



POWER & POLITICS

PRABHU CHAWLA

CELL phone recorders, voice loggers, off-the-air monitoring devices, intercepted emails — the latest James Bond blockbuster? No. It's just another day in the life of Indian intelligence agencies. The past week witnessed much handwringing, shock, anger and a sense of betrayal among the political class and the human rights lobby over the alleged tapping of phones of not only Opposition leaders but even some Congress bigwigs.

In this day and age, only a fool would believe that the government does not indulge in eavesdropping. In New Delhi, where the rich and the powerful live, you don't have to be an ace sleuth to know who is being tapped. Ministers, mandarins, business tycoons, Opposition leaders and even journalists are under surveillance 24X7 by some of the most sophisticated machinery installed in various parts of the national Capital. All that the gadgets — which include the highly sophisticated Fox and Omega which not only recognises voices but even translates languages — need to be fed are your cell-phone numbers or voice samples and every time you pick up the phone, big brother is listening.

Thirty years ago, I did a story in *India Today* about Indira Gandhi ordering snooping on the mails (today's snailmail, mind you) of many Opposition leaders including Atal Bihari Vajpayee, L.K. Advani, George Fernandes and many others. For days, Parliament was paralysed and the government left red-faced. Today, there is hardly an uproar as agencies routinely intercept emails of private citizens. What is even more frightening is that such surveillance is now being outsourced. I have it on unimpeachable authority that over two dozen private intelligence agencies have been allowed to import highly sophisticated equipment which can monitor land and wireless phones and intercept emails. What's more, they are not required to seek prior approval from the government. According to a senior intelligence officer, about 1,000 private citizens in Delhi alone, many of whom may think they are above the law, are under 24X7 surveillance.

The situation is no different in the states where rulers use agencies to keep a tab on their opponents. Shivraj Singh Chauhan knows that a tab on Digvijay Singh would yield him good dividends as does Ashok Chavan in Mumbai who will use all the resources at his command, including eavesdropping, to keep Sharad Pawar in check. Mamata Banerjee's plans to occupy Writers Building after next year's elections come could grind to a halt if Buddhadeb's spooks manage to dig up dirt on her. All rulers pick dependable, tested and pliant civil and police officials to head the agencies whose job, in turn, is to see that their bosses are kept

abreast of what their opponents are up to.

We have indeed come a long way from the days of the lineman spy who would knock on the door and say your phone line needs to be checked and leave after installing a bug in your mouthpiece. The Supreme Court guidelines say that only designated agencies like the IB, RAW, Revenue Intelligence, CBI, NIA and the local police are authorised to intercept phones after seeking prior approval of the Union home secretary or his counterpart in the state. Now their number has risen to 12. Technology has also moved fast and with every other Indian carrying a mobile phone in his pocket, nobody is invulnera-

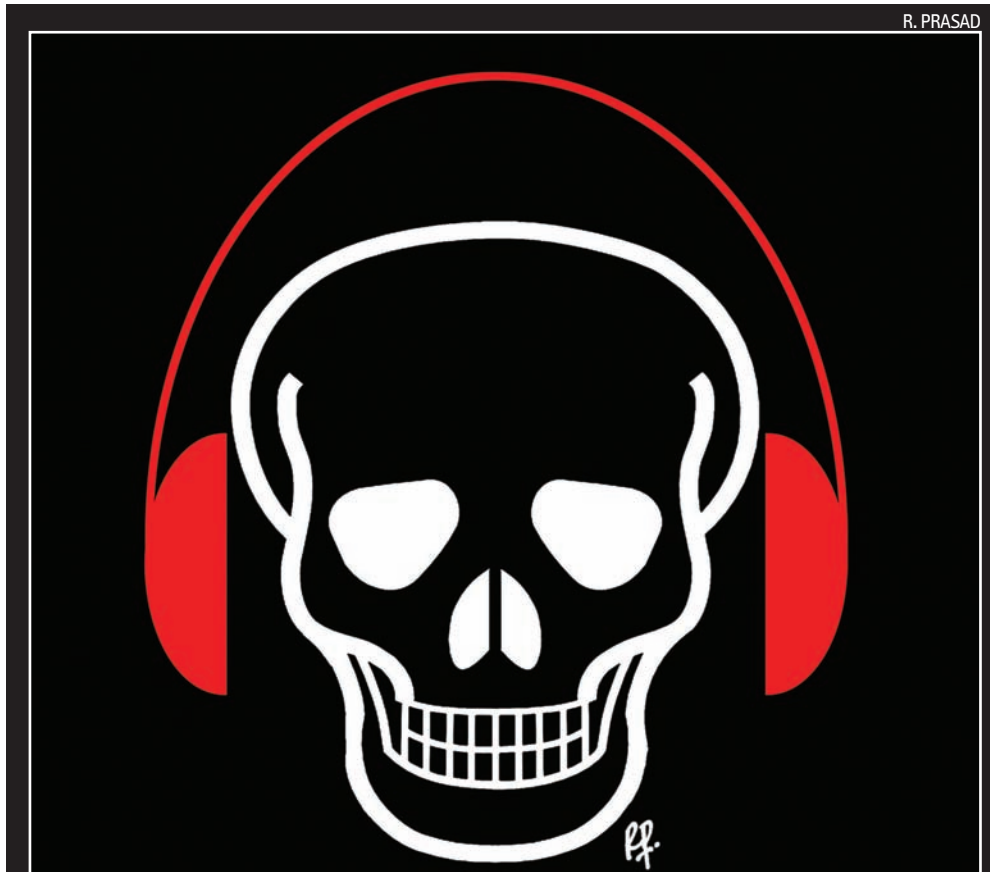
ble. The machinery has made it possible for the political leadership and the pliant bureaucracy to snoop without authorisation or record. My friends in the intelligence apparatus tell me that central agencies periodically target known individuals with criminal records or contacts who also have active associations with politicians and bureaucrats. By keeping a tab on one, they pick up muck on so many more. It may be a politician that you are after, but what you get is a bounty about all his friends, be they fellow politicians, corporate honchos, film and cricket stars and even the underworld.

We are living in dangerous times and the need for vigilance

cannot be overstated. But to prevent the misuse of surveillance, the system has to be strengthened. Otherwise, in the name of security, the establishment could be doing nothing more than settling scores. I am sure the Union home secretary gets at least a dozen requests daily for surveillance. In many cases, such requests originate from someone looking to settle scores. Where sanctioned, the home ministry gives a three-month review period. Nothing may come out of it in the end that strengthens national security, but somebody may have been able to settle private scores. Surveillance is needed; the danger lies its misuse.



Digvijay Singh



Bug Brother Is Listening

Habibullah not going away

ON OCTOBER 20, 2009, the chief central information commissioner (CCIC) Wajahat Habibullah tendered his resignation to the President of India to take up his new assignment as the chief information commissioner of Jammu and Kashmir. In my book, that's the equivalent of the Chief Justice of India quitting to become the chief justice of a high court or say, T.N. Seshan, the once feared Chief Election Commissioner opting to become a state election commissioner. Eyebrows went up at Habibullah's decision but I'll let that pass.

The point I am making is about the government's scant regard for constitutional norms. Upon Habibullah's resignation, it was duty-bound to appoint a new incumbent but seven months on, there are no signs of that happening. Habibullah is still in office, drawing salary and perks and taking decisions that have far-reaching impact, while J&K still awaits its first CIC.

The CCIC is chosen by a panel comprising the Prime Minister, the Leader of the Opposition and the Union law minister. Manmohan Singh, L.K. Advani and Veerappa Moily met a few times but were unable to break the deadlock and Sushma Swaraj, the new Leader of the Opposition is no less rigid than her predecessor. Revelations under the Right to Information Act have embarrassed the government no end and it is in the establishment's interest to see that the CCIC conceals more and reveals less, while the Opposition wants things to work the other way.

The bureaucracy, which has much to hide, is keen to push one of its own to the post, but the "social activists" group wants a CCIC of the whistleblower variety. All of them have their own interests to protect and are not likely to budge. That's why I see Habibullah staying in office for a long time to come.

Addressing the needs of question hour

BOTH houses of Parliament start the day's business with question hour. As the clock strikes 11, members troop into the House after marking attendance, take their seats for a brief while before plunging into 60 minutes of acrimonious debate. There are frayed tempers and even the occasional fisticuffs and much has happened in the recent past to raise questions about the question hour itself. Is it being misused? Is it being used to disrupt proceedings on flimsy grounds? Does it encourage MPs to scoot from Parliament once question hour is over.

For the first time ever, the presiding officers of both houses are former foreign service officers. If Hamid Ansari, chairman of Rajya Sabha, and Meira Kumar, Speaker, Lok Sabha, are allowed their way, question hour may see big ticket changes in the near future. One of



Hamid Ansari has initiated reforms in the question hour.

the suggestions under consideration is to shift it to the afternoon from 3 to 4pm, which would allow the government to transact more

business during the earlier part of the day when attendance is relatively high. Ansari has already initiated some reforms. For example, ministers can no more avoid answering inconvenient questions by entering into private treaties with MPs after Ansari ordered a few months ago that all starred questions will be answered even if the MP, who raised the question, is absent.

Now, both Kumar and Ansari may take reforms a few steps further. Ministers may now have to answer all 20 listed questions since new rules of procedure are being introduced to enable any MP to take up a question if the person who originally asked it is missing. If both Ansari and Kumar can succeed in convincing the political parties to fall in line, they would have succeeded in halting the rapid erosion in the credibility of Parliament.

THE UNION chemicals and fertilisers minister M.K. Alagiri's chronic absenteeism in Parliament and the ministry is said to be due to his inability to speak in any language other than his native Tamil. Such is his truancy that Parliament itself was stalled last week when Opposition parties demanded to know from the Prime Minister about the minister's whereabouts. Alagiri has since attended Parliament, though it hasn't yet been ascertained if he has taken any crash courses in English or Hindi.

But other ministers are trying to learn new languages. Last week, the new and renewable energy minister Farooq Abdullah tried to answer a question in Punjabi only because the questioner belonged to Punjab. Though Farooq faulted many times and had to be corrected by sports minister M.S. Gill, he deserves praise for trying. Even more amusing was the sight of DMK MPs listening with rapt attention when Sharad Yadav, in typical Bihari Hindi that many a northerner would find difficult to comprehend, lashed out at the government over the spectrum scandal.

Though he did not name any minister, DMK MPs were on their feet to deny all charges, since the telecom minister A. Raja was one of their own. Sharad of course had the last laugh: he was happy DMK MPs were finally beginning to understand the national language. Just goes to show that while language can inflame divisive passions, it can also be a great unifier.