

WHY WAS A CHIEF SECRETARY ASSAULTED?

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Most people outside Delhi may have forgotten that the chief secretary of this small but highly-publicised state, Anshu Prakash, was assaulted by two MLAs of the Aam Aadmi Party in the presence of Arvind Kejriwal, the chief minister in the residence of the CM. Some could not care less and those who believed the CM's version must have felt that lessons like these are required to teach the high and mighty bureaucrats to be more responsive to the people's needs. But the IAS officers and other civil servants have not forgotten the ugly incident and their State and Central associations have condemned Kejriwal and his party in no uncertain terms. They were hyper active and went on endless discussion, even on the social media, which is largely a public forum. This was only expected but what was also desired from those who are trained for decades to be clinically fair and not to be emotional like trade unions was an introspection on why things have come to such a pass. Or, discuss whether this was inevitable as the legally elected government was unable to function with its own government officials, whose loyalties were visibly extra-territorial. ?? his party colleagues were very upset because the CS was reluctant to expedite the long pending issue of ration cards to poor people

When Anshu Prakash, the chief secretary of Delhi, left the residence of the chief minister around midnight of 19th-20th of this month, he was surely shaken up. The hurt that he got from the MLAs may not have been gravely physical, as he did not seek immediate medical assistance, but it was surely an 'assault' on him and his office, which was dastardly. Section 351 of the Indian Penal Code is rather all encompassing and covers even threatening gestures in the ambit of 'assault'. But what could have led to this unfortunate incident that has woken up IAS and other civil services and their associations? It is well known that ever since Arvind Kejriwal wiped off the major national parties from Delhi in February 2015, almost upsetting the Modi-wave just a few months after the PM's spectacular conquest of India's parliament, his war with the Centre started. It is surely a no holds barred conflict that is testing the limits of the Indian constitution and a lot of other nerves, like the role of the civil services in intra-federal disputes. There are reasons to believe that the Lieutenant Governors of the city-state are being egged on by the central government to spike the duly elected CM's programmes and that one-sided interpretations of Article 239AA of the Constitution and the Government of National Capital Territory of Delhi Act of 1991 are making a mockery of federalism.

There is no point in getting into the details of the incident as differing versions have been circulated about what provoked the sharp differences between the MLAs and the CS. It may shock my colleagues in the civil services to know that most of the people do not appear to sympathise with the hurt bureaucrat. Mercifully, several civil

servants have also gone beyond righteous indignation and have raised a few uncomfortable questions, like whether such open condemnation was possible if the assault was in a BJP ruled state. In fact, there was hardly any whisper when two bold IPS officers, the Senior Superintendents of Police of Saharanpur and Agra in Uttar Pradesh were heckled (the residence of one was attacked and family traumatised) and transferred recently: for doing their duty and arresting ruling party leaders who broke the law. Intimidation of officers happened in many, many states, though hitting chief secretaries is not yet common. Many feel quite correctly that the civil service has been siding with the central government, though it is also a fact that Arvind Kejriwal's style of running the government is certainly quite nerve-racking and highly controversial. Anshu Prakash, the chief secretary, is known to be a good officer and this heightens the tragedy of the IAS. It appears that the complaint was made next morning as an afterthought or was suggested by machiavellian brains. Instantly, the two MLAs were put behind bars, as deserved — but common people wish the same promptness and sternness were/are displayed in more important offences as well.

Kejriwal is known for his dramatics, his craftiness and for his domineering style, but then what about Mulayam, Mayawati, Chautala or Mamata? The government at the centre spares no pains to trip and stymie state regimes opposed to it and in this matter, it has certainly improved upon the techniques employed by its predecessors. One remembers how in 1959 Nehru had dismissed the constitutionally elected communist government of EMS Namboodiripad and how Mrs Gandhi packed off United Front governments in Bengal in 1967 and 1969. Both she and her son disrupted successive Left governments that were periodically re-elected in Bengal, with such “annoying regularity”. The point is that the civil services have weathered many earlier storms and All India Services officers who were thrown into no-holds-barred conflicts between their states and the centre developed survival skills, without succumbing. They learnt the art of balancing political opponents: in the interests of constitutional governance. There were, of course, quite a few spineless officers who capitulated to pressures and incidentally prospered. They were the first to switch sides when governments changed. They had deactivated their conscience and usually prospered under the next regime as well, while their former rulers looked on, in sheer disbelief.

Kejriwal cannot be treated all his life by the heaven born, as “just a resigned Revenue Service officer”. It is just not on. He has earned his spurs through the democratic process and even though he is disruptive, one has to gulp it as long as he is within the bounds of legality. The IAS and IPS have dealt with bigger mavericks and disruptive ministers and parties and this is not the first or last assault. All those who worked in the districts during turbulent times have had to face violent mobs, often led by legislators and many officers have been badly roughed up by hotheads. The shift of powers in democratic India took several decades to move from Anglicised upper class civil servants to those elected representatives who appear crude and rustic, but it has happened. And every government now demands delivery,

because people have lost their patience. No one is really interested in the recital of rules about why it cannot be done.

But before getting to the students of the arts faculty of J.U. who just won a spectacular victory with a prolonged strike, let us check the other ‘strike’ referred to. This was in Delhi and resorted to — of all people — by IAS officers, which was questionable, to say the least. It is true that two MLAs of Arvind Kejriwal’s Aam Aadmi Party did commit the unpardonable offence of ‘assaulting’ the chief secretary of Delhi, but this is neither the first time in India that an IAS officer is ‘roughed up’. As one who has been ‘assaulted’ quite a few times by unruly mobs or by over-excited crowds — who were often instigated by scheming political leaders — one sadly accepted it as an ‘occupational hazard’. But never did it cross one’s mind that these were perfect occasions to play politics between the state and central governments or to go on strike. Macaulay had drafted the Indian Penal Code of 1860 — that still governs us — with the same clinical precision with which he had pushed through his Minute on Education of February 1835. Art 351 of the IPC thus ensures that even an intimidatory gesture is punishable as ‘assault’ and technically the Chief secretary was assaulted in February of this year. It is, of course, a different matter that the injury was not a grievous one (thank God!) and that the Delhi Police that operates directly under the Centre promptly arrested two legislators involved. Of course, the IAS association vehemently denied that officers was not on strike — the law does not permit it to be — and that officers were just feeling insecure.

It is not that Kejriwal is blameless. His dramatics and his ruthless ambition forced even his own comrades in the Anna Hazare-led ‘India Against Corruption’ movement to quit (or be smoked out). His sheer cunning and accompanying ‘personality problems’ are certainly not endearing qualities, but then, India has seen more repulsive leaders — some of who still rule. Many IAS officers refused to attend meetings called by ministers and though they did attend office, their interactions with the chief minister and other ministers were quite inadequate by any standard. It was the the lieutenant governor of Delhi, the LG — an IAS officer of no mean repute — who was their ‘boss’ for every matter and the mentor during their crusade against the duly-elected chief minister. This is or was no justification for Kejriwal to squat in the LG’s office for full nine days, until the High Court ticked him off in no uncertain terms. True,