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A whiff of fresh air

Shanti Bhushan



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IN DECLINE: Parliament is a pale shadow of its former self with more disruptions than debate. File photo: V.V. Krishnan

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India is witnessing a rapid decline in democracy and its institutions and the Aam Aadmi Party is the only hope in saving our parliamentary democracy

A democratic Constitution was brought into force on January 26, 1950. India was made a republic in which sovereignty was vested in the people of India and various institutions were set up for the welfare of the people by visionary leaders such as Dr. B.R. Ambedkar, Jawaharlal Nehru and Sardar Vallabhbhai Patel. Even then, Dr. Ambedkar had sounded a warning that while the Constitution was a great instrument, its ultimate success would depend on those who manned its important institutions. On the other hand, we have been witnessing the rapid decline of our democracy and its institutions. Our MPs and MLAs have become corrupt using money and muscle power to win elections, and it has become standard practice for them to misuse all their powers for either their own benefit or for the benefit of the party they belong to.

An erosion

These parliamentary institutions have been showcased as the pillars of a functional democracy even though they have not been working for the people. While this image began crumbling in the States, it is now taking place at the Centre as well. The Houses of Parliament are pale shadows of their former selves.

How effective parliamentary democracy is is based on debates and not disruptions — which we have been witnessing for several years. Scenes from the recent past — of microphones being broken and used as weapons, and papers snatched and torn — were the last straw that broke the camel's back.

The emergence of the Aam Aadmi Party (AAP) seems like a whiff of fresh air in this period of despair. The contrast between the conduct of the AAP's MLAs in the Delhi Assembly on February 14 and members of the Bharatiya Janata Party (BJP) and Congress — who were seen snatching microphones, entering the Well of the House and tearing papers — was an eye-opener.

Crony capitalism

The Radia tapes demonstrated that the Ambanis wield tremendous clout over both the Congress and the BJP. As they fund these parties, they can get anything done. The Congress hastened to double the price of gas from \$4.2/MMbtu to \$8.4/MMbtu in the full knowledge that this would result in a steep price rise in various sectors such as transport, fertilizer and power. The BJP was also not prepared to oppose the doubling of gas price even though it has been screaming itself hoarse against price rise.

In an admirable judgment in 2010, the Chief Justice of India, P. Sathasivam said that the Centre's pricing policy would prevail over any private agreement. The Court directed Reliance Industries Ltd. to renegotiate with Reliance Natural Resources Ltd. to fix the price of gas supplied by the latter. In this judgment, the Bench observed: "The people of the entire country have a stake in natural gas and its benefit has to be shared by the whole country... Article 39(b) of the Constitution envisages that the state shall, in particular, direct its policy towards securing that the ownership and control of material resources of the community are so distributed as best to subserve the common good." It further said: "The natural resource, gas, is held by the government in trust on behalf of the

people. Even though the exploration, extraction and exploitation of natural resources are within the domain of governmental function, the government has decided to privatise some of its functions. For this reason, the constitutional restrictions on the government would equally apply to the private players in this process. Natural resources must always be used in the interests of the country, and not private interests.”

The Bench added: “The broader constitutional principles, the statutory scheme as well as the proper interpretation of the PSC [production-sharing contract] mandates the government to determine the price of the gas before it is supplied by the contractor.”

This judgment clearly mandates the government to fix the price of gas in the interest of the people and not in the private interest of a corporate giant. Can there then be the slightest doubt that doubling the price of gas is completely against the interests of the people and only in the interest of this corporate giant which will gain Rs.54,000 crore every year? This has been done by the Congress, which gets enormous funds from this corporate entity. The BJP has also not raised its voice against this bonanza.

Communalism

The AAP, on the other hand, has registered an FIR with the Anti-Corruption Branch of the Delhi Police which has the jurisdiction to investigate the offence as it was committed in Delhi. This is a welcome step.

There have been two major pogroms in the country — the massacre of innocent Sikhs in 1984 in which some Congress leaders were among those accused of complicity, and the massacre of innocent Muslims in Gujarat in 2002 in which BJP leaders are said to be among the accused. It is necessary for the victims in these and many other state-sponsored and assisted riots to ensure that they get swift justice. As the Sikh massacre happened in Delhi, the Delhi government of Arvind Kejriwal had the jurisdiction to recommend the constitution of a Special Investigation Team. This much needed move was carried out by the government.

The controversy between the Prime Minister and the Leader of the Opposition, Sushma Swaraj, over the constitution of the selection committee has clearly demonstrated that the Centre’s Lokpal will be politically selected, and will not be able to investigate ministers. This is in stark contrast to the Jan Lokpal Bill in which an independent Lokpal will be able to function. The Congress and the BJP prevented even the introduction of the Jan Lokpal Bill in Delhi.

From all these reasons it is clear that the AAP seems to be our only hope in saving parliamentary democracy,

(Shanti Bhushan is a former Union Law Minister.)