

# INDIA'S GOVERNANCE — AN AGENDA FOR CHANGE SOME SUGGESTIONS

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For good Government it is necessary that there should be accountability as well as stability. The system of Government, under the Constitution of India, follows the pattern obtaining in U. K . Experience of nearly ten years has shown that no single party has been able to secure absolute majority at the centre and in several States, causing great anxiety and concern to the people of the this country. In addition, it has also resulted in distracting the attention of the Leader of the party, which has formed the Ministry, in keeping the flock together and thereby ensuring un-interrupted tenure for the Ministry for the full term for which the Legislature has been elected. Every day there is danger of some people leaving the majority party or, otherwise, creating a situation in which the Leader of the House has to compromise with *quality* in the formation of the Ministry or retaining a good set of Ministers for a reasonable period of time. The ultimate result is that instead of giving un-divided attention towards good Government the Leader of the House has to make compromises and has to bother continuously to keep the numerical strength in- tact at a level where his Ministry does not become vulnerable. In the present system, as soon as the majority in the House is lost, the Ministry has to quit. Besides, in order to keep the members of his party in good humour the Leader has, of necessity, to induct such people in the Ministry or retain them who may otherwise be unworthy for the purpose. The country suffers for lack of good Government.

How, then to ensure both *quality* as well as *stability* of the Government together with its *accountability* to people through their elected representatives in the Legislatures. One method can be to adopt a system in which the person commanding the largest number of votes in a Legislature is entrusted with the task of forming the Ministry in which he may be free to induct even out-siders, having regard to their quality and desirability, and further to ensure that the leader and the Ministry formed by him has undisturbed tenure for a reasonable period of time. Together with it the Legislature should have control over the functioning of the entire Ministry which should be accountable to the House and, thereby, to the people who elect the Members of the House.

It is not necessary that we should find ourselves bound to follow the British pattern or any other pattern from amongst those prevailing in U.S.A., France, Germany or the like, which have a democratic form of Government, in its entirety.

Whatever may have been the position when our Constitution makers were debating the issue and ultimately adopted the Constitution in its present form, our experience based on the functioning of the governments during the past nearly fifty years has brought out some inadequacies in the system. We must ponder over the matter now, in the light of our experience, and make such changes which may be found necessary to ensure a good Government in the country.

The suggestions made by the former President of India, Sri R. Venkatraman in his address "Stability in Governance: An Alternative to Party System" on the occasion of the inauguration of the M.A. Institute of Public Affairs of Trupati (on April 22, 1995), deserve serious thought. They involve minimum amendment in the Indian Constitution which will be confined to only a few articles thereof. The suggestions are included in substantial measure in the proposals contained hereafter.

There shall be a President to be elected in the same manner as at present.

Clauses 1, 2 and 3 of Art. 75 (name'y, 75(1) The Prime Minister shall be appointed by the President and the other Ministers shall be appointed by the President on the advice of the Prime Minister.

(2) The Ministers shall hold office during the pleasure of the President.

(3) The Council of Ministers shall be collectively responsible to the House of the People, shall be deleted.

The Prime Minister shall be elected as soon as may be after a general election or on the occurrence of vacancy in that office by death, resignation or otherwise, by the Lok Sabha by means of single transferable vote. The Prime Minister shall secure the support of more than 50% of the total membership of the House.

The Prime Minister need not be a member of either House of Parliament but he shall not continue in office unless he gets elected to either House of Parliament within six months of his assuming office. The same provision shall apply to members of the Council of Ministers.

The number of members of the Council of Ministers shall be fixed at 11 per cent of the strength of the Lok Sabha.

The inclusion in the Council of Ministers shall be subject to confirmation by a Standing Committee of the Rajaya Sabha.

A person who has served as "Speaker" of any House or 'Governor' of a State shall be disqualified from subsequently becoming a Minister in any Govern-

