



India

Towards
Anarchy
(1967-1992)

N.S. Saksena

In the Preface to his book on Terrorism (1985), the author says: "There is every likelihood of terrorism, violence and chaos growing in volume." Two years later, in 1987, in the Preface to his next book, *Law and Order in India*, he made another pertinent observation: "The public has got so much accustomed to lawlessness that it believes that India can never again become a healthy and law-abiding society. Fortunately for the country this is not a fact." In the present volume, he discusses a wide range of subjects, including criminalisation of politics, corruption in the judicial system, failure of the bureaucracy, and the weakening of the police machinery, to highlight the fact that narrow political considerations of all political parties are leading the country to anarchy and chaos. Though the situation is pretty bad, he is hopeful that the electorate will teach a lesson to the present leaders as it did to their predecessors. Saksena's 40 years field experience, combined with study and research, has gone into the book's making.

INDIA: TOWARDS ANARCHY 1967-1992

N.S. SAKSENA



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Preface

In the preface (dated May 14, 1985) to my book, *Terrorism—History and Facets in the World and in India*, the last 12 lines were: "The situation in May 1985—more than six months after Prime Minister Indira Gandhi's assassination—in the whole of India is no better than it was in 1984. The main reason being the unwillingness of the political executive—both in Delhi and in the state capitals—to pay the price for having an efficient police. The price is their self-abnegation not to misuse the police force for political ends. I brought this out in a piece in the *Times of India* of May 13, 1985 (see Appendix 'M'). Under these circumstances there is every likelihood of terrorism, violence and chaos growing in volume. One can only pray to God that the people of India do not reap the unhappy consequences of the actions of their rulers".

It has been a source of great unhappiness to me that the dark prophecies came out true.

On July 10, 1986 in the preface to my second book, *Law and Order in India*, I wrote as follows :

"The public has grown so much accustomed to lawlessness that it believes that India can never again become a healthy and law-abiding society. Fortunately for the country, this is not a fact. If constitutional and legal changes are made to take the political motivation out of law and order, India can, within a few years, become a peaceful society. It is beyond the scope of this book to suggest these constitutional and legal changes."

For reasons of vote politics nothing was done and so the trend towards anarchy continued.

Nearly four years later in March 1990 I wrote 'Introductory Notes' to my third book, *Communal Riots in India*. This book showed the hypocrisy of political leaders and the opening sentence of my book was :

"The one and only object of this book is to rip open the curtain on communal riots and to show the ugly faces of those who do not suppress them. The falsehoods on communal riots, spread by practically all political parties, have distorted the perception of even intellectuals."

One of the last paras of these 'Introductory Notes' may be quoted for the record.

"After elections are announced we have no shortage of political parties, who promise to kill the monster of communalism and communal riots. The truth is that the situation is so bad at present that it will take long sustained efforts to achieve this. We believe heart specialists when they tell us that heart attacks are due to a bad life style for decades—use of saturated fats, a sedentary life, alcohol, smoking, etc.—and so one has to start early in life to form good habits—a healthy diet, plenty of exercise, abstinence from smoking and alcohol. Similarly in order to fight communal riots we should have respect for law, an honest, impartial and efficient police force, an intelligence machinery geared to save the people and not the Chief Minister's throne, a situation where firearms are only in the hands of law enforcement agencies, and ministers are compelled by public opinion to stick to their oath of office. By these standards the situation may appear to be hopeless but it is not so. For the first time in the history of independent India a mighty party lost because it could not check communal riots in several cities of Rajasthan, Madhya Pradesh, Uttar Pradesh and above all in Bhagalpur. In Bihar, Muslims realised that making Urdu the second official language was no compensation for loss of lives and large-scale destruction of property. If the electorate shows similar understanding in subsequent general elections, the problems can be solved."

Two years later in April 1992 I am now inclined to think that neither our political leaders nor our intellectuals can stop the trend towards lawlessness and anarchy. I am still an optimist and my new source of optimism is the electorate. As our politics revolves only round votes, lawlessness can only be curbed if the electorate expresses its displeasure against leaders who, by their policies, promote lawlessness. The fall of Mr. Rajiv Gandhi and Mr. V.P. Singh at the all-India level and the fall of Mr. Karunanidhi in Tamil Nadu and of Mr. Mulayam Singh Yadav in U.P. shows the distaste of the electorate for lawlessness. The solid Hindu vote given to the Congress leadership in Punjab in the February 1992 elections was also due to the hope of the people that the Congress government at the Centre would be able to support the Punjab administration to meet the terrorist menace. All this gives hope that India will not slip into anarchy in spite of the continuous slide in that direction for the last 25 years.

Chapter 4

Fine Art of Blaming the People

As time went by the governments discovered more and more that lawlessness had become a monster, beyond their control for several reasons including:

- (i) their lack of courage in arresting their own friends—the goondas—who controlled their vote banks during elections,
- (ii) the instrument of enforcing law and order—the police—had become blunt and ineffective.

Fearing severe public and press criticism they made an anticipatory move blaming the public. They deplored the fall in moral standards of the public and their failure to follow the high ideals of Gautam Buddha, Lord Mahavir, Guru Nanak, Mahatma Gandhi, etc. Each religious festival or birth anniversary became an occasion for hypocritical appeals, couched in moral and sentimental language, for people to eschew violence. In reality the goondas took to violence and common people were their victims. Now no one even reads the messages of the President or the Prime Minister.

In their hearts they welcomed the addition of even a few lakh votes at the cost of tens of lives lost, but outwardly they deplored the brutalisation of life in India. In September 1969, on the eve of the centenary of Mahatma Gandhi's birth, the worst till-then-after-Independence communal riots broke out in Mahatma Gandhi's home state of Gujarat, especially in Ahmedabad, where Gandhiji's famous ashram on the banks of Sabarmati river is situated. A noted Gandhian, Shriman Narayan, was the Governor. He had no understanding of law and order and he wrote in his book, *These Ten Months: President's Rule in Gujarat* (page 3), to the effect that both Hindus and Muslims tarnished the fair name of Gujarat. He did not understand that it was a pure administrative failure. There

was no well-directed policy against goondas and their financiers. It was not the common people who arranged for lorries, trucks, firearms, kerosene oil and knowledge of field craft. The Governor forgot that the police were not issued firearms for the first two days to fight the rioters.

When the riots were over they invited Khan Abdul Ghaffar Khan, popularly known as Frontier Gandhi, to visit Gujarat. His visit was a great emotional success but he talked in the same strain, namely, that both Hindus and Muslims had forgotten the teachings of Mahatma Gandhi. One cannot blame the Frontier Gandhi for being ignorant of the fact that goondas were the root cause of all this trouble, but it is the duty of the Government of India not to appoint Governors who do not understand elementary facts about administration.

This tragic misunderstanding that communal riots mean a fight between common Hindus and Muslims led to another mistake. Once the riot was over, it was supposed that harmony was restored between the two communities and the task of punishing criminals was forgotten. Each riot gave battle-inoculation to goondas, who adopted better tactics in the next riot. In Ahmedabad, Hyderabad, Meerut, Moradabad, Aligarh, etc. riots became an endemic feature. The political executive never gave any importance to the basic fact that a police force, which is comparatively honest and free from political influences, can control riots quickly because it is not mixed up with the goondas.

The politicians had neither the inclination nor the time to understand how Mr. Charan Singh, the then Chief Minister of U.P. in 1970, had performed the miracle of reducing communal riots to zero in the notoriously communal riot-prone state of U.P. This was not done by arranging lectures on the teaching of Lord Buddha, Lord Mahavira, Christ and Mahatma Gandhi. It was just done by enforcing the law of the land. Anyone who threw a stone maliciously was arrested, prosecuted and on conviction was sent to jail with no remissions and higher class for the so-called political prisoners. When the then leader of the Opposition, Mr. Kamalapati Tripathi, called it Nazi-like efficiency Mr. Charan Singh retorted that Nazis did not believe in the rule of law and law courts. Within two years of his becoming Chief Minister of U.P. in April 1971 Mr. Kamalapati Tripathi's topsy-turvy ideas on maintaining law and order brought about the P.A.C. mutiny in May 1973, total chaos in

administration and misery for the common people, who saw strikes in practically all essential services, including the State Electricity Board, whose Chairman, Mr. R.K. Trivedi, helplessly watched electricity workers indulging in sabotage.

Mrs. Indira Gandhi did not believe that moral lectures had any place in maintaining law and order, but she also knew that she had neither the time nor the energy nor the inclination to depoliticise the state police forces to make them effective. She found an alternative by increasing the number and efficiency of central paramilitary forces like CRPF, BSF, CISF (Central Industrial Security Force), etc. The vast increase in the number of the paramilitary did lead to success in dealing with communal riots in the years 1972 to 1977. However, the rot in the state police forces became so serious that the situation went out of control progressively in the 1980s. As a result, every Prime Minister—Mrs. Indira Gandhi, Mr. Rajiv Gandhi, Mr. V.P. Singh and Mr. Chandra Shekhar—again found a welcome escape in moral lectures and exhortations. The impression that people in India had become brutal became widespread even out of India in 1989-1990.

The press in India had shrieking headlines. "India was brutalised in 1990". There was talk of "killing fields in U.P.—Aligarh, Agra, Kanpur, Bulandshahar, Etah, Meerut, etc.". This cry was taken up by the international press, which gave gory details of quite a few shocking incidents in which women and children had been done to death. No one can forget that more than 10 persons per day died in Punjab. The Naxalites in Andhra Pradesh, the ULFA in Assam and the Pak-trained militants in Kashmir added to the horror scene.

While the horror stories were a fact, the press and the majority of even the intellectuals fell into the trap of the government, which was eager to shift the blame from itself to the people of India, who were accused of becoming communal and insensitive. So the official media gave them repeated doses of "Hindu-Muslim-Sikh-Issai-Hum Sab Bhai-Bhai". Inciting communal passions is bad, but the state has the power and responsibility to punish the scoundrels and not to preach to victims of brutality. Here are a few facts which would make the newspaper reader judge for himself as to who is to blame—the people of India or their incompetent and politically motivated government for the last two decades, at least.

The vicious riots in Meerut in 1987 had a direct connection with the incitement of Muslims at the Boat Club. Many district authorities became cautious and did not permit the Shahi Imam to visit those districts where communal feelings were running high. In Uttar Pradesh quite a few Hindus, who generally do not vote for the BJP, were shocked when the Shahi Imam received leaders like Mr. V.P. Singh and issued a *Fatwa* (it was clarified for public consumption that it was only a piece of advice) that Muslims should vote for the Janata Dal.

Mahendra Singh Tikait

Mahendra Singh Tikait, a Jat leader of Shamli in Muzzafarnagar district, rose to prominence in the mid-1980s by voicing the genuine grievances of the peasants in the western districts of U.P. He made the *Kisans* conscious of the fact that if they stood united they need not pay bribes to the employees of the Electricity Board, irrigation, revenue and police departments, etc. So far it was a good movement. However, political leaders soon realised that the support of this leader could influence the outcome of elections in about 7-8 Lok Sabha and 35-40 U.P. Assembly seats. This turned Tikait's head and he started behaving like a dictator. It was good to stop the oppression of petty government employees but now Tikait wanted to build up his influence by showing to the *Kisans* that he was so powerful that he could make the U.P. government accept all his demands however unreasonable these might be. So he advised farmers not to pay the legitimate dues of the electricity, irrigation and revenue departments. No dues had been paid since early 1987. A part of Muzaffarnagar district, especially the Shamli tehsil, became a sort of liberated zone where government servants dared not enter. The U.P. administration cannot forget that the then Chief Minister, Mr. Vir Bahadur Singh, entered this liberated zone after taking permission from Mr. Tikait, who escorted him up to the dais and then insulted him to drive home his supremacy. There is no doubt that in Shamli the U.P. administration had ceased to exist.

Mr. Tikait found that the ultimate show of strength in order to earn a place as an all-India leader must be at the Boat Club. He organised a big rally there, followed by a sort of dharna. This was not much of a success and he had to suffer loss of face. In spite of this he continued to receive support from Mr. Devi Lal, who was

keen to extend his empire from Haryana to west U.P. When the V.P. Singh government came in early December 1989, Tikait received a new lease of life as he was courted by both Devi Lal and Ajit Singh. In order to revive his influence Tikait could only think of a bigger demonstration of lawlessness. So he planned a big rally of *Kisans* on July 15, 1990 at Lucknow. The farmers sent to attend these rallies were given lectures in lawlessness; that is, they were told to travel without tickets in trains and buses. No administration could tolerate such a rally of self-proclaimed law-breakers. Even those who do not like Mr. Mulayam Singh Yadav, the then Chief Minister of U.P., were all praise for his strict handling of the situation. In case the rally was permitted there was a reasonable apprehension of a bloodbath in the busy, narrow roads of Lucknow city. The administration's decision to take preventive action was eminently sound.

Charan Singh's Firmness

It is sad that those who claim to be followers of the late Charan Singh speak in favour of Mr. Tikait. I had the opportunity to know the attitude of Charan Singh towards law and order in U.P. during three periods from December 7, 1960 to February 1962 when he was the Home Minister of U.P., from April 1967 to February 1968 when he was the Chief Minister, and from February 17, 1970 to October 2, 1970 when he was the Chief Minister for the second time.

On the first occasion I was DIG of Meerut range, the home ground of Charan Singh. On the third occasion I was his chief of U.P. Police. On all the three occasions Mr. Charan Singh showed no leniency to law-breakers. The press, for some reason or the other, was hostile to Mr. Charan Singh and it would publish in bold headlines any story of Jats indulging in lawlessness against any section of the population, especially Harijans. If any such fact or story came to Mr. Charan Singh's notice he would never let the police rest till the culprits were safely lodged in jail without bail. In all seriousness, I can claim to have a better knowledge of Charan Singh's attitude to law and order than either Mr. Devi Lal or Mr. Ajit Singh. Whatever else these two dignitaries may claim, they should not claim to be the followers of Mr. Charan Singh in the sphere of law and order.

I have no doubt that if Mr. Charan Singh were the Chief Minister of U.P., Mr. Tikait would have stopped preaching lawlessness or would have been in jail. Mr. Charan Singh's declared policy was never to give any higher class in jails to such prisoners. Even one month in jail for such demagogues was a good lesson.

Tragic Results

Those in favour of Mr. Tikait have argued against his preventive arrest. When the CPI openly proclaimed its intention to seize the Birla farm of 500 acres at Lakhimpur Kheri on August 15, 1971, Mr. Charan Singh approved the police proposal to arrest all the agitators en route and not let them congregate. The result was that out of 50,000 people, who were asked to congregate, not even 50 reached the farm. The rest were arrested or dispersed by force. The law not only permits this but makes it mandatory for the police to take preventive action against self-proclaimed violators of law. Long before the contemplated march on Lucknow on July 15, 1990 farmers were told not to purchase tickets and not to obey any police instructions regarding crowd control in Lucknow. Who would have been responsible if blood had flowed in the streets of Lucknow on July 15?

Encouraging lawlessness for any reason whatsoever has led to tragic consequences in the past and is bound to lead to tragic consequences in future also.

Mr. Tikait can be suppressed by police power. But unless the Chief Minister reduces corruption amongst lower-level bureaucrats, who come in contact with farmers every day, the restlessness and agitation of farmers in west U.P. will not die down. In fact it is likely to spread to larger areas of U.P. It was in this respect that Mr. Charan Singh was a great success. As Home Minister and twice as Chief Minister, Mr Charan Singh used the anti-corruption machinery in U.P. effectively to keep extortion by the bureaucracy within bounds. Everyone in the state knows that the corrupt bureaucracy changed its attitude overnight whenever Charan Singh became Chief Minister. Both Mr. Devi Lal and Mr. Ajit Singh should know that none in U.P. takes seriously their claims to be successors of Mr. Charan Singh, who never made any compromise on the issue of law and order.

Chapter 17

VVIP Security and Politicians

The manner in which VVIP security has been messed up is obvious from the fact that two Prime Ministers have been assassinated within a period of seven years, and there have been several occasions when VVIPs narrowly escaped. I have divided this chapter into three portions:

- (i) My personal experience in dealing with VVIP security.
- (ii) Rajiv Gandhi's assassination.
- (iii) The Blue Book.

Personal Experiences

It is unfortunate that attention is riveted on individual lapses which led to Mrs. Indira Gandhi's assassination. What needs to be highlighted is that the vast majority of politicians in India had created a system in which the real surprise was that the Prime Ministers in India were safe from assassins for 37 long years. While the police were covered with shame on October 31, 1984 when two policemen, in uniform, killed their national leader, the public in India is ignorant of thousands of honest policemen who saved Prime Ministers at the risk of incurring the wrath of powerful men. A few dates and incidents will clarify the observation and will show how the system deteriorated over the years.

End of December 1942: The Viceroy of India, Lord Linlithgow, spent Christmas and New Year in the Dehradun Circuit House. As an Assistant Superintendent of Police (the lowest rung in the hierarchy of the Indian Police Service), I was deputed on a 10-day security duty. I was given extracts from the Blue Book on Viceregal Security and my duty was to enforce these. The duty was tiring but there was no anxiety. No one even dreamt of issuing any oral instructions to bypass the Blue Book.

November 1952: I was Senior Superintendent of Police, Varanasi. The Prime Minister, Pt. Nehru, paid a visit to the Banaras Hindu University, then as now, full of student agitators who had created a big riot in August 1952. The authorities were anxious. The District Magistrate performed a simple but vital duty by telling everybody that the SSP's orders were to be obeyed. Exercising the discretionary powers vested in the district police by the Blue Book on Prime Minister's Security, we deployed a lot of uniformed police besides plain-clothes staff. This annoyed the Chief Minister, Pt. Govind Ballabh Pant, but he did not interfere with our arrangements. Having seen the Chief Minister's angry reaction, I took the precaution of underlining the relevant passages in the Blue Book. A visibly annoyed Chief Minister read these passages. The result was that he was all smiles and congratulated us on the spot, and soon after we received a letter of congratulations signed by Dr. Sampurnanand, UP's Home Minister in 1952.

December 1956 to June 1960: As DIG, Delhi, PM's Security was one of my important duties. Pt. Nehru moved about in Delhi quite frequently and we often got phone calls or even letters expressing the PM's annoyance at the 'too visible' security arrangements. We were also told what the Prime Minister wanted. A few of his harmless wishes were carried out, but we expressed our regrets that the majority of the Prime Minister's wishes could not be carried out as these were in conflict with the Blue Book. There were no unpleasant consequences.

October 1960 to June 1962: As DIG, Meerut Range, I saw four visits of the PM. Powerful district politicians, including ministers, tried to browbeat us to let them sit with the Prime Minister on the dais or to let them go to the tarmac near the PM's plane. The district authorities were weak and eager to please these powerful politicians, in spite of the fact that these concessions violated the instructions in the Blue Book. In a few cases the quarrels went up to the Chief Minister, Mr. C.B. Gupta. He was unhappy that we could not satisfy the local bigwigs but he did not issue wrong instructions. VIP security had become an unpleasant and nerve-racking job.

Early 1970: I was chief of U.P. Police and Mr. Charan Singh was the Chief Minister. Quite a few of his unruly followers, chiefly Raj Narain, threatened to disturb the meeting of the Prime

Minister. The Chief Minister told us in no uncertain terms that we were free to arrest any of his followers if they were a threat to the PM's security. As a result looking after the PM's security became an easy task.

Early January 1971: Newspapers in Delhi and UP carried a news item that Mrs. Indira Gandhi's frequent visits were proving too expensive and so UP would not make any security arrangements for the PM. Mid-term polls had already been announced. I was the chief of UP Police. The newspaper item quoted sources close to the Chief Minister of UP, Mr. T.N. Singh. I received a phone call from the Director, Intelligence Bureau, about the truth of the newspaper report. I told him that as long as the Blue Book existed, the UP Police would make 100 per cent security arrangements, which it did. The Chief Minister and his partymen were not happy with the elaborate security arrangements for the PM whose 10-12 public meetings per day passed off peacefully. Officially, the Government of India appreciated the good arrangements but the Congressmen continued to abuse the police for doing their job properly. The UP Police was shocked at the ungratefulness of the Congress party, then in opposition.

1977: A few months after I left the Home Ministry, a disgraceful incident occurred which has been described in the book, *Police Administrators: Reminiscences* by Mr. G.C. Dutt, for long chief security officer of the Prime Minister.

"Morarji Desai's jet plane of the IAF nosedived at Jorhat, killing all the five IAF crew but the Prime Minister came back hale and hearty to the great happiness of all. What was the security snag here? There is a standing instruction in the Government of India file that no IAF plane with a VIP on board should take off for an airfield in Eastern India if the plane is not expected to land before dusk. Desai's plane took off from Delhi at 5 p.m. and as such it could reach Jorhat after 7 p.m. This was a gross violation of all the standing instructions by all concerned i.e. IAF Hqrs., Security, Prime Minister's Secretariat—the degree of blame is in that order."

1978-1984: After my retirement from the police, I have frequently been called to give lectures to police officers on the subject of VIP security, among others. I was shocked to hear from the officers how politicians did not bother about the Blue Book

and how they pressurised weak police officers to yield to their wishes. Notorious criminals, involved in murder cases, were selected by ministers to garland the PM and were issued passes to sit in the VIP enclosures. The system in the Blue Book had virtually collapsed.

October 17, 18 and 19, 1984: I was in the Police Training College, Moradabad, for a series of lectures to officers—an important subject being VIP security. In the question and answer sessions, several officers stood up to narrate their personal experiences, which showed that even state ministers, not to speak of district politicians, had made PM's security a big joke.

In spite of an excellent Blue Book, there were big gaping holes in PM's security long before Mrs. Indira Gandhi was assassinated on October 31, 1984. Persons who had no executive responsibility freely interfered with the judgement and decisions of responsible officers and were successful in browbeating them to take risks which were bound to prove fatal some day. If a research scholar is given free access to all the papers, he will wonder how, with such a rotten system, the inevitable did not happen much earlier.

Rajiv a Victim of Lawlessness

Most of our VIPs have described Mr. Rajiv Gandhi's assassination as "unexpected", "unbelievable" and "a bolt from the blue". But like the assassinations of Mahatma Gandhi and Mrs. Indira Gandhi it was very strongly apprehended. There were several factors which could have led a trained security officer to visualise the possibility of this tragedy taking place in any part of India.

There was a strong likelihood of Mr. Rajiv Gandhi becoming Prime Minister again, something highly distasteful to many groups in India and abroad. Many of these groups have strong militant outfits with well-trained and dedicated cadres. Add to this the present inefficiency of our police and intelligence agencies and it is clear that the danger to many other VIPs, including Mrs. Sonia Gandhi and her two children, is not over.

The mere provision of more security manpower cannot solve the problem. Apart from immediate measures, the police has to be made far more efficient and depoliticised. A study of all VIP assassinations since Abraham Lincoln's death on April 14, 1865, show that the majority of leaders lost their lives when, for different

Chapter 25

Inquiries Against Public Men

The trend towards chaos in India cannot be reversed until public life is made cleaner. Nowhere in the world are politicians scrupulously honest, but then there are various shades of corruption and malpractices. In India the tolerable levels were crossed steadily after Lal Bahadur Shastri's death. In the preceding chapters the nexus between politicians, policemen and criminals has been mentioned more than once. This nexus has to be weakened considerably, if we have to emerge from intolerable levels to tolerable levels.

The electorate has often thrown out political leaders with a shady reputation in the Lok Sabha elections. This is not always possible in the State Assembly elections, where a dishonest Chief Minister can win over a small assembly constituency on the basis of caste votes plus generous expenditure of public funds on welfare schemes. Therefore, some legal steps are also necessary so that action may be taken in proved cases.

The national press, the provincial press and even the local district newspapers are full of allegations of corruption against ministers, members of legislatures, political chiefs of corporations, municipal boards, etc. Quite a few of these allegations are true while many are wild guesses. As no enquiries are made the general impression of the public is that a vast majority of them are corrupt. In fact honest people do not want to enter public life lest they should lose a lifetime's reputation in the muck that is overflowing.

Every sensible person in India wants democracy to continue and for the success of democracy it is essential that decent honest men should offer themselves for public office. So it is essential that both honest and dishonest ministers should not be painted with

the same brush. This is not possible unless a system of conducting enquiries is devised; this system should be such as to command public confidence. No one can dispute that at present there is total lack of public confidence. What are the ingredients of such a system?

(i) First, whether an enquiry should or should not be conducted should not rest with the Prime Minister at the Centre or the Chief Minister in the state.

(ii) Secondly, there should be an independent investigating agency, not under any government.

(iii) Thirdly, an enquiry should only be conducted on the basis of an application, signed by responsible persons and there should be penalty clauses for those who indulge in character assassination.

(iv) Once specific allegations, with evidence to support them, are made the rest of the procedure should be like a slot machine; no one should have the power to stop it unless it is concluded; the minister or other public men should either be found guilty or exonerated.

(v) After a finding of guilt or exoneration the other consequences must also be automatic. These will depend on the nature of charges; for example, automatic disqualification for all public offices for both the corrupt and for those who make malafide allegations. In short, there should be no Cabinet meetings and no discussions in any forum whatsoever and no one should have the power to hamper or interfere.

(vi) It is true that a number of persons will be involved in instituting enquiries and in taking up other decisions but these will be constitutional authorities, not expected to be under the influence of the government of the day; for example, Chief Justices, President/Governors acting in their discretion, chief investigators not under government control, etc.

The present state of affairs is reaching the ludicrous stage; a minister may do what he likes, but the day he resigns he is pronounced corrupt and an enquiry is started against him. In Uttar Pradesh in 1990-91 whenever a minister resigned, his resignation was not accepted but he was dismissed for corruption. The people want to know why the authorities woke up only after his resignation from the ruling party.

There is the ridiculous case of Mr. Nar Bahadur Bhandari,

Chief Minister of Sikkim. For years the CBI built up a big dossier on him but nothing happened. He quarrelled with the then Prime Minister, Mrs. Indira Gandhi, and resigned from the Congress; he was immediately dismissed by the Governor, the CBI filed an FIR against him and started a vigorous investigation. It was revealed that several charges of corruption were framed against him. The public awaited his prosecution. There was a fresh election in Sikkim. He became the Chief Minister and we have not heard of the CBI enquiry. Equally ridiculous was the procedure under which Mr. Jagannath Misra, the then Chief Minister of Bihar, withdrew a case against himself.

A lot of propaganda was made about the value-based politics of Mr. Hegde, the then Chief Minister of Karnataka. He tried to show that he himself was subject to enquiry. But even his anti-corruption legislation had several serious defects, one being that the decision had to be taken by the Chief Minister. No non-Congress government has shown any inclination for a slot-in-the-machine type of system. The best legislation in this respect is the Uttar Pradesh Public Men Enquiries Ordinance of 1967, enacted by Mr. Charan Singh when he was Chief Minister of U.P. The President's Rule in U.P., which succeeded, allowed it to lapse. Those, both in the ruling party and in the opposition, who are sincere in cleaning public life should study this Ordinance and press for legislation on its model.

There is really no difficulty in devising a system, which will restore public credibility. But corruption charges are now a big tool of politics. These are instruments of silencing politicians and also of engineering defections. Once a political leader, accused of corruption, joins the ruling political party all his sins are washed away as if he had a bath in a sacred river. One of the worst examples in this respect is that relating to BOFORS. There is no doubt that heavy bribes were taken in this deal. The question is as to who benefited. The Congress party under Mr. Rajiv Gandhi made every effort to hush it up while Mr. V.P. Singh made it an election issue and won the election in November 1989. Mr. V.P. Singh also became quiet when he found that a few of his big supporters were also involved. Mr. Chandra Shekhar was frank about politicians benefiting from corruption. For him a corruption case involving 40 or 60 crore rupees was not worth shouting about. With this spirit of permissiveness, how can you blame

an IAS or IPS officer if he thinks that there is nothing wrong if he has made a few lakhs? The only correct attitude in this respect was that of Mr. Charan Singh who declared in a public speech that if the Home Minister was himself corrupt how he could object if a traffic constable accepted money from a guilty motorist.

Any attempts to clean up the bureaucracy will be fruitless unless steps are taken to devise a machinery by which *prima facie* charges of corruption and malpractices against public men are properly investigated and taken to their logical conclusion.

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