

How Not to Govern

■ Dr. M.N. Buch

In a democratic country such as India the first step to form a government is to be elected in sufficient numbers to enjoy the confidence of the legislature either as a party having a majority on its own, or as a part of a coalition, or as a minority party which has been assured support from outside. An absolute majority means that the party can frame policies and legislation, which it can push through because it has the confidence of the House and in which, if there is lack of governance or bad governance, the party cannot pass on the blame to someone else. After all it is in the majority. Where a government is formed by a coalition, then the system can work if the areas of agreement are clearly defined between the members of the coalition. One example of this is the Conservative-Liberal Democrats coalition in Britain. Here it must be clearly understood that there are bounds within which government has to function if the coalition is to continue. When the National Democratic Alliance government was formed under the leadership of Atal Bihari Vajpayee the largest party, the BJP, recognised that an aggressive Hindutva agenda would not work and that the construction of a Ram temple at Ayodhya would have to be deferred. One of the main election promises of BJP was put on hold and the coalition continued to function.

A third kind of government is of a minority party which has outside support from a small group which is just large enough to enable the ruling party to survive in the Legislature. This is the most difficult to operate. Choudhary Charan Singh, when he broke away from the Janata Party and formed a minority government, had the support of the Congress from the outside, but his government did not last because the Congress soon reneged on its pledge and the government fell. This was the fate of the Chandrashekhar government also. Now in the National Capital Territory of Delhi the Aam Admi Party, led by Arvind Kejriwal, has formed a government despite the fact that the party fell eight seats short of a majority, having twenty-eight members in a House with a strength of seventy. The Congress has exactly eight seats in the Delhi Legislature and by accepting its support from the outside Kejriwal has been able to form a government. Kejriwal knows that his position is not only vulnerable but, considering the Congress's track record, is in fact precarious. He and his party have taken a calculated risk in which they are quite prepared for a withdrawal of Congress support and a fall of the government. The argument which seems to have prevailed is that one might as well form the government, push through populist measures which would earn the party short-term admiration, which would at least carry it into the 2014 general elections. If the Congress withdraws support early and forces fresh election on Delhi, then Kejriwal can go before the people as a martyr and hope to win more seats in the ensuing elections. If the Congress continues to give support Aam Admi Party can then try and win the support of the people of Delhi through more populist measures. Some may call this political acumen but I prefer to call it crass populism. One could even term it as blackmail in that the Congress has achieved for itself a position of damned if they do, damned if they don't, leaving Kejriwal in the saddle to do his worst, confident in the belief that in the short-term this will pay him. This is the tragedy of Delhi, in some ways of India. The only saving grace is that Delhi is not a fulfilled State, the NCT government functions under a modified form of diarchy and the Delhi government is not responsible for law and order, which comes in the domain of the Lieutenant Governor. Even in the matter of land The Land and Development Office of the

Ministry of Urban Development and the Delhi Development Authority, also under the same Ministry control most of it. What is left is a glorified municipality with limited powers. In other words, whilst the Delhi Government has the capacity to cause damage through bad government, there are limits to the extent of harm that it can do. Unfortunately, even though it is early days, the manner of functioning of the Delhi Government seems to indicate that it is straining hard to achieve the maximum limit of the damage it can cause and in this it is showing fair signs of success.

Let me begin with the measures that the present government in the NCT of Delhi has taken and which are touted as unique. Kejriwal says that he will not accept a large car, a flag or a roof top beacon. When R.K. Hegde was Chief Minister of Karnataka he used an Ambassador car, never flew a flag or displayed a beacon. He rode in the front seat of the car beside the driver, carried no gunman and had no police escort to pilot him through the streets of Bangalore. He told me that if he needed insignia of office to have himself recognised by the people then the whole purpose of his existence would be lost. The only time he used the trappings of office was when he went to call on the Prime Minister because he told me that if he went in a plain car he would not be able to reach within a mile of the Prime Minister's office or residence. However, he never publicly broadcast that he did not use escorts, beacon lights, etc. He was very matter-of-fact about the whole thing and no one even commented on it. Kejriwal and his cohorts have to shout this from the roof top in order to draw attention to themselves.

In the old days senior politicians such as ministers, chief minister, etc., did have a police escort, partly to provide proximate security and partly to ensure that the office bearer could go about his business without being unduly obstructed by unruly crowds. A congregation of people goes with the office held and somebody has to ensure a modicum of order. That is the job of the police. I remember a case of about 1950 or so when Dr. B.C. Roy was Chief Minister of West Bengal and Jawaharlal Nehru, the Prime Minister visited Calcutta. The crowd was overexcited as the Prime Minister's cavalcade passed and the police was trying to restore some semblance of order, for which purpose mild force was used. Nehru jumped up in the open car and started berating the police, but B.C. Roy pulled at his coat tails, forced him to set down and said "Jawahar, let the police do its duty". Well, Arvind Kejriwal, you, too, will have to learn to let the police do its duty. Not only are threat perceptions different now from what they were be about forty years ago, even the reality is different because society has become much more unruly and violent.

From 1965 to 1967 I was the D.C. of Ujjain. Indira Gandhi as Prime Minister had come to Ujjain and addressed a largely attended public meeting. Dr. Shivmangal Singh Suman was the Principal of Madhav College, besides being one of India's greatest living Hindi poets. Immediately after the public meeting when the Prime Minister had gone to the Circuit House, Sumanji told her that a bust of Jawaharlal Nehru had been installed in Madhav College, he had composed a poem on Nehru and that he wanted Indira Gandhi to unveil the bust and listen to a recitation of the poem. Much to the horror to the Superintendent of Police and me Indira readily acceded to this request. Our problem was that the Circuit House and the venue of the public meeting were in the north eastern corner of the city, Madhav College was located a few kilometres away towards the south west and to reach it a two-lane road over bridge spanning the railway track had to be crossed. Police arrangements had been concentrated at the venue of the

public meeting, a large number of people returning from the meeting had crowded the bridge that the Prime Minister had to cross to reach Madhav College and there was no way in which we could clear the bridge to enable the Prime Minister to have a clear passage. The Prime Minister's car was stuck in the crowd and the S.P. and I had to carry her across the bridge so that she could mount another vehicle at the other end and reach the College. All this could be done because we were confident that no one would attack the Prime Minister. If this were to happen today as the D.C. and D.M. I would have put my foot down and never allowed the Prime Minister to travel under these circumstances, no matter how much this annoyed the dignitary. Delhi is a volatile city and if its Chief Minister does not heed police advice, the police is not exonerated from blame if something untoward happened. Therefore, denied the official opportunity of providing security the Delhi Police has to over strain its resources by deploying more people in order to ensure that there is efficient crowd control and the person of the Chief Minister is unobtrusively protected from attack. What Hegde could do in Bangalore in a State of which he had been Chief Minister cannot be replicated in Delhi, especially because the people are curious about the Aam Admi Party and its leaders, many people congregate for the novelty effect and the Chief Minister himself behaves like an irresponsible youth leader trying to prove that he is different. By all means avoid the excessive trappings of office, but please remember that if your intention is to attract a crowd, your actions invite a crowd then, in India, crowds can be indisciplined and unruly, the police has inevitably to intervene and ensure order and if the situation escalates the police has to use force. This is the legal duty of the police under the Code of Criminal Procedure and the Police Act. Failure to do its duty would not only be an administrative lapse, but it would be a violation of the law. Does Kejriwal realise this?

Let us take the business of free water and electricity. In Madhya Pradesh almost all of land revenue was written off years ago by D.P. Mishra through exemption of small holdings from payment of land revenue. Every slum dweller was given a single point electric connection free of cost or tariff and large numbers of people promptly misused this to illegally tap power lines and using the extra power to run small businesses. This virtually wrecked power supply in all our urban areas in Madhya Pradesh. Either supply of free power, or supply at very highly subsidised rates for agricultural purposes has virtually wrecked the power system in Maharashtra. The Punjab also gave free power to cultivators, beggared the Electricity Board and this, in turn, ensured that farmers either got no power or were subjected to erratic power supply. It seems that Gujarat is the only State (M.P. is now a close second), where a sane electricity policy has ensured twenty-four hours power supply for which people pay gladly, the Electricity Board has a sufficiency of funds and the maintenance of lines even in rural areas is of a high order. Which is better, guaranteed power supply of high quality which is paid for, or erratic supply and frequent breakdowns under the guise of giving free electricity? For one whole year Kejriwal and Co., went around advocating and advising that people should not pay electricity bills. Now the question of waiving those bills has arisen and suddenly there is some thinking on the consequences of an illegal act of not paying electricity bills, as also the disastrous financial results that would follow. To first announce and then recant or hesitate is not only bad government, it is positive non-governance.

If government were a simple affair life would be so easy. Unfortunately government is a very complex affair simply because we are a pluralistic society. Democracy means a government which ensures the maximum good of the maximum number of people. A holistic

view has to be taken of what benefits people at large and what works against their welfare and then decisions should be taken which minimise the bad and maximise the good. This cannot be done by standing in the streets of Delhi. This can only be done by thinking any course of action to its logical conclusion. Thinking is not possible in the streets because one needs time and space within which to formulate programmes, ideologies, actual action itself. How does Kejriwal want to do this? By holding a huge Janata Darbar from which he himself had to withdraw because of the unruly mob which had collected and then, about an hour later to stand on the roof top of a part of the Delhi State Secretariat building, there to apologise and address the crowd, promising better arrangements next time. In Mughal days the Emperor gave a Jharoka-e-darshan and very recently Emperor Kejriwal did exactly the same. Is this government?

Kejriwal has removed all security from the Delhi State Secretariat, all under glare of publicity which highlights how great are the leaders of Aam Admi Party because they have opened up their offices to the people. I joined the IAS in 1957 and in every posting where I had a public exposure I ensured that there were neither visiting hours nor any security hindrance in meeting me or any other officer. As head of the Delhi Development Authority I dismantled the security apparatus except for watch and ward, in Vikas Minar, the then D.D.A. headquarters. I abolished visiting hours and said people could walk into any office any time they liked and the officer concerned was required to meet the visitors. I ordered that anyone could ask to see his own file and this had to be shown to him. I also had a large hall equipped with 500 chairs and at 9 O'clock sharp I came to the hall accompanied by representatives of every department of D.D.A. I called this my Darbar, though not in the imperial sense of the word. Those who wanted to meet me sat on the chairs and I went from chair to chair to meet them. If the matter concerning the visitor could be settled on the spot orders were dictated there and then to my personal staff. If the matter required further enquiry the applicant was given the name of the officer whom he had to meet, together with a slip giving the officer's whereabouts and the time within which the applicant could receive a final answer to his application. My personal secretary recorded each name, the name of the officer concerned and the time limit for disposal of the case. On the due date he also checked with the officer to find out whether the case had been disposed of and if not, to report to me personally why the delay had occurred. I had told all my officers that I would not do their job for them and that if a person came for a second time to my darbar on the same issue the officer would be removed from his post forthwith. The system worked because I forced my officers to perform their appointed duties, the people received immediate relief and there was no corruption because I personally monitored every case. What this achieved was that systems began to function once again in D.D.A and people no longer found it necessary to bring the grievances to my personal attention.

I mention this example because it is the Chief Minister's job to ensure that his ministers and officers performed their functions efficiently and without delay and to pay a price if they did not measure up. Every so called Janata Darbar will witness thousands of applicants, almost all of them with a personal sob story, or often using this opportunity to settle scores with their rivals, enemies or even some friends. Unless we recognise that the people of India are habituated to using the official machinery for their own purpose, we would never be able to provide good government because we would be lost in a quagmire of our own making. Arvind Kejriwal seems to have prepared the marshy ground adequately for him to be stuck in it.

Does the Aam Admi government, therefore, have to follow what all other previous governments did? Certainly not. The giving up of unnecessary trappings of government has long been necessary in India. The Prime Minister of Denmark can cycle to work, the British Prime Minister can move around without blaring sirens and blinking red lights. Even the President of the United States can visit a restaurant with his family like any other citizen. That is all to the good and, therefore, our ministers need not come to the India International Centre in convoys, with the flashing beacons of escort cars. Gopalakrishna Gandhi, as Governor of West Bengal, would quietly drive into India International Centre to meet his friends and hold lively discussions. Any step in this behalf by Kejriwal is always welcome, but to carry it to extremes is a sign of immaturity.

Let us take the question of a house for the Chief Minister. Now it is a fact that our politicians, especially those in power, have to live with a situation in which large numbers of people, not only constituents but ordinary citizens with a grievance, visit the political dignitary. For example, Indira Gandhi as Prime Minister, had set aside time every week for anyone to walk in and meet her. It was never advertised as a Jana Darbar, but that is what in effect it was. Every Chief Minister in Madhya Pradesh has always set aside some time during which people can just walk in and meet him. Shivraj Singh Chouhan has organised a whole series of what he calls panchayats in which people representing a particular interest group, vocation or other identifiable commonality are invited for discussions with the Chief Minister and then have a meal. Politicians have to expose themselves to the people. That is why our Chief Ministers and ministers have large bungalows because they are the venue of their office outside the Secretariat and provide the space at which there can be large gatherings.

The Chief Minister does not occupy every room in his bungalow. As Administrator of the Capital Project, Bhopal I not only redesigned the Chief Minister's bungalow in 1972-73 at Bhopal, but I am also familiar with every room there. The Chief Minister himself occupies a three-bedroom, sitting room, dining room and kitchen space on the first floor. Almost the entire ground floor is public space with his office, officers and personal staff, a meeting room and two or three public waiting chambers in which visitors can await their turn to meet the Chief Minister. The bungalow and compound are large, but almost all the space is devoted to public purpose. Can a Chief Minister be accused of living in luxury under these circumstances? The Chief Minister of Delhi will also have to devote a considerable part of his residential accommodation for public purpose, which he obviously cannot do in a two or three-bedroom flat. Because thirty percent of Delhi consists of slums and another twenty percent or so of unauthorised colonies should the Chief Minister stay in a hutment in an unauthorised colony? A reasonable degree of privacy for the Chief Minister and ministers so that they take time off for leisure and rest is absolutely essential if they are not to work themselves into a state of ill health. To keep on stating that the Aam Aadmi does not want to occupy large bungalows is merely a statement. It neither proves that they are common people or that they are making great sacrifices by living like ordinary people. People in a certain position are extraordinary people because every ordinary person cannot be the Chief Minister. What a Chief Minister needs to do is to plant his feet firmly on the ground so that he constantly remains in touch with the average citizen. Exposure, however, is not the same as immersion and what Kejriwal is attempting today is immersion, which is all very well during the Kumbh but which would inevitably lead to pneumonia if it were a constant feature in the life of the Chief Minister.

Good governance requires on the one hand access to people, on the other hand leadership of a functioning government. A functioning government is one in which every person involved in government from the lowest level to the highest is made aware of his duties and responsibilities, is given a fair opportunity to perform his duty, is under constant pressure to be honest and diligent and who is called to account for nonperformance. Constant Janata Darbars by themselves do not provide a suitable working environment. At the level of the minister he must know categorically what the philosophy of the ruling party is, he must examine every aspect of a matter which comes before him, he must be decisive in the matter of policy and he must insist on his officials delivering what the policy states. The minister must be open minded in listening to his officers if they have a point of view to present and to listen to their advice regarding any matter under discussion, especially in terms of the consequences of a certain policy decision. The minister must then create an environment in which the officers can perform, with immediate punishment for nonperformance and complete protection for those who do perform. What a minister must not do is keep changing his mind, shift blame if his own defective policy decision leads to problems, keep making populist statements which are either incapable of implementation or if implemented, can lead to a number of downstream defects. That is the secret of good government.

In ending I would state that no Chief Minister, especially Kejriwal, should be so lost in trivialities as to lose sight of the larger picture. The size of the house, type of motor car, the manner of progression from place 'A' to place 'B' are all trivialities. What is important is how clear you are about your policies. How well do you understand your objectives, how competent you are at generating administrative efficiency and how vigilant you are in ensuring that government is purposive and honest. Is punishing the corrupt the only way of assuring honesty? What about a detailed look at every point of citizen-government interface and try and reduce this interface to a minimum, whilst simplifying procedures, rules, administrative practices in such a way that neither delay, nor unnecessary cross questioning, nor twisting of rules can be the means of making money and harassing the citizen. I see no evidence whatsoever of any person in the Aam Admi Party who is addressing this issue. To reinforce what I say let me give an example from DDA. I found that people were harassed and large sums of money demanded by my staff to give a completion certificate. I ordered that I would accept a completion certificate, on a prescribed format with a check list, from any registered architect. An architect will charge a fee, but he cannot demand an extortionist's fees because the applicant would go to some other architect. This was strongly resented by my staff, but I pushed through the reform. In the remaining few months I was in DDA (I was kicked out after just nineteen months) I did not receive a single complaint on account of a completion certificate because my staff kept running after people to issue certificates and get whatever *shukrana* they could get out of it, which would obviously be a paltry sum which people would normally not resent. This one little order knocked the bottom out of corruption in the Planning Department. Of course after I left the old system was restored. Let Kejriwal do this department by department, issue by issue and the dent that he would make in corruption would be very significant indeed. In other words, Arvind Kejriwal, less of gimmicks and more of sustained and consistent hard work!
