

WHY TRANSPARENCY?

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This paper will begin with two stories, neither of which is apocryphal. Both relate to Neemuch Sub Division of Mandsaur District (Neemuch is now a separate district), both are from 1960 and the officer who figures in them is Manish Bahl, a 1957 batch IAS officer, who was SDO Neemuch. A question was asked in the Madhya Pradesh Assembly wanting information on how many temples (mandirs) there were in Madhya Pradesh, how much money did government spend on their upkeep and was there a proposal for increasing the maintenance grant. The question went down to all the districts and in Neemuch Sub Division the SDO's office forwarded it to every patwari. By the time the question reached the patwaris in typing mandir had become bander, or monkey. Every patwari sent in his report about the number of monkeys (bander) in his halka, with some reporting that whereas the original number was 'X', only 'Y' were present at the time of the census because others had gone elsewhere, either to visit friends and relations or to forage for food. When Manish Bahl saw the answers he was amazed till he realised that what had been conducted was not a census of mandirs but of banders. Had the information actually reached the State headquarters one could imagine the consternation that would have ensued.

The second case relates to a question by V.K. Saklecha, the then upcoming opposition leader, the gist of which was that information was sought on whether in some villages in Garoth Tahsil school buildings had been sanctioned, whether it was a fact that most of them had collapsed because of bad construction and asking what government intended to do in the matter. Dr. K.N. Katju, the then Chief Minister, replied that no school buildings were sanctioned and, therefore, replying to the rest of the question was unnecessary. Saklecha was hopping mad and made a beeline for Garoth. He told the SDO, Manish Bahl, that he had photographic evidence of the collapsed buildings and that he had every intention of indicting the Chief Minister for lying to the Vidhan Sabha and thus committing a breach of privilege. Manish very coolly told Saklecha that the answer given was absolutely correct. No school buildings were sanctioned and it was panchayat bhavans which were built. Some of them collapsed. Because the question pertained to school buildings and not panchayat bhavans the answer was factually correct.

These two stories are narrated to prove the point that when replying to parliamentary questions the objective of government is not to give information but give that much of information and in that form which would ensure that the least information was given and government could continue to work behind a curtain of obscurity. This is not unique to India and in every country with parliamentary democracy these tactics are normal. There is no designed attempt to conceal the truth, but the main objective is to ensure that the opposition cannot score a point against government through questions. Obscurantism and obfuscation are built into the genetic code of every government. That is why in his book, "Riding the Iron Rooster", Paul Theroux, describing his long train journeys through China, remarked, "Nothing is believed in China till government denies it". In other words, there is a popular belief everywhere that if government has denied something, then it must have happened and must be the truth. So much for the credibility of the government.

How does this disease of lack of transparency begin? It starts with the election manifesto of every party, which is at best a wish list and at worst a piece of poorly written fiction. When Arjun Singh was Chief Minister of Madhya Pradesh he held a meeting of all Secretaries and Heads of Departments in which he said that his government would work towards fulfilling its election manifesto and that the

Secretaries must ensure this. One Secretary was foolish enough to ask for a copy of the manifesto. Not only did the Chief Minister's office not have a copy but not even the Pradesh Congress office could readily produce one. That is the sanctity of the manifesto and, therefore, it is but natural that every ruling party is on the defensive when its workers ask why the government is not honouring the manifesto. The government waffles, tries to hide information and ultimately uses bluster to make the questing soul shut up. An honourable exception to this was Margaret Thatcher, the Conservative Prime Minister of Britain. In her manifesto she had stated that she would dismantle the socialist state and unheeding of opposition from Labour and even from within her own Conservative Party, she proceeded to do so quite ruthlessly. So much so that when Labour came to power under Tony Blair, their government, too, largely followed in Thatcher's footsteps. A tough, honest and open government can change society, as Thatcher proved.

However, it is not in the nature of government to be open. One of the senior officers of MI-5, the British Secret Service, wrote a book after leaving the Service which, according to government, would have caused immense damage to the British Intelligence set up. Government was able to prevent publication in the United Kingdom, but the author found a publisher in Australia who was prepared to publish it. The British Government brought a suit in Australia to prevent publication and in that the Head of the British Civil Service, the Cabinet Secretary, appeared as a witness for the State. During cross-examination the defence counsel suggested to the Cabinet Secretary that he had told lies. The Cabinet Secretary indignantly refuted this, said he had not told lies but, perhaps, he had been economical with the truth. That sums up the attitude of every government in the world, especially the Government of India. We are economical with the truth, we try and hide things from people and we like to work behind a veil of secrecy. We try and hide facts in files and we hate questions being asked about our work.

The budget is supposed to be the annual financial statement of the estimated receipts and expenditure of government placed before the Legislature under Article 112 in the case of the Centre and Article 202 in the case of the States. Under Articles 113 and 203 every proposal for expenditure, other than of amounts charged to the Consolidated Fund, must be presented to the House by way of demand for grants. It is only after these grants are approved by the Legislature that the Appropriation Bill can be moved which would permit government to appropriate money from the Consolidated Fund of India or the State to meet its expenditure. Incidentally, because every grant has to be cleared by Parliament or the State Legislature, no Appropriation Bill can be moved if the grants are not approved, which is why a budget cannot be passed by an Ordinance. It is only the Legislature, through approval of demands for grants, which can approve the budget. This is stated only by the way. It is by a debate on the demand for grants that the Legislature actually controls the Executive, which cannot spend one naya paisa till the demand is approved. Therefore, in the past Government and the Legislature took the debate on the demands very seriously, midnight oil was burnt in order to prepare replies on cut motions and the officers constantly briefed their Minister so that the objections raised by the opposition could be met. It was a very serious exercise indeed.

The present procedure is that the demand for grants are discussed in committee and not in the full House. Committees are small bodies and, therefore, in the case of most grants the average legislator has very little to say because he has not participated in the debate. When the general budget is debated the Legislature takes up some token head of grant for full-fledged debate. The rest are guillotined and deemed to be approved. In 2011-2012 Central Budget perhaps the only demand discussed was that of the Agriculture Ministry. Committee meetings are not widely broadcast, whereas debates in the House are widely reported and followed by a large section of the people. The Legislature itself has abandoned its function of keeping a careful watch on how government spends public money, which means that it has promoted an environment in which government does not have to share information with the people

at large. Can this system be called transparent? The budget was widely discussed and the officers were called to account by the Public Accounts Committee and the Estimates Committee to explain how public funds had been spent. Today the Public Accounts Committee is a cockpit of political squabbling and it is certainly not an effective watchdog over government expenditure. Can Parliament which permits this really perform its true function of calling government to account? Can legislators who are indifferent towards that vital documents, the budget, be considered responsible politicians and true representatives of people whose interests they are paid to safeguard?

Corruption is a creature that only occurs in the absence of light because corruption is done secretly. That is why every government is reluctant to share with the people details of how it actually functions. As the opening two stories suggests, obfuscation is a natural trait of government in which the attempt is to obscure, not to share. If we take the recent report on the 2G case, what seems to be emerging is that the Finance Ministry expressed an opinion casting doubt on the manner in which the Department of Telecommunications was proceeding in the allocation of spectrum. Subba Rao, the then Finance Secretary, not only stated that there were no logic in giving spectrum allocation in 2007 at prices which prevailed in 2001, as no attempt was being made to provide for escalation or for current value, but he also advised against proceeding with the allocation and suggested that the proceeding be stayed. Apparently the then Finance Minister, P. Chidambaram, decided not to follow up on his own Secretary's note and in fact opined that the matter be closed. Subsequently his successor, Pranab Mukerjee, apparently cleared a memorandum to be sent by the Finance Ministry to the Prime Minister's office giving the views of the Finance Ministry, but PMO decided not to act on it.

Even today government is not sharing information with the people about what the real position is, giving rise to all kinds of speculation, especially in the TV media. Surely the people of India deserve better than this. In a dictatorship it is the ruler who takes decisions and he is not required either to explain the reasons for his decisions or to subsequently defend his actions, whereas in a democracy every decision has to be reasoned and these reasons must be shared with the people. The decision makers are required to defend their decision, or if it is shown that the decision was wrong, make suitable amends. What happens when this is not done? Decisions tend to be arbitrary and this soon leads to corruption. When things come to notice government becomes defensive and during the course of such defence not only is there economy with the truth but positive lies are told. When things proceed on these lines corruption reaches a stage when people at large become disgusted with it. This is what led to JP's Sampurna Kranti and this is what has focused attention on the movement led by Anna Hazare. In extreme cases it leads to revolution. When government is transparent, open to discussion, willing to share facts with the people, takes decisions in which there is partnership with the people, government will be honest, effective and people friendly. P.C. Sethi, as Chief Minister of Madhya Pradesh, was no great genius, but he had one great quality, which is that he was personally honest. People respected him for this and trusted him. Consequently his government was also relatively honest and it was effective in delivering good government to the people. A good man, who is personally honest and is open to people, will always score over a crooked genius. India needs honest people, it needs people who are open to discussion, it does not want a government which operates behind purdah. That is why the answer to the question asked in the title to this paper, 'Why Transparency' is clear—transparency equates with good government and India needs good government.
