself with the opinions of his colleagues or the people's representatives, it becomes his moral duty to yield his place to others.

From what I have said above, it is clear that one of the essential requirements of a Minister's discharge of his duty is his integrity. I have said enough to show that a Minister to be successful must be of a strong moral, mental and physical fibre. Without this he cannot keep before him that perspective of objectives which is necessary to enable him to steer his course safely through his public career ; nor can he maintain that objectiveness which alone can enable him to judge men and matters impartially and disinterestedly so that he can hold the scales even between conflicting views and conflicting interests. His own personal conduct has to be above suspicion. This does not mean that he should succumb to mere casting of aspersions. This is the lot of all of us in public life. He has to satisfy himself and his conscience that any such aspersions are without substance; more than this, he has to see that as far as it lies in human power, he does not give any justifiable occasion for such aspersions, particularly when it has become a

fashionable pastime to do so not so much out of regard for public interests as for scoring political advantages or securing personal retribution. One often hears of the need for a code of conduct or of securing this or that declaration. A code on paper is worse than its absence. Ultimately a code must have a sanction and unless political parties evolve a dependable form of sanctions, a mere evolution of a code of conduct is of hardly much value. Similarly, a mere declaration of assets can hardly be a solution to ensuring rectitude amongst political entities. What is more important is the cultivation of an attitude of mind and the creation of a public opinion which would notice departures from rectitude and make people pay for that howsoever high or low they may be. After all it is not entirely by shutting out opportunities or even focussing public opinion on them that you can secure right conduct from holders of offices. Ultimately these have to be rooted in one's character and unless the standards of political life and levels of individual approach to problems of conscience are properly understood and acted upon, mere insistence on forms will not solve the problem of integrity in public offices or of public life.

Mr. Chairman, I have now done, and in conclusion I have only to say that in the process of character formation, of education of holders of offices in the requirements and the demands that their office makes on them, it is institutions like yours which can play a useful part. We in India have not yet fully realised how a democratic system of government requires to be supported by political and public institutions which will provide education in public office, act as watchdogs of public interests, and generate salutary ideas and duties in the conduct of oneself in different positions that they might be called upon to serve. I have made my approach to the subject of "A Minister and His Responsibilities" from this point of view and I do hope that as time goes by, this institution will continue to provide the light which would be the guide for all those who will be seeking a parliamentary career.

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Replies to Questions

Question No. 1 : It seems to me that the Minister's relationship with the civil service has to be closely and clearly defined, particularly in the context of development and increase in administrative complexities and a growing climate of politicization. The civil services are inclined to treat a minister as a transient bird of passage—he may be in office today, he may not be in office tomorrow—while the civil servant himself is responsible in a sense for continuity in policies. The Minister who comes to office on a particular programme and platform is anxious to execute in the shortest possible time the programme of his party. How

should a Minister conduct himself so that the civil services may function within their allotted sphere with freedom and detachment and the Minister may yet be able to give them guidance rather than surrender his political judgment to the civil servants in most matters including basic policy-making ?

Reply : As I said earlier, the Minister's function is to warn, to comfort and to command. That shows what relationship he should have with his civil service. The function of the Minister is to give direction and to guide. The function of the civil servants is to carry out the policies and to help in the formulation of policies. I do not see that any Minister who is capable will be treated in the manner in which the Chairman is afraid he might be treated. That depends on the Minister and his calibre.

I may tell you of one instance when we first formed the Ministry in Bombay under very different conditions and when the Governor was all in all. It was provincial autonomy then and not self-government. The provincial autonomy also was maintained as a matter of

convention and not as a matter of law. There were Ministers for transferred departments only. In those days, some of the Ministers asked their secretaries even for casual leave. So, you can just imagine what relation civil servants had with those Ministers. Well, when we took charge in 1937, within a day the Chief Secretary told his colleagues that they should behave properly otherwise they would not be safe. It all depends upon how the Ministers do their work. We had not to tell them anything but the way we dealt with them, they realised that they had to show proper deference.

At the same time, the Minister must see that the civil servants' freedom to advise is not in any way curtailed or controlled. That would be a disaster because then he will not be able to give his correct advice. The Minister can over-rule him but the Minister must never prevent him from giving his advice. Once the matter has been discussed with the civil servants in all its aspects, and a decision has been taken, if the civil servant does not then carry out the decision or shows reluctance in executing

it, the Minister, if he knows his duty and is capable, should become effective and the Secretary should not continue. That depends upon the Minister as to how he gets his instructions carried out without any show of force or show of power. This I think, Ministers can do if they know what they are doing.

Question No. 2 : Sir, you have listed a number of Do's and Dont's for the Ministers. Could you give an idea of the percentage of Ministers today who, anywhere in the accepted range, obey or accept these rules ?

Reply : It is for the members of the public to make that judgment and not for me. I do not know whether I also qualify or not. But, I would say that what I have said is a requirement which should not be expected to be fulfilled completely by every Minister because we do not and can not have ideal ministers. Efficiency and ability vary. The expectation should be that this should be reasonably carried out. But how many people can be expected to do that—I would rather leave it to your judgment; not that I have no judgment

but I would not like to pass any criticism on my colleagues—that is the worst thing that the Minister can do and that he should not do.

Question No. 3 : Do you think that the objective of a democratic socialist society has been achieved, and if not, would you consider one or two Ministers resigning on that account ?

Reply : I hope that there will be a sense of proportion in judging an ideal, in judging the contents of it and also in judging how long it will take to fulfil that ideal. Democratic socialism is not a thing which can be achieved in a day or even in a few years. It is a continuing process and I can only say that we are constantly trying to achieve it. We have achieved a measure of it but the ultimate goal will take time to realize. There is no question of anybody resigning on that score.

Question No. 4 : For some time there has been a talk about a National government *i.e.* the Ministers should be drawn not only from the party in power but from practically all parties. What are your views

on that ?

Reply : My views in this matter are well known because I have expressed them publicly. National government can come in only when the whole country is in great difficulty about its freedom, *i.e.* when there is a war. In that case all other issues become insignificant, the question of defending the country is foremost and there is no question of differences of opinion between different parties. In such circumstance, a National government can function properly, usefully and better than a party-government, because then, in the Parliament, all parties would support the National government. In ordinary time when policies have to be framed and have to be carried out and implemented it will not be possible for members of different parties to function together and to do any effective work even if this is described as a national task.

Question No. 5 : I take it that you agree that it is not only the pressure of war—I mean the crisis created by war—but crisis created by internal conditions when a National government may be appro-

priate. I would like to know whether you would extend the scope of setting up a National government to other conditions such as internal pressures ?

Reply : If the majority party is weak and succumbs to such pressures it will commit suicide.

Question No. 6 : As distinguished from National government, there is also a talk of government of talents. What are your views on this aspect of the question ?

Reply : Does it mean that talents are only outside the party, not within the party ? Some persons might arrogate to themselves the virtue of talent, just as there are those who arrogate to themselves intellectualism *i.e.* they hold that they are the intellectuals and all others are not.

Question No. 7 : The subject of the talk is 'a Minister and his Responsibilities'. The electorate finds that several times they have no access to a Minister as he is very busy in other affairs. It is also said that the constituency of the Minister remains undeveloped. It was true of

Phulpur constituency which was represented by the late Shri Jawahar Lal Nehru. In this context would you tell us to what extent is a Minister responsible for development in his constituency ?

Reply : If the Minister does his work for the whole country properly, his constituency also is served and if he serves his constituency more than other constituencies, he does not deserve to be a Minister. I do not subscribe to this theory that Phulpur was neglected. Phulpur could not have the luxury of having its representative as the Prime Minister and also expect him to have a special soft corner for his constituency.

Question No. 8 : Sir, how do the defecting Ministers represent their constituencies when they defect from one party to another and become Ministers ?

Reply : Well, when a person gives up his principles, you can just imagine what service he can perform. I need hardly say anything.

Question No. 9 : Today, slowly and steadily we are ending the democratic set-up. There are Ministers like you, who have been responsible for evolving a policy under which ultimately responsibility goes more and more to the people in terms of Panchayati Raj but probably now we are giving Panchayati Raj institutions less and less authority and responsibility. Civil servants tend to undermine the authority of local self-governing institutions.

Reply : I do not agree that the civil servants or the administration as such are trying to erode or undermine the democratic set-up. It is our own defect. It is difficult for us to get trained. It will take some time but the Minister's duty is to see that panchayats are strengthened more and more, that they get more and more powers so that they become more and more an effective instrument of self-government.

Question No. 10 : Is education necessary for a Minister or is it only party label that counts ?

Reply : Well, generally, it is party label which

makes one a Minister. But people must constantly educate him and so also has the leader of the cabinet and his colleagues in the cabinet to educate him.

Question No. 11 : If a Civil Servant is not treated properly by his Minister, there is no ultimate appeal.

Reply : There is an appeal to the Prime Minister or the Chief Minister.

Question No. 12 : There are some unqualified and others highly educated Ministers who are shifted from one Ministry to another.

Reply : You seem to be making two objections; one refers to "not-qualified" Ministers and the other to shifting of Ministers from one Ministry to another Ministry. Well, generally there should not be constant shifting but occasional shifting may be in the interests of government. One cannot make a general rule about it. As regards qualifications, it would be dangerous to say that only a graduate should be a Minister or a person who is highly educated in ordinary terms

alone should be a Minister. No expert should ordinarily be a Minister, that is my view. An expert has one opinion and he considers that as final. That is why he is an expert. But in the same field there may be another expert who may be holding contrary views say in economic or in engineering and so on. You will always find that kind of difference. If Minister is an expert, he will never allow any other opinion because he would tend to think that his opinion is final. The Minister must hear all experts and come to a proper conclusion.

Question No. 13 : During the Congress Rule once in Punjab a Minister was dismissed by the State Governor.

Reply : I do not think the Governor dismissed him without the approval of the Chief Minister. It must have been done with the connivance of the Chief Minister.

Question No. 14 : There is an alleged decline in the quality of Ministerial timber in India. What are your reactions to this? There is a decline in the doctrine of collective responsibility in the actual

working of the Cabinet in India. Do you agree ?

Reply : Well, decline and rise in calibre repeats itself from time to time. Some time there are brilliant people, some time there are mediocre people, some time there may be even less than average people as Ministers. This happens in all countries. India has had brilliant Prime Ministers. You may have ordinary Prime Ministers and brilliant Ministers, this thing will always go on. I cannot say that there is a decline now or that it is a permanent feature. This decline comes from time to time but if that becomes a constant feature, the country will pay the price, it will lose heavily. It is not always easy to get brilliant people. But they do emerge from time to time. I think in the ultimate analysis, nature is very wise and prudent.

In the matter of joint responsibility I do not think that there is any real erosion. If there is any erosion at any time in joint responsibility, it will be the fault of the Ministers not the fault of the Prime Minister. The Prime Minister may

want to have his own way whatever that may be. If the Ministers know what they have to do and they want to follow their policies, there can be no deterioration in the observance of joint responsibility.

Question No. 15 : Ministers who have got a natural gift, who have got a good grasp of their subject, who have full command over the language and who seldom deviate from the right path, should on most occasions deliver speeches extempore except when speaking on international topics. They should not deliver prepared speeches so that there may be spontaneous communication. May I know your reaction ?

Reply : There cannot be any set rule in this respect. On occasions when one may utter something which may lead to further complications, prepared speech is a better course but on other occasions extempore speech should be preferred. That is why here both the positions have been accepted. Knowledge reduced to writing is manifested orally. It is almost in the same spirit that I have given the sugges-

tion that questions may be put so that what is said in writing here may be explained orally.

Question No. 16 : How far does a Minister owe responsibility for his relations *i.e.* for his sons or close relations ?

Reply : Every Minister should see that his relations may not derive advantage out of him. To that extent a Minister owes responsibility; but a Minister cannot be held responsible for any wrong deed committed by his son or relation. I am not going to accept the position that in case he is unable to prevent them from doing so, he should quit office. But if he takes any advantage from them or supports them, then of course the Minister should resign.

Question No. 17 : Whether Congress has not adopted the policy of 'Divide and Rule' and has given rise to various parties ?

Reply : Congress has never believed in 'Divide and Rule' policy. Congress always thinks in terms of unity. It is others who believe in dividing Congress.

Question No. 18 : Mahatma Gandhi wanted to establish 'Ram Rajya'. I had once quoted to Gandhiji a couplet from 'Ramayana' in which Lord Rama said that a ruler whose subjects are in sorrow and distress has no right to continue as a ruler. Are our ministers pursuing such a policy ? Have not they reduced the people of this country to pauperism ?

Reply : I can definitely say that no Minister has ever reduced anyone to the position of a pauper. In any case, sorrow and poverty are not synonymous. We cannot think of a State which will be completely free from sorrow and distress. If a Minister is to resign in this way, then no Minister can remain a Minister—whosoever he may be.

Question No. 19 : How far the ideals & norms you have indicated for our Ministers are practicable in Indian politics ?

Reply : In every society it is but natural to set certain ideals and make constant efforts to achieve them. And this is more natural here in India. We uphold certain ideals and it is not very unnatural, rather

it is very natural for us that we try to achieve and follow those ideals. But so long as we have got certain weaknesses and indulge in condemning others, it will be somewhat difficult for us to achieve them.

Question No. 20 : In India we have envisaged a democratic State and we are making efforts for making it a people's Republic but our civil services have been fed on the theory and practice of a police State. Ours is a new concept; it is a new concept of a developed state, a welfare State which requires some political and social orientation. The civil services should in all earnestness carry out the programmes which the Minister with the people's mandate wants to implement. In this context, do you not share the view that the Civil Services and the Cabinet Ministers should have new relations and the services should be re-oriented ?

Reply : I do admit that the civil services require re-orientation. It is the function of the Ministers to re-orient civil services in a proper way. A Minister should not show favour to his party but

should re-orient the services in a manner suitable to the proper maintenance of civil services and to proper discharge of their functions. The services should pay more attention to the public. So far as a Minister is concerned, he should issue direction to them, he should give guidance to them. If this does not happen, I would call it a failure on the part of the Minister.

Question No. 21 : How can our Ministers and our politics function smoothly as long as there is a large proliferation of parties ?

Reply : In a democracy it is better to have only two or three parties. It can place democracy on a more firm footing and I do hope that within ten years or so it may be, that only two or three parties will survive in this country. If Congress wants to exterminate all other parties and create another party, it would cast a serious reflection on the Congress Party. It is often said that the Congress does not strengthen other parties. How can Congress strengthen other parties. We do not want to come in the way of other parties. Congress should not obstruct any one; she should provide equal

opportunities to one and all. I feel that such opportunities are being provided to all but if they are not availed of, how can Congress be blamed for it.

Vote of Thanks



I now request Shri Prakash Vir Shastri to move a Vote of Thanks on behalf of the Executive Council of the Institute.

Prakash Vir Shastri

On behalf of the Institute, may I say how grateful we are to you for your so kindly honouring our invitation to deliver the First Jawahar Lal Nehru Memorial Lecture and for the valuable guidance you have given to us, to ministers, would-be ministers, legislators and Political Scientists this evening, especially through the many questions readily answered

by you after the very comprehensive address. Each one of us here fully appreciates your kind gesture. I might add that this Institute has been arranging such programmes from time to time so that the people of India and those of Delhi in particular, may be made more aware of the important constitutional, political and parliamentary issues confronting the nation. Thanks to these notable efforts, the Institute is today leading non-party national forum. It is gratifying that you share our faith in the important role of the Institute. With these words may I once more express our collective gratitude to you.

Postscript

The Jawahar Lal Nehru Memorial Lecture which I delivered at the Institute of Constitutional and Parliamentary Studies on 12th November, 1968, could not be expected to cover all the aspects of a Minister's Responsibilities and duties on account of the limitation of time. I would, therefore, like to make some observations in the form of a Postscript to cover some aspects which were not covered at that time.

The question of a Minister owning discipline to his Party and to his conscience requires some elucidation. As a Minister belongs to a Party he is within the discipline of the Party and therefore bound by the decisions of the Party.

If he does not agree with any decision of the Party there are only two ways open to him. If his difference is such as can be called a matter of conscience in his view, he ought not to compromise with his conscience, but he should resign his Ministership, in which case he will not be able to continue also in the Party. If, however, the difference is only on account of a difference of view or an assessment of facts, he ought to pay more respect to the collective wisdom of the Party and accept its decision as if it is his own. This is not compromising with principles, but observing discipline which is very vital for even his own official functioning.

The question of his relation with the Prime Minister and the Cabinet is also very relevant. The Prime Minister can guide the Minister wherever such guidance is called for or is considered necessary, but in the duties which the Minister has to carry out in the day-to-day affairs he must act on his own proper judgment if he does not agree with that advice. If the Prime Minister is dissatisfied with the functioning of the Minister and considers that his retention in the Cabinet would be against public interest, he can ask him to resign and the Minister should do so. But such a demand

of resignation must not flow from any personal considerations or considerations of displeasure or prejudice. The Minister can make a statement if he considers that the Prime Minister's demand was wrong. But if the Prime Minister demands a resignation he has to tender the same because he was appointed as a Minister at his instance. The Minister must always carry out the decisions of the Cabinet honestly and efficiently which bind the Prime Minister and all the Ministers alike. There should be no question raised about the decision being unanimous or by a majority. A majority decision must be considered a unanimous decision even by those who differed after the decision has been taken. If a Minister has any difference on account of a vital principle which conflicts with his conscience, as I said earlier, he should resign his Ministership. But if he chooses not to resign, he must accept the decision and carry it out.

On some occasions a Minister may be confronted with a conflict between the interests of the country, of the Party and of his own. He must decide in favour of the country's interests, if it is a conflict between the country and the Party, and if it is between that of the Party and his own he must decide in the interests of the

Party without any hesitation. There could be no question of conscience in such conflict because these are conflicts of interests and not of conscience. When discussions are held in the Cabinet he must not hesitate to give his views frankly and must also try to understand the viewpoint of his colleagues. He must also give more consideration to the view of the Minister-in-charge when such a discussion takes place, though the decision should be governed only by one consideration, that is of the interests of the people. A Minister should never divulge any discussion that takes place in the Cabinet directly or indirectly. I am afraid there are breaches of this discipline often, and this happens because strong action is not taken against the defaulting Ministers. If any Minister, who is responsible for breach of this discipline is dismissed, such breaches will not take place.

Relations between a Cabinet Minister and his junior colleagues ought to be such as would lead to the development of the junior colleagues, so that they can take charge as full-fledged Ministers. The Minister should therefore assign definite spheres of work to his junior colleague where he can take decisions himself. The junior should consult the

Minister only when he feels that he should do so. If this is not done and the junior Minister is not encouraged to take decisions himself his capacity or initiative will not increase and his development will not take place. Moreover, the Secretaries also will not treat the junior Minister with respect that is due to him. It is necessary for Minister to see that the Secretaries treat the junior colleagues as if they are full-fledged Ministers in their spheres of work. The junior colleagues would not hesitate to take decisions, but where they find that departures from policies are involved or some decisions of great importance are to be taken, they should consult the principal Minister themselves. It is also necessary that they should keep the Cabinet Minister fully informed of major activities under them. It will not be right for a minister to interest himself in the affairs of other Ministers. Whenever he thinks that he can make some useful suggestions he should make that suggestion only to his Cabinet colleagues and not interest himself further about it.

A minister cannot disown responsibility for the omissions and commissions of his other colleagues, but this only means that he must not criticise them at any time. In the matter

of policy-making of all Ministries, matters are discussed in the Cabinet where every Minister can contribute to the decisions taken, because these decisions are taken jointly.

Consultative Committees are appointed for every Ministry and these Consultative Committees should be kept informed about the major issues and decisions and their view should be taken into account fully by the Minister. It, however, is the responsibility of the Minister to take the final decision. Unanimous recommendations of the Consultative Committees ought to be given greatest respect and should be accepted if there are not adverse effects as a result of such acceptance.

If a Minister is lax in his supervision of the Ministry and does not keep control over omissions and commissions of civil servants working under him he will be accountable for them. He should himself deal with the mistakes and shortcomings of the civil servants in his Ministry and should see to it that he detects them as quickly as he can. He cannot be made accountable for any mistakes or shortcomings of civil servants which have no relation to his office. If, however, the mistakes or shortcomings of the civil servants flow from

any direction or suggestion given by him he must hold himself accountable for them.

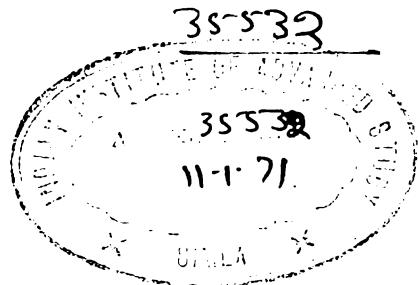
It is very essential that the Minister must keep in touch with trends of public opinion. In order to do this he must keep in touch with all those who can convey to him correctly the trends of public opinion. He should also consult experts from time to time formally or informally so that he is benefitted by such opinions.

The Parliament ought to be an effective, adequate and appropriate institution for evaluating the performance of Ministers and should keep a check over them. It is, however, the Prime Minister on whom falls the main responsibility of evaluating the work of his colleagues for guiding and strengthening them. If there is any grievance based upon tangible evidence, the Prime Minister ought to enquire into them promptly. If any default in duty of irregularity of action is found the Prime Minister ought to take immediate remedial action. Members of the Cabinet ought to meet informally as frequently as possible so that they can discuss freely and frankly not only their policies, but also their mutual relations. Unless they work with

confidence in each other and with a sense of loyalty to each other, the functioning of the Cabinet can not be very effective. On the whole, however, a Minister's effectiveness or usefulness will depend more on how the Prime Minister exercises his overall supervision and how a Minister keeps himself upto date with the requirement of making his functioning successful. If public opinion becomes independent, strong and courageous, it can check excesses of power as well as personal inefficiency.

September 27, 1970

Morarji Desai



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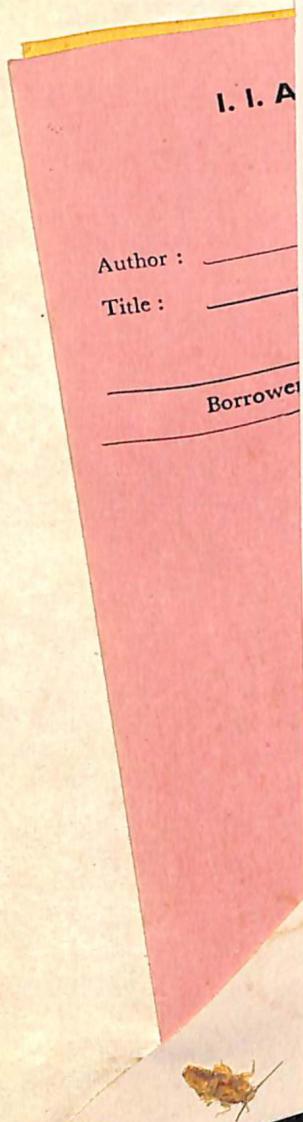
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