

FORMER PRESIDENT OF INDIA, SHRI PRANAB MUKHERJEE DELIVERING ATAL BIHARI VAJPAYEE MEMORIAL LECTURE

1. I am happy to be present amongst you all to deliver the 2nd Atal Bihari Vajpayee Memorial Lecture. Atalji was a great son of India. Although we worked in ideologically opposite pillars of the polity, his innate qualities as an orator, as a moderator and as a consensus seeker in both his roles as an opposition leader and later as Prime Minister impressed me greatly.
2. As a statesman and a political stalwart, he dominated the national space for a long time. As a Prime Minister, he kept the nation first. As an opposition leader, he was sharp but matured in his critique. As a democrat he was one of the few leaders who thought of every angle before taking a decision. As an orator, he could enthrall the masses with his chaste linguistic skills. As a policy maker, he did not shy away from taking some tough decisions. I have no hesitation in saying that he was an inheritor and practitioner of the best traditions and qualities of leadership that India can be proud of.

3. Atal Bihari Vajpayee was a very visible presence in Indian politics for six decades, entering Parliament in 1957 and continuing until 2009. He was part of the Bharatiya Jana Sangh since it was founded by Dr Syama Prasad Mookerjee in 1951, and watched it grow in strength. Since the fourth Lok Sabha in 1967, Vajpayee virtually acted as leader of the opposition, despite the fact that no party was recognised as an opposition party from 1952 to 1977 as they didn't have the minimum number of members required to be designated so. (i.e 10% of the total seats)

4. India and Indians intrinsically cannot digest bigotry and division over a sustained period. We are a nation of 12,69,219 (Twelve lakh, Sixty Nine Thousand, Two Hundred and Nineteen) square miles, practicing 7 major religions, speaking 122 languages and 1600 dialects in their everyday lives, belonging to 3 major ethnic groups – Caucasians, Mongoloids, and Dravidians – represented by the Constitution of India. Atalji accepted this reality. He shaped his vision for everyone, seeking to take everyone along- even though many may have not agreed with his ideological inclinations.

5. A strident yet reasoned voice in the opposition, Vajpayee remained a consensus seeker while successfully heading the first coalition government for a full term. Despite the limitations of a coalition, he deftly managed to navigate issues in Kashmir, talks with Pakistan and the second nuclear test in Pokhran.

6. As Prime Minister, Vajpayee carried on the economic reform process begun by P V Narasimha Rao and Dr Manmohan Singh in 1991, and ensured steady growth of the Indian economy at an average rate of 6% per annum. I remember an instance that shows his spirit of cooperation with the opposition. As commerce minister in P V Narasimha Rao's cabinet in 1995, I had signed an agreement to set up the World Trade Organisation (WTO). As per the agreement, we were to amend the Indian Patents Act, 1973 to allow product patents. We couldn't get the bill passed in Rajya Sabha due to opposition from the Left and the BJP. Twice, we brought the bill but could not amend the law within the stipulated five years. As a result, a complaint was made against India in the WTO dispute settlement mechanism. Meanwhile, the government had changed at the Centre. Murasoli Maran, commerce minister in Vajpayee's cabinet, moved the amendment again.

7. Vajpayee spoke to Dr Singh, leader of the opposition in Rajya Sabha, and sought the support of Congress to have the bill passed. He jokingly told me, 'Pranab Babu it is your baby, why don't you support it?' We discussed it with Congress president Sonia Gandhi, who told us to explain the amendment to members of both Houses. At a Congress parliamentary party meeting, I explained the need for the WTO and the amendment to the Patent Act. I pointed out that there were only two differences between the old bill I moved and the new: One, the year, and two, the name of the member-in-charge had been changed from Pranab Mukherjee to Murasoli Maran. There was no change in the text of the bill. When the bill was passed, Vajpayee called and thanked me.

8. Here I am reminded of another incident that demonstrates his ability to work across both sides. He has mentioned it in the House. When Parliament was attacked by terrorists on December 13, 2001, Sonia Gandhi was not in the House but rang Prime Minister Vajpayee to inquire about his well-being. Referring to this, Vajpayee said Indian democracy was secure when the leader of the opposition expressed anxiety for the well-being of the Prime Minister during a crisis. Such was the magnanimity of Vajpayee.

9. I had the opportunity to criticize his government on many occasions. We have exchanged both pleasantries and barbs in the Parliament. We were ruthless and strident against each other, clutching firmly to our arguments. But we have never been uncivil or undignified. As an opposition leader or as the Leader of the house, he had immense respect and admiration for the ideologically opposite camp. The discourse in Parliament was never lowered. An unwritten decorum was maintained, civility was adhered and political barbs were shot at each other without innuendos.

Distinguished Friends, Ladies & Gentlemen,

10. Having spoken about Atalji and our general polity, I would now like to take the opportunity to share my thoughts on the topic - **'Has Parliamentary Democracy Succeeded in India and the challenges ahead'**.

11. Last month, our nation celebrated two important milestones. First, the 70th Constitution Day and the second was the 250th Session of the Rajya Sabha. These two key landmarks reflect the inherent deepening of our Parliamentary Democracy.
12. The Parliamentary System in India has succeeded, deepened and is flourishing. It has over the past seven decades, as one election results after another have shown, not only successfully enforced the spirit of socio-economic transformation that our Constitution envisages, but also reflected the aspirations, desire and resolve of the people every time they voted.
13. In my analysis, every election since 1952, barring those of 1996 and 2004 was a decisive mandate by the Indian electorate for or against a political party or a pre-poll coalition. This not displays the innate maturity of our people, but is a characteristic of a maturing Democracy.
14. In all the Lok Sabha elections from 1952 to 1984, the Indian electorate provided an adequate mandate to the Indian National Congress. Even in 1977, when the Janata Party, whose constituents fought on a common symbol, attained a decisive mandate in their favour. Many political observers hold a view that 1989 elections were the actual turning point, where the Indian electorate did not provide a decisive mandate. However, the mandate was certainly against the ruling party. The Congress got 195 seats, Shri V P Singh led Janata Dal got 142 seats and the BJP got 88 seats. In a realignment of forces, the BJP and the Left parties came together to support the V P Singh Government from outside. Realism and realpolitik overtook ideological leanings. The reality was also not to force one more General Election. To a large extent, this signaled a maturity of our Parliamentary Democracy.

15. To my mind, the 1996 Lok Sabha elections embodied an indecisive mandate. The political pundits and observers started questioning the weaknesses of our Parliamentary Democracy. The skewed mandate began an uninterrupted era of coalition governments which continues even today. It also set into motion a significant realignment of political forces, that comprised a phenomenon whereby national parties attempted to construct coalition with regional parties and blocks in order to secure a majority at the Centre.
16. Coming back to the nature of the mandate, to my mind, the 2004 results were also not decisive. Purely in terms of deepening Democracy, these results were a watershed event, which belied the predictions of many political pundits. Even though the pre-poll coalition of the Congress was significantly ahead in number of their seats compared to the BJP and its allies, they were still short of a majority (UPA- 218, NDA- 181). A Government could be formed only after securing a post poll alliance with the Left, which helped the UPA attain simple majority with its 59 MPs. Therefore it can be safely concluded that the Indian electorate has given only 2 clear indecisive verdicts in 1996 and in 2004 out of the 17 Lok Sabha elections.

Distinguished Guests, Ladies and Gentlemen,

17. Another significant achievement of the Indian Parliamentary System based on the first past the post system as indeed our electorate, has been its ability to achieve the fine balance between electoral majorities and majoritarianism. Our people have demonstrated time and again that their democratic values are strong and intact. More often than not, India has given numerical majority to political parties or coalition blocks in terms of number of seats, but they have never given a popular majority

in terms of percentage of votes. Thereby enabling the elected majority to form a stable government but at the same time, forcing them to take along and include all minority opinions.

18. Never, in our country, right since the elections of 1952 till the elections of 2019, has any leader or Party got 51% of the popular vote share. In 1957, Pt. Nehru with 371 seats out of 490 at that point of time got a massive mandate in terms of seats, he could only manage to get 47.78% of popular votes. Even in the elections of 1984, Rajiv Gandhi secured a massive mandate, 404 out of 514 seats, but not 51% of the popular vote share. In each election so far, no party or any coalition has ever got a majority mandate of the popular vote.
19. The Indian electorate has time and again conveyed to the ruling party that goes on to form the government, that yes, they may be entitled to form the government with majority of the seats won by them but, they are also to take into consideration, all those people, who may not have voted for them. The mandate is to govern as a Majority Party with a stable government, but carry others with you.
20. It is also to be noted, that everytime a government has behaved on the contrary, the voter has punished the incumbent in the elections that follow. Unfortunately, this message of the Indian electorate has never been clearly understood by the political players. That is why we think we can do anything and everything, when we have an overwhelming majority in the legislature. But that should not be the case.

Distinguished Guests, Ladies and Gentlemen,

21. Having spoken about our tryst with Parliamentary System during the last 70 years, let me trace back its roots and the rationale behind adopting it. India's experience with representative Democracy and institutions attained organic growth in India soil because we were home to republican forms of governments, deliberative representative bodies and self-governing institutions from as early as the Vedic age(circa 3000-1000 B.C.)
22. Our experience with representative government started in the republics (Gan-Rajya) of Lichhavi, Kapilvastu, Pava, Kushinara, Ramagrama, Sunsamagiri, Piphali, Suputa, Mithila and Kollanga in the 6th Century BC and continued up until 400 AD. Sabhas, Samitis and Ganapati of these republics were the modern day Parliament, Cabinet and the Prime Minister respectively. Representative bodies at the village level like the Gram Sanghas, Gram Sabhas or Panchayats continued to flourish through the medieval and Mughal periods till the advent of the British rule.
23. The origins of the modern day legislative process can be traced back to **the 1601 Charter** which authorized the Governor and the East India Company "to make, ordain and constitute such and so many laws, constitutions, orders and ordinances", as shall seem necessary and convenient for good government.
24. The Regulating Act of 1773 holds a special significance in the legislative history of India because it marks the beginning of parliamentary control over the government of the Company. It is also said to have started the process of territorial integration and administrative centralization in India.
25. The Charter Act of 1833 terminated the trading rights of the Company rendering it merely into an administrative agency of the

Crown in India. It set up one legislative council for all the British territories in India and for the first time differentiated the Legislative functions of the state from its executive functions.

26. Under the Charter Act of 1853, discussions in the Council, when acting in its legislative capacity, became oral instead of in writing. Legislative business was conducted in public and reports of proceedings were officially published.
27. After a series of such reforms, during the East India Company's rule, the Act of 1958 that transferred Govt. of India to the British Crown and therefore, to the Parliament of Great Britain, to my mind theoretically brought Parliamentary Democracy to India. Though not in the hands of elected Indian representatives, the Government of Great Britain became responsible and accountable to the British Parliament for the administration of India- its acts of Omission or Commission in India.
28. Thereafter, I would like to draw your attention towards the following landmark Acts that incrementally, though grudgingly devolved and transferred the dictum of Parliamentary control and responsibility in Indian hands.

(i) **The Act of 1909 (Morley-Minto Reforms)**, which created a non-official majority in all the Provincial Legislative Councils, but maintained official majority in the Central Legislative Council. It is this Act which regrettably introduced for the first time the principle of communal representation in India.

(ii) **The Government of India Act 1919 (Montague-Chelmsford Reforms)** that introduced the system of 'dyarchy' in eight major Provinces known as Governors Provinces. It was this Act that introduced the concept of division of the subjects of administration between Central and Provincial governments.

(iii) **The Government of India Act, 1935** which did away with dyarchy and Bi-cameral legislatures were introduced in provinces, envisaging a Bicameral federal legislature. While elections to various provincial assemblies in 1937 with a limited electorate resulted in ‘popular governments in the provinces’, the federal part of the Act of 1935 could never be brought into practice, due to absence of unanimity over the question of participation of the princely states.

(iv) Even thereafter, the British Parliament, in passing the Independence of India act 1947 in putting into place transitory rules, to a large extent functioned as Parliament of India.

Distinguished Guests, Ladies and Gentlemen,

29. Post-Independence, India’s experience of Parliamentary system can be divided into 3 phases. The first phase constitutes the decades when the influence of British conventions was predominant and the effort was to assess our functioning. With time, we evolved our own practices and laws led by the overarching values enshrined in our Constitution.
30. The second phase of India’s parliamentary system took shape in the 1990s. This was a deeply competitive multi-party coalition stage, necessitating many changes in the practice of the Parliamentary system. The presidential style of the leader of the dominant party could no longer influence the functioning of Parliament.
31. In fact, since the 1970s, but more so during the second phase in the 1990s, not only State Governments but even Central governments fell because of the No-Confidence Motions - a powerful tool to maintain the checks and balances in a Parliamentary Democracy. While this allegedly ushered in instability, it also ensured greater accountability and representation of disparate socio-political groups. Despite the

inherent contradiction of this coalition phase, the Nation made unprecedented progress under Governments from 1991 – 2009.

32. The third phase began shaping when the multi-party system slowly started evolving into a bipolar system wherein two major coalition blocks came into being as manifested in the elections of 1998. This change became fully perceptible in 2014 with the first clear majority government being elected to power since 1984, and got solidly reaffirmed in the 2019 Lok Sabha Elections. This marked a new phase for Indian Democracy, circling back to a dominant party system that the elections till 1984 (barring 1967) threw up.

Distinguished Guests, Ladies and Gentlemen,

33. It is abundantly clear that the Parliamentary System of Democracy as envisaged in our Constitution has not only succeeded and rooted itself firmly, it has also served the country well. However, I would like to draw attention of all concerned towards some shortcomings that have crept in over time in our Parliamentary system and need to be addressed.
34. **Disproportionately large size of the electorate vis-à-vis the number of public representatives.** The last enhancement of seats in Lok Sabha took place in 1977, almost half a century ago, on the basis of the 1971 census, according to which the entire population of the country was 55 crores. Thereafter, there has been an embargo on increasing the number of seats in Parliament and State Assemblies till the year 2026. This has resulted in the fact that the number of voters per Lok Sabha Constituency as per the 2011 census has risen to more than 16 lakh. In the last general election of 2019, approximately 90 crore voters were enrolled and were eligible for voting for 543 members of the Lok Sabha.

35. With an average of 16-18 lakh people being represented by one member of the Parliament, how can we expect the representatives to be in touch with the electors. There is a strong case for removing the freeze on the number of seats in the Delimitation exercise. Whenever there is a question of removing this freeze on the number of seats- which should ideally increase to about 1000 Lok Sabha MPs with a corresponding rise in the number of MPs in Rajya Sabha and the State Legislatures, there are various theories put forward to oppose it. A number of people raise the question of logistical difficulties of space constraints for seating the enhanced number of MPs. To my mind, these are but excuses. Why can't the Central Hall can be converted into the new Lok Sabha and the present Lok Sabha house the enhanced Rajya Sabha. We need to think innovatively, and not just resort to excuses without any basis. If the British Parliament can have 650 members, the Canadian Parliament can have 443 members and the US Congress can accommodate 535 members, why can't the Indian Parliament do so? I seriously wonder, how a new Parliament building is going to help or improve the working of the Parliamentary system in India.
36. **Adequate representation of women in Parliament and the Assemblies has emerged as a major area of concern.** An appropriate mechanism to ensure this should be worked out and necessary amendments should be brought about in the Constitution. I am happy to note that women form 14.6% of the total strength of the 17th Lok Sabha, highest since Independence.
37. During elections, the Election Commission of India puts an embargo on the sanctioning and implementation of developmental projects, leading to near estoppel of day to day administration. In a country of India's size and magnitude, where the election season is never ending,

the embargo on projects slows the pace of progress. Simultaneous Assembly and Parliamentary elections is an alternative to this, which can only be achieved through a constitutional amendment. Another alternative could be the amendment of the model code of conduct to ensure that no developmental work is stopped simply because of the fact that elections are taking place.

38. **Resorting to disruption, as an established Parliamentary practice and defining it as a constructive deliberative method has led to Parliamentary paralysis.** This has affected the institution to such an extent that the very institution of Parliament and State Assembly is increasingly becoming irrelevant. Time that should be spent on debating issues that affect the people of India is lost to din, filibuster and drama. Both the Houses of Parliament and State Assemblies are more often than not, adjourned for days altogether. What apparently guides the agenda of both the Houses of Parliament is one-upmanship on divisive malicious allegations and counter allegations. The fact that Governments and Opposition are organically inseparable and symbiotic has been lost. This has given rise to a situation where issues that should be discussed in the Houses are taken up for discussion by social groups and individuals with vested interests.
39. **Any disruption should be dealt firmly by the Ethics Committee of the Parliament** and members who do not respect the sanctity of the Legislature should be acted upon. **One also sees thin attendance during the discussions on crucial issues in the Parliament, this tendency of being present only during the time of agenda driven debates or voting should be avoided.** Attendance is important for functioning of the Legislature and greatly scrutiny through Parliamentary procedures is needed to ensure that.
40. From the five decades of experience I have had as a Parliamentarian, I saw that the admission of questions needs to be critically scrutinised. Many a times, there have been instances that the same question is

repeated as a starred question, and as an unstarred question. This not only is a waste of time, but also results in duplication of efforts of the Parliament secretariat. There are also cases where the questions are agenda driven and there is a serious issue of integrity of the member in asking that particular question. Urgent action is required in such instances. I believe, there can be a **Committee on Questions**, which undertakes this scrutiny, thereby resulting in improved efficiency and effectiveness of the Parliament.

Dear Friends,

41. Yet another challenge that the Parliament is faced with is proper system of audits, for the demands made by various ministers from the public finances. There are about 150 heads under which the demands are made, but only a few are picked by the CAG for auditing. The process of auditing of expenditure through the Public Accounts Committee (PAC) has also increasingly become ineffective because only a limited number of cases are either referred to it or accepted by it. In this regard, to my mind, it will be of immense help if the department related standing committees are involved in the task of auditing. To this effect, the increased size of Parliament can be utilised. More standing committees can be formed to scrutinise and audit the demand for a grant from the Consolidated Fund of India.
42. As of today, the standing committees are mandated with:
 - a. Scrutinising demands for grants and expenditure proposed in the Budget without any actual change,
 - b. Scrutinising of bills related to their Departments/Ministries, and
 - c. Examining the Annual Report of the related Department/Ministry.
 - d. We should provide them with a fourth mandate which entails scrutinising the audit reports not accepted by the Public Accounts Committee. This could be done without diluting the mandated role and responsibilities of the PAC. In fact, a suggestion to this

effect was made during Prime Minister Vajpayee's tenure, where each of the Departmental Standing Committee could be entrusted to examine and scrutinize the post Budget expenditure proposals.

43. Another challenge facing our Parliamentary system is a deliberate attempt by groups and individuals, who cannot otherwise get elected, to influence governance by discrediting the members of Lok Sabha and Rajya Sabha. This indeed is a trend that needs to be arrested lest it leads to anarchy and oligarchic control of the state apparatus. Ironically, the task of establishing their credibility as a public representative lies with the members themselves. They will have to rise up to this challenge by proving their critics wrong.
44. Before I conclude, I would also like to draw the attention of the distinguished gathering towards the very interesting aspect of our Constitutional evolution that reconciled certain grave inherent contradictions, right from the time from when the Constituent Assembly acted as our Parliament and thereafter through the decades following the elections of 1952.
45. We went through temporary phases when leave apart authority and jurisdiction of various organs, even our geography was not clearly defined and therefore the shape of things to evolve in the future was all the more uncertain.
46. It will be interesting to note that while debating on the Objectives Resolution in the Constituent Assembly M R Jayakar raised fundamental questions. He asked as to how we are assured that we will have independence. What is the certainty of our Unity and Integrity? What is the certainty about the nature of our Constitution? Taking all these seemingly insurmountable questions at hand, the Constituent Assembly tried to create a Federation out of a Unitary State. It was an extension of such uncertain oxymoron situations when Pt. Jawaharlal

Nehru while speaking on the Objectives Resolutions urged upon the Indian states to join the Union without accepting the form of the government that was proposed.

47. As is apparent, while some contradictions were inherent, others were artificial. However, once we look back, it can be said with extreme certainty and satisfaction that our Constitution as indeed our Parliamentary System has done exceedingly well in shaping India as it is today. This could be achieved by a flexibility that enabled adapting, adopting and adjusting to the challenging situations that arose from time to time.

Dear Friends,

48. As the nation now celebrates the 150th Birth Anniversary of our Father of the Nation, Mahatma Gandhi, the challenge before us is to realize the guiding principle of Indian democracy as envisioned by our Gandhiji namely, “It is one where the weakest should have the same opportunity as the strongest.” Democracy should provide for an enabling environment which helps every section of the society to fully participate in the process of governance. I am sure the Parliament of India, will as it has in the past, live up to this task and work relentlessly in achieving the India of Gandhiji’s dream as indeed the goals of socio-economic transformation that our founding fathers set for us.

Thank You

Jai Hind
