

Hunting Down Narendra Modi

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From the year 2002 the name of Narendra Modi has been anathema to the Congress Party, the Left and the so called secularists whom L.K. Advani calls pseudo secularists. In 2002, initially as a retaliation against the killing of about seventy kar sevaks returning from Ayodhya in the railway station yard of Godhra junction, there were anti Muslim riots, but which took the form of a conflagration which hit seven districts of Central and Southern Gujarat. Strenuous efforts have been made to project Narendra Modi as a mass murderer, who hates the Muslims and has attempted genocide against them. Modi has been projected as the progenitor, prime mover and main culprit of the 2002 riots, from which time onwards the Government of India, activist groups led by people like Teesta Setalwad and sections of the media have spared no effort in trying to bring Modi before the bar of justice. So far there has been total failure in this behalf, the latest being the Supreme Court's rejection of a petition calling into question the report of the Special Investigation Team set up by the Supreme Court, whereby Narendra Modi, it has been held after investigation, was cleared of any hand in the Gulbarg Society case and in the riots of 2002. This includes the Sohrabuddin case and the Ishrat Jehan case, both relating to alleged false encounters by the Gujarat Police.

The latest in this chain of attempts to condemn Narendra Modi is the Union Home Minister's announcement that government is setting up a Commission of Enquiry to investigate allegations that the Gujarat Police, at the behest of the Chief Minister, illegally intercepted telephone calls of a young lady. The BJP has termed this to be a vendetta, a charge denied by the Union Home Minister. Incidentally, the Gujarat Government has already set up a Commission of Enquiry in this behalf, which the Government of India obviously does not trust. By itself the ordering of an investigation need not call for comment, but when this becomes sequential with enquiry following enquiry, it reminds one of how corrupt government servants harass the public. On any correspondence made by a citizen requesting settlement of a grievance or a claim, instead of covering every point, getting a clarification once and then taking a decision, quite often officials raise one issue at a time and when the applicant replies satisfactorily, the next issue is taken up ad infinitum. Ultimately the applicant drops the issue out of sheer frustration, or bribes the officials to get a favourable decision. What happens at petty bureaucratic level is not permissible to a government, especially the Union Government.

There is no police force in India which at one time or the other does not illegally tap telephones and intercept dak, especially of persons known to be indulging in criminal activities, politicians who dissent or subscribe to a different ideology from that of the ruling party and high officials who are considered inconvenient. In 1980 I was without a posting in Delhi, having been turfed out from the Delhi Development Authority and India Today reported that P.S. Bhinder, whom Mrs. Indira Gandhi had brought in as Police Commissioner of Delhi on her return to power, was tapping my telephone and intercepting my dak. My reaction was that, on the assumption that some Delhi Police clodhopper was listening in, I would start every telephone conversation with round abuse for the Delhi Police and its Commissioner, before proceeding with the matter in hand. That gave me great personal satisfaction, though I have never understood why a Civil Servant without a posting was important enough for the Delhi Police to

waste its resources and its manpower on to bring him under surveillance. But that is the nature of the creature called the police. I am absolutely certain that Bhinder's illegal actions had approval at the political level, but had no legal order of a competent authority to cover them. Why should that not be true of Gujarat also?

We have laws on the privacy of the individual and the circumstances under which he can be brought under scrutiny, including telephone tapping, interception of dak, etc. The Indian Telegraph Act itself has provisions in this behalf. This is very often violated, but government should come down heavily on such violations and ensure that, keeping in mind the security requirements of the country, the privacy of the citizens is not invaded. The Narendra Modi case is a red herring and should not cause government to deviate from its higher duty to control the police in the matter of violation of the rights of citizens. Narendra Modi has to be tackled politically, which means that those who oppose him must go before the people with an ideology, a plan and a programme which should project the image of the party as the best bet for good governance in India. But to fail to make that effort and instead target Modi as a person will always leave a suspicion that the Congress is determined, by fair means or foul, to prevent Modi from legitimately aspiring for political power. This is not good for the Congress; this is not good for our democracy. I say this despite the fact that I personally hold no brief for any political party or for Narendra Modi. To play the devil's advocate let us presume that some overenthusiastic lads in the Gujarat Police did decide to bring the lady in question under surveillance, during the course of which her telephone calls were intercepted. Two issues emerge. The first is whether they acted on their own or were prompted to do and by whom. The second is why our system tolerates ignoring of the law by law enforcers. This is a much wider issue than the present case and calls for a high powered enquiry into the prevalence of such practices throughout India. The laws in this behalf must be reviewed in detail, modified, strengthened and made totally unambiguous. The responsibilities of the law enforcement agencies must be spelt out, their accountability prescribed and the duties of the competent authorities which sanction interception must be prescribed. Let us address the system rather than target a particular person. The twist in the tail is that the so called aggrieved person in this case has herself denied that she was subjected to any objectionable police scrutiny and that she has no complaint in this behalf. So what. She is only a pawn because our objective is not fair play—it is to fix that chap, Modi, who threatens to oust the Congress from power. Quelle horreur!
