

## **Role of the Prime Minister's Office**

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Jawaharlal Nehru was undoubtedly the most powerful Prime Minister that India has ever had. He had the advantage of his role in the freedom struggle, his selection by Mahatma Gandhi as the leader of the new government to be formed in India when it became independent, he was the unquestioned leader of the Congress Party which virtually enjoyed a monopoly of power throughout the country, he was beloved of the people and he had a vision of India which was unparalleled. This great democrat, who could have enjoyed more powers than any dictator in the history of the world, chose to rule India democratically, by consensus, by respect for even the minuscule Opposition that existed in Parliament and through the normal machinery of government. The Prime Minister's Office under Jawaharlal Nehru was very compact, almost like that of the Prime Minister of Britain. The Secretary to the Prime Minister was called, like his British counterpart, the Principal Private Secretary to the Prime Minister. Such distinguished civil servants as Dharma Vira and L.K. Jha adorned this post. In themselves they were very powerful and influential civil servants, but at no time did they intrude on the working of the normal system of government, that is, the Secretaries of the various ministries being in full command, under the Minister, of their own jurisdiction. The Prime Minister's Office provided the administrative, logistical and liaison support to the Prime Minister so that he could function effectively, but it is the Cabinet Secretary and his team of officers who carried on the functions of government and so far as the Prime Minister was concerned, in the subjects of the Ministry it was the Secretary of the Ministry who ultimately advised the Prime Minister. Unfortunately Indira Gandhi changed this because she not only concentrated all power in herself, she created a Prime Minister's Secretariat which was not only a parallel of government but almost a substitute for the departmental structure. In this she was assisted by such powerful Secretaries as P.N. Haskar, P.N.Dhar and P.C. Alexander. The PMO, to which name it reverted when Morarji Desai came to power, became a parallel government in itself under Indira Gandhi.

People of different calibres have been Principal Secretaries to the Prime Minister, but perhaps P.C. Alexander was the last Principal Secretary who was a serving officer. All subsequent Prime Ministers have selected retired people as their Principal Secretary. The calibre of the Principal Secretaries, including A.N. Verma, Satish Chandra, N.N. Vohra has been of the highest order and though the PMO continued to overshadow individual ministries, one could neither fault the Principal Secretary nor accuse him of dominating the Prime Minister. In Atal Bihari Vajpayee's days the Principal Secretary to the Prime Minister was Brijesh Mishra, an outstanding IFS officer who was also the National Security Advisor. He was, therefore, perhaps the most powerful Principal Secretary to the Prime Minister that we have ever had. The situation, however, changed drastically when Dr. Manmohan Singh became Prime Minister. Now the office of the Prime Minister was itself seen as being subordinate to 10, Janpath, the headquarter of Sonia Gandhi who was both the Congress President and the Chairperson of the United Progressive Alliance (UPA). When the public perception of the Prime Minister is that he is dependent on the fiat of 10, Janpath then, obviously, the Principal Secretary to the Prime Minister himself becomes an officer with a subordinate role. 10, Janpath put a trusted officer, Pullok Chatterji as Additional Secretary under the Principal Secretary to the Prime Minister, T.K.A. Nair and during his second stint Dr. Manmohan Singh had the mortification of having to make T.K.A. Nair his advisor and

accept as Principal Secretary Pullok Chatterji, the nominee of 10, Janpath. This was a very different PMO, but it was in keeping with the relationship between Dr. Manmohan Singh and Sonia Gandhi herself in which the post was occupied by Dr, Manmohan Singh but the real power vested in Sonia Gandhi. By all this the departmental structure of ministries was damaged and the office of the Cabinet Secretary was downgraded. This dichotomy in administration was disastrous and very largely responsible for the so called paralysis of government.

Narendra Modi is cast in a completely different mould. The entire election campaign of BJP centred on the persona of Narendra Modi and, therefore, it was but natural that in victory he would not only be, as Prime Minister, a *prima inter pares*, but rather the unquestioned leader whose writ would run in government. This is reflected in the PMO also.

One example of this is that after the Prime Minister met the Secretaries to Government the Cabinet Secretary has issued a circular telling the Secretaries that they must now take decisions quickly, implement the decisions and if they have any problems they should directly approach the Cabinet Secretary or PMO. One objects to the suggestion that a Secretary should go to the PMO directly because under the Rules of Business of the Executive Government it is the Cabinet Secretary who is supposed to coordinate the function of various Ministries in government as a whole. It is for the Cabinet Secretary to decide whether a matter requires to be taken up at the level of the Prime Minister and it is for him to suggest to the Ministry concerned that in those cases which require the approval of the Council of Ministers they should prepare a Cabinet précis for obtaining Orders-in-Council. One does not really see any role for PMO in this process, but if Secretaries directly approach PMO then one foresees two dangers, the first being that PM and PMO might be tempted to intervene in matters where the department and its Minister are competent to take a final decision, with the second being that if the PM intervenes at this level the departmental ministers will be sidelined. That would not be a very healthy practice in a government run on Westminster model.

A deviation like this can lead to some unfortunate results, where Ministers, who are collectively accountable to the Legislature, are unable to discharge their responsibility because in the process of decision making they have been marginalised. It can also result in an overwhelmingly large PMO which, because of sheer numbers, may find itself intervening in areas outside its jurisdiction, not because it wants to help but because in order to keep boredom at bay the army of officers in PMO try and keep themselves busy by poking their noses into areas which are of no concern to them. Under these circumstances the Departmental Secretary also is marginalised and this is bound to affect the efficiency of individual Ministries. This state of affairs is replicated in the States. For example, the Chief Minister's Office in Madhya Pradesh now has two Principal Secretaries, six Secretaries and a whole army of Deputy Secretaries, Under Secretaries, etc. The State Secretariat already has fifty-seven departments, a Chief Secretary and eight Additional Chief Secretaries in the Secretariat, thirty-four Principal Secretaries and a horde of Secretaries. Each one of them is supposed to advise the Chief Minister on matters relating to his department and under these circumstances what would be the role of the army of officers who are in the Chief Minister's Office? Obviously to be busy bodies who can only hinder, never help.

The Cabinet Secretary is not only the Secretary of the Council of Ministers, he is the equivalent in the Government of India of the Chief Secretary of a State. His pay scale is higher than that of any civil officer in government and in the warrant of precedence he ranks above a Minister of State. He is the Secretary who is required to coordinate the working of all Ministries, bring to

the notice of the Prime Minister matters which require interdepartmental coordination, obtain the Prime Minister's orders on matters which need to be placed before the Council of Ministers and then ensure that the department concerned is available to steer the matter through the Council when the matter comes up for discussion. He maintains the minutes of the Cabinet meetings and authenticates the Orders-in-Council, on which basis the Ministry concerned takes necessary action to implement the orders. On behalf of the Prime Minister he is required to supervise the working of the Departmental Secretaries to ensure that they work at maximum efficiency. He also is the authority through whom civil-military liaison is maintained and to him the Heads of the Intelligence Organisations report. He is the single most powerful civil servant in India, or should be if the system of administration is to function smoothly. The role of PMO is to facilitate the working of the Prime Minister so that he is able to fulfil his role as the leader of the government. It is the job of the Cabinet Secretary to ensure that government actually functions and the departments of government deliver on the policies framed by government. PMO should not be allowed to overshadow the Cabinet Secretary, but unfortunately at present this is precisely what it does. It would be a tragedy if the PMO of Narendra Modi reflects the PMO of Indira Gandhi.

The Prime Minister must realise that under the American system, where the President is the Head of the Executive Government, his cabinet members under Article 1, section 6 of the American Constitution are prohibited from being members of either House of Congress. This is because under Article 2, section 2 it is the President who appoints public ministers, thus making the office of Minister a civil office and article 1, section 6 states, "No Senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of United States... and no person holding any office under the United States shall be a member of either House during his continuance in office". Under Article 75 (5) of our Constitution a Minister who, within six months of his appointment, is not elected as a Member of either House of Parliament shall cease to be a Minister after six months. In other words, under our Constitution a Minister has to be Member of Parliament and, together with other members of the Council of Ministers he is collectively responsible to the House of the People. A Minister in India does not hold a paid civil office in that he is not an officer subordinate to the President under Article 53 (1), through whom the President exercises the executive powers of the Union. A Minister is part of that constitutional entity on whose aid and advice the President is required to exercise his functions. The Prime Minister, as the Head of the Council of Ministers, must realise that a Minister has certain duties given to him under the Rules of Business framed under Article 77, he is required to discharge his responsibility to the House and, therefore, must be given autonomy of functioning within his own jurisdiction. He functions through his own departmental set up and certainly PMO cannot become a surrogate for that set up, nor can it supplant it, nor can it bypass it.

If the business of government is to be performed smoothly and efficiently, then the Prime Minister must build up departments of government, give command over these departments to the Secretary, treat the Secretary as a trusted assistant of both the Minister and the Prime Minister and encourage the Secretary to deliver on the policies and programmes which have been framed for his department. Certainly PMO at the officer level cannot sit in judgement over a department of government. It must be said to the credit of Satish Chandra, Principal Secretary to Prime Minister Deve Gowda, that he was very careful to ensure that the position of a Departmental Secretary was never undermined by the PMO. Unfortunately that has not been true of PMO either under Indira Gandhi or under Rajiv Gandhi. One does not want to underplay the role of the Prime Minister. He is inundated with huge amounts of paper work because files come to him from every department

of government. The Secretary of the Ministry concerned is the first filter in the process to ensure that if a matter can be finalised at any other level, then the matter is kept to that level. The second filter is the Cabinet Secretary who must ensure that only those files which require orders in coordination, are related to policy change, are important enough to require the Prime Minister's personal attention or which relate to Cabinet matters actually go the Prime Minister. The third filter is the Principal Secretary to the Prime Minister who, where necessary, categorises the files in order of priority and if the departmental note is complex, to prepare a précis which highlights the issues on which the Prime Minister's orders are needed. It is also the job of the Principal Secretary to see if further information is needed, there are link files which need to be obtained or whether legal, financial or other opinion is needed, then all these are obtained before the files goes to the Prime Minister. When orders are issued by the Prime Minister, then PMO is required to follow up the matter with the departments of government so that the action taken can be reported to the Prime Minister. By acting as the final filter PMO can ensure that the Prime Minister is not snowed under a pile of irrelevant papers so that the priority matters are neglected. In order words, the real job of PMO is to create an environment in which the Prime Minister is not plagued by triviality and he can perform his true function of leading the government.

This paper is a fervent plea to the Prime Minister to put the Cabinet Secretary, the Departmental Secretaries and PMO in the correct perspective, use PMO as the enabling organisation so that he can function effectively, to restore to the Cabinet Secretariat its coordination role and to Departmental Secretaries their role of running their Ministries competently. Narendra Modi is busy breaking the shackles of the past. Let him now restore to normal government that degree of normalcy which enables it to function as a government.

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