

One report, 40 million hopes ignored



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A **DISTINGUISHED** former Supreme Court judge, who had received plaudits for his report on the Mumbai riots, chaired the Srikrishna Committee on Telangana set up in February 2010.

Four other members, including a vice-chancellor of a law university, a retired secretary of the Government of India of average standing and two academics of moderate distinction, assisted him. The committee was further assisted by panoply of staff, retired and serving bureaucrats and consultants (both formal and informal), in writing the report. The committee conducted extensive consultations in the Andhra Pradesh and Delhi and had received, and presumably read and absorbed, nearly a lakh of written submissions. They also received oral and written presentations from 102 political and civil society groups.

In the end, they produced a main report of 505 pages and an appendix volume of 183 pages.

This was a Herculean task, accomplished after 11 months of serious work and engagement with many people from all

regions of Andhra Pradesh.

Yet, the output seemed somewhat cumbersome, contradictory and, not to put too fine a point on it, totally confusing. Instead of shedding light, the report cast more darkness and left a lot of shadows for people to speculate, suspect and misunderstand. It was everything unto everyone and nothing to anyone wanting to make a decision. Little wonder then that the Government of India was confused and so were all the political parties.

Where lay the problem? Apart from the problem of too many cooks spoiling this broth and not having an overall editor who could smooth over the contradictions and sharp edges, the committee had allowed itself to be influenced by too many extraneous considerations.

The issue was simple: 40 million-odd Telangana citizens preferred to have a state of their own whatever the outcome. The committee, however, failed to understand or chose to ignore what the people wanted. It did not, for example, suggest a referendum or opinion poll to

asses: the will of the people of the region. Yet, it suggested, uncharitably, that it was only local party political machinations that had driven the movement. It is inconceivable that anyone would say this of a movement that has existed on and off for 60 years. Therein lies the sadness and anger.

The worst case of all — there are too many others to enumerate and critique — is Chapter 8 titled, “Law and Order Dimensions”. This read for only a paragraph — 152 words — and ended up thus: “A note on the above covering all aspects has been prepared and is being submitted to the ministry of home affairs in a separate cover along with this report. The committee has kept these dimensions in view while discussing various options included in Chapter 9 of the report, i.e., The Way Forward”.

These critical 52 words damned the report’s painstakingly constructed edifice of 1,46,071-word text. The 52 words implied that what was essential to the consideration of the options recommended by it

was to be a secret known only to the committee and the government.

Never in the known history of 60 years of official reports has any official committee or commission dared to keep a part of a report secret and that too the most significant part of it. Worse, the committee was open about it — transparency taken to insulting extent — but only to tell us that the most significant part was not to be disclosed to the *aam aadmi*.

The committee seemed to say that “we have studied everything and we have stated the cases for and against and come up with six options (of which four are not workable) and feel that a decisive element is the law and order and internal security aspects, so we don’t think the public should read it but the government should take it into account while deciding the fate of 40 million people”.

No more and no less.

Since common sense, decency and legal prudence seemed to have been abandoned, an able and competent citizen had no other recourse but to approach the courts of justice through a

writ petition before the Andhra Pradesh high court. The eminent Attorney-General of India insisted on appearing before the bench and stated categorically that the committee had no legal standing and that it was not a commission under law and, therefore, anything it said or wrote was of little or no consequence — a storm in a teacup, as it were!

He added that the courts have no jurisdiction on what was a private affair of the government and could not pass judgment on what was private correspondence. Well, that is what he seems to have meant, more or less.

A courageous high court judge will pronounce on the issue and has already shared some of his thoughts on it from the bench — and what robust thoughts! He seems to have said that the whole exercise cost the public ₹40 crores and it was unfortunate that a retired Supreme Court judge should have been associated with it. It is clear that what a former Supreme Court judge could not see, a sitting judge of a high court has.