

BOOK REVIEWS

INDIAN PRESIDENTS (2001). By Dr. Janak Raj Jai. Regency Publications. Pp. 282 + 319 (2 Volumes). Price Rs. 1450/-.

DR. JANAK Raj has a number of publications to his credit mostly dealing with prime ministers and presidents. He has been a close observer of political developments. The book contains valuable information and materials. The personality of each president, his background, his response to momentous issues and his relations with the prime minister are brought out convincingly. Hindu Code Bill, governor's role, the Postal Bill, ordinances, *Bank Nationalization* case, *Privy Purses* case, emergency excesses, *Shah Bano* case, Operation Blue Star, dissolution of the Parliament and the assemblies, imposition of president rule and the appointment of the prime ministers in a hung Parliament – all figure in this work.

As President of the Constituent Assembly, Dr. Rajendra Prasad had done a commendable job. His concluding address to the Assembly was memorable. The reader is taken through important events in the making of the Constitution culminating in the signing of two hand-written texts of the Constitution – one in English and the other in Hindi – and a printed English text, by the members of the Constituent Assembly. He was elected President unopposed in 1950, though Jawaharlal Nehru was inclined towards C. Rajagopalachari. Dr. Rajendra Prasad held the high office with dignity. In his first address to the elected Parliament in 1952, Dr. Prasad said, "There is no resting place for a nation or a people on their onward march". He had the distinction of being re-elected to the office of President in 1957, much against the wishes of the Prime Minister whose preference was for Dr. S. Radhakrishnan. During his second term, Dr. Prasad raised the issue of powers of the President of India under the Indian Constitution. His differences with Prime Minister Nehru are well known. Referring to the correspondence between the President and the Prime minister, the author underlines the fact that notwithstanding their differences on issues the two leaders held each other in high esteem. Nehru said about Dr. Rajendra Prasad: "Here is a man who never makes a mistake whose steps do not falter and he had no occasion to withdraw what he had said". It is interesting to know that the President dealt with mercy petitions carefully after meticulous consideration of all aspects of each case setting a precedent for his successors. Both the President and the Prime Minister were cautious about judicial appointments as is evident from the delayed appointment of Justice K.N. Wanchoo as the Chief Justice of Rajasthan.



Dr. Radhakrishnan would have become the *Rashtrapati* in 1957 itself, if Jawaharlal Nehru had his way. Maulana Azad and others in the party, who considered Dr. Radhakrishnan an outsider, stalled it. Dr. Radhakrishnan offered to quit the post of Vice-President being opposed to a second term on principle, but was prevailed upon to continue till 1962. The author is critical about the unique status given to Dr. Radhakrishnan as Vice-President by Jawaharlal Nehru. He says Nehru always considered Radhakrishnan as *de facto* President. An eminent educationist, renowned philosopher and a powerful orator, Dr. Radhakrishnan commanded respect from all quarters. Dr. Radhakrishnan was encouraged to visit other countries. His role in the development of friendly relations with other countries comes out clearly. To Jawaharlal Nehru he was 'the symbol of India' and to Indira Gandhi 'the star exhibit of the Republic of India'. Dr. Radhakrishnan did not like Nehru being in the company of conservatives and undesirables. The author mentions that after the Chinese aggression, Dr. Radhakrishnan became critical of the China policy and insisted on Krishna Menon being relieved as Defence Minister. The Prime Minister had to reluctantly yield to the wishes of the President. Dr. Jai observes that Dr. Radhakrishnan trained Indira Gandhi as Prime Minister.

Dr. Zakir Hussain was elected as President with a large margin. Chief Justice K. Subba Rao was severely criticized by M.C. Setalvad and others for agreeing to contest as the candidate of seven opposition parties while holding the highest judicial office. The author says that while ostensibly assuring a second term to Dr. S. Radhakrishnan, Prime Minister Indira Gandhi lobbied for Dr. Zakir Hussain. The author's assessment of the third President of India is on expected lines: "Dr. Zakir Hussain had a versatile personality; he had been an educationalist, a freedom fighter, a social reformer, a nationalist to the core, and above all believed in parliamentary democracy as enshrined in the Constitution of India." Dr. Zakir Hussain maintained very cordial relations with the Prime Minister. His tenure was cut short by his premature death in May 1969. The book contains rich tributes paid to Dr. Zakir Hussain by eminent persons.

In 1969, with the support of Indira Gandhi, V.V. Giri defeated Neelam Sanjeeva Reddy, the official candidate of the Congress party proposed by her. The book notes that the President and the Prime Minister had not been comfortable with each other on all matters. V.V. Giri's election was challenged. During the trial of the election petition, V.V. Giri himself appeared in the Supreme Court as a witness. The author observes "the truth was the greatest casualty during the proceedings". Both President V.V. Giri and Prime Minister Indira Gandhi come out poorly in this chapter. The author does not spare even Chief Justice Hidayatulla for meeting V.V. Giri at the Rashtrapati Bhawan secretly without the



knowledge of his colleagues, in the Supreme Court, in response to a telephone call from V.V. Giri, the acting President. Hidayatullah had a brief spell as acting President following V.V. Giri's resignation as Vice-President and acting President.

Fakhruddin Ali Ahmed is not forgiven for signing the Proclamation of Emergency on June 25, 1975. The author has included the top secret letter addressed to the President by Indira Gandhi recommending issuance of the proclamation, that very night, without a cabinet resolution, making a departure from the normal rule for transaction of business. The author laments that it is certainly a very sad and bad chapter in the post independence period of India. The emergence of Sanjay Gandhi as a political force comes out vividly in this book with a fair coverage of his family planning programme. The Constitution Thirty-ninth Amendment Act designed to shield Indira Gandhi's election after the Allahabad High Court set it aside and the Law Minister H.R. Gokhale's defense of the Amendment Bill have come up for severe comment. Fakhruddin Ali Ahmed died all of a sudden in 1977. The author quotes Promila Kalhan, who said that the President did not die a natural death.

B.D. Jatti's brief tenure as acting President saw the dissolution of nine legislative assemblies of states in which the Congress party was in power. The government's decision was challenged in the Supreme Court. After the judgment was reserved, the acting President met the Chief Justice, provoking an adverse remark about the incidence in one of the judgments.

Neelam Sanjeeva Reddy who had missed the bus in 1969 made it in 1977 as the candidate of the Janata party. Jaya Prakash Narain's role in bringing together different parties to enable the formation of a non-Congress government led by Morarji Desai is given due coverage. When Morarji Desai resigned, Sanjeeva Reddy called upon Charan Singh to form the government overlooking the claims of Jagjivan Ram who enjoyed support from many quarters. As Charan Singh could not win a confidence vote, the Lok Sabha was dissolved and Charan Singh continued as caretaker Prime Minister till the next election, which returned Indira Gandhi to power. Destiny willed that Sanjeeva Reddy and Indira Gandhi should steer the ship of state together as President and Prime Minister respectively. Their incompatibility was understandable.

Giani Zail Singh succeeded N. Sanjeeva Reddy in 1982 after a contest, his rival candidate being Justice H.R. Khanna who had delivered the famous dissenting judgment in MISA detention cases. It was during Giani's tenure that Indira Gandhi was assassinated by her Sikh bodyguards, which led to the killing of a large number of Sikhs in Delhi and destruction of their properties. Zail Singh who was abroad when the assassination took place rushed home and within a few hours called



upon Rajiv Gandhi to take the oath as Prime Minister. Dr. Janak Raj Jai gives a detailed account of all the major events during Giani's tenure including the Bluestar Operation and his sharp differences with Prime Minister Rajiv Gandhi.

R. Venkataraman won against Justice V.R. Krishna Iyer. He had to deal with four Prime Ministers – Rajiv Gandhi, V.P. Singh, Chandrasekhar, and P.V. Narasimha Rao. The differences between R. Venkataraman and his predecessor, Giani Zail Singh, are noted in the book. During Venkataraman's tenure, Rajiv Gandhi not only lost his prime ministership but also his life. The author deals with the relations between the President and each of the four Prime Ministers. The choice of prime minister in a hung Parliament was a difficult task. The President opted for the leader of the largest single party.

The tenure of Shankar Dayal Sharma saw the minority government headed by P.V. Narasimha Rao followed by the BJP government led by Atal Behari Vajpayee which lasted only for a few days and then a government, initially led by Deve Gowda and subsequently by I.K. Gujral, with the outside support of Congress. The last chapter is devoted to K.R. Narayanan who became the President in 1997. The controversies that cropped up during his tenure are dealt with in detail.

The author has packed in two volumes a lot of information with appendices. His comments are forthright and unsparing. Whether one agrees with Dr. Janak Raj Jai or not, by this painstaking work, he has made a significant contribution to the available literature on constitutional developments since 1950 and the difficult and delicate issues of great importance which arose from time to time and the way they were tackled by successive presidents. There is much that is familiar but much more which is not so familiar. The book is eminently readable. Not only persons interested in constitutional law and political science but also laymen will find it of immense interest.

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