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Prologue

The Indian Constitution enshrines in its Preamble itself the principles of secularism. This is undoubtedly the basic tenet of our Constitution. I am restating the Preamble of the Constitution of India below:

We the people of India, having solemnly resolved to constitute India into a sovereign socialist secular democratic Republic and to secure to all its citizens: justice, social, economic and political; liberty of thought, expression, belief, faith and worship; equality of status and of opportunity; and to promote among them all fraternity assuring dignity of the individual and the unity and integrity of the nation;

In our constituent assembly this twenty sixth day of November, 1949 do hereby adopt, enact and give to ourselves this Constitution.

As a corollary this leads to neutrality. Religious and ethnic neutrality in matters of state and governance. It is meant to be understood that there shall be total neutrality both in perception and in action, in all that the nation does.

But is it true?

Does this happen in reality?

The world over the dictum is: no cause can justify terrorism. Still, in India we have groups, political and nonpolitical, standing up justifying terror acts. They seek pardon for perpetrators of terror acts. They knock at the doors of justices of the apex court with curative petitions after even the President has rejected the pardon.

In a democracy, nonpolitical elite groups doing this can still be tolerated as an anti-view. There is ambivalence on the Right to Dissent which is an offshoot of the Right to Freedom of Expression in such matters. According to Article 19 of the Constitution:

All citizens shall have the right

To freedom of speech and expression

To assemble peaceably and without arms

To form associations or unions

To move freely throughout the territory of India

To reside and settle in any part of India (and)

To practice any profession, to carry on any occupation, trade or business.

Clause (2) under this Article reads as under:

Nothing in the sub clause (a) shall affect the operation of any existing law, or prevent the state from making any law, in so far such law imposes reasonable restrictions on the exercise of the right conferred by sub clause (a) in the interest of sovereignty and integrity of India, the security of the state, friendly relations with foreign state, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

In so far as this 'freedom of speech and expression' is concerned, several judicial decisions have confirmed and reinforced in spirit, the right to speech and expression and hence the right to

propagate an alternative or dissenting view through media and other sources.

Some of the prominent judicial verdicts have been:

- i) *Virendra State of Punjab*, AIR 1958, SC 986
- ii) *Express Newspapers versus Union of India*, AIR 1958, SC, 578
- iii) *Bennett Coleman versus Union of India*, Union of India, 1973, SC 106
- iv) *Prabha versus Union of India*, AIR 1982, SCR 6
- v) *Indian Express Newspapers versus Union of India*, AIR 1986, SC 515
- vi) *Sakal Papers versus Union of India*, AIR 1962, SC 305
- vii) *Indian Express Newspapers versus Union of India*, AIR 1986, SC 872.

In respect of even imposing or introducing any reasonable restrictions by the state also, the government's hands are tied by several judicial pronouncements even if some anti-view (as in these referred-to cases) challenges the objectives set out in the Preamble like challenging the sovereignty and integrity of India. In the following prominent cases the judicial pronouncements are that the burden of proof for imposing these restrictions rests with the state:

- i) *Vrijlal versus State of MP*, AIR 1970, SC 129, 135
- ii) *Sagir Ahmed versus State of UP*, AIR 1954, SC 728
- iii) *Chintaman Rao versus State of MP*, AIR 1950 SCR 759

Further reaffirming and reconfirming this omnibus position—that with further caveat that this Right is unbridled—is the judicial pronouncement which in spirit upheld that reasonable restrictions in the context of this Right applies to both substantive and procedural reasonableness.

Thus, in ordinary circumstances, it is unreasonable to make

the exercise of a Fundamental Right depend on the subjective satisfaction of the executive.

- i) *Khare versus State of Delhi*, 1950 SCR 519, and
- ii) *Gurbachan Singh versus State of Bombay*, 1952 SCR 737

At the same time, I personally hold the view that there are no shades of grey.

But for a sitting government to take sides, abandon neutrality, to ignore facts, to twist facts, to act in oblivion of facts gathered out of painstaking investigation does ring alarm bells in the minds of concerned citizens.

In the process, the government of the day had engineered facts, vitiated the legally-established institutional mechanism to ensure that their narrative gets validated and propagated. However, this is not what the framers of the Constitution ever envisioned.

The so-called ‘secular’ narrative attempted to be propagated between 2004-2013 had the potential to tear India’s social fabric to shreds. In order to reap political benefits, one religious section was projected as overbearing bullies and blamed for certain unfortunate occurrences. To this extent, a nation hostile to the country was partnered. The global narrative was reversed and the victim religious grouping was projected as the oppressor, the perpetrator.

This attempted narrative acted against the very Preamble of the Constitution in letter and spirit. The actions of the then government in power (2009), elected only by virtue of the same Constitution, vitiated the Preamble’s objective to ‘promote among them all fraternity assuring Dignity of the Individual and the Unity and Integrity of the Nation’.

My tenure in the Union Home Ministry (2006-2010) and the period after that were filled with interesting experiences. In this book I have captured some of these for the people of this

country to get a glimpse of how governments work.

Documentation of these events and incidents do exist. In case some are not readily available with the ministry, they can be confirmed from the coordinate institutions like the courts of law, the State government secretariats, police headquarters, books on 26/11, one by the noted journalist Sandeep Unnithan.

In retrospect, my experiences may look 'dire' but I had the inner strength to face the various challenges. My parents had instilled in me this strength. In my younger days I believed that my father, who too was a Home Ministry official, had a tyrannical streak in him. But experiences in my working life made me realise the benefit of rigour which he had insisted we follow while growing up. This rigour, both physical and intellectual, does endow us with capabilities to face challenges.

One lovely and memorable episode I would like to share with readers to reinforce this. One day, I was driving my father through Delhi's Outer Ring Road and was to take a left turn towards Vasant Kunj, near Vasant Vihar Depot. People familiar with the topography will recall that there is a famous south Indian all-purpose store at the turn. My father, at eighty plus, wanted to buy some small utility ware and so I stopped the car before the store. When he returned and my driving resumed, he noticed that I was not wearing a seat belt. He wanted to know why I was not wearing the seat belt? I replied that officers of the Home Ministry are generally not hauled up as the cops identify them from the parking label. He asked me to stop the car, got out in a huff stating that, whether one broke a traffic rule or took some one's life, both were crimes, and he wouldn't travel with a criminal! That is the set of values we have been imbibed with.

Hence, whatever might have been the narrative being authored, engineered, lobbied during my tenure in the Ministry

of Home Affairs, I decided that I would stick to the truth. Only the truth. And the interest of my motherland would be paramount and I would not compromise on this. I cannot compromise on this. I have been programmed since childhood to stick to my position, especially in matters that concern my country.

My mother, whom I miss even today, died in the build-up of these challenges, a much-shaken woman fearing for her son's life. I feel a culprit when I think of what she went through. Anyone who had had an opportunity of meeting her will vouch that she was a darling. She had the capacity to shower unlimited love and affection, even on those who might have betrayed her or failed her. This is one value she inculcated in her children. Her memories haunt me, especially when I spill food on my shirt while eating. She would with care wipe it with a wet napkin even when I was 54 years old.

Her loss is unbearable. But I try to console myself that it was all for a cause. For a national cause. For the cause of humanity. What happened to me was perhaps for an ultimate and larger good. I am sure what happened was an aberration, a break in the norm of good governance. I wish no one has to face police harassment in front of his mother like I had to from a CBI DSP called Jayant Kashmiri for standing up to the truth.

My parents always knew I stood up for truth on this particular occasion. They knew that I had the courage of conviction. But the CBI DSP, bent on pleasing his bosses, was blinded by ruthlessness and could not see a 87-year-old woman witnessing the mental torture he dished out to her son. Although, today I hold no rancour against Kashmiri, at the same time I wish he was brought up with values like those my parents had brought me up with.

My values have also taught me: *Janani Janmabhoomischa swargadapi gariyasi*, meaning, Mother and Motherland are equivalent to heaven.

Its not only in the words. It is in our deeds that each one

of us need to prove ourselves. Even now, when the National Anthem is played, I do stand up. On 30th January, when the siren is blown I stand still as a mark of respect to the Father of the Nation. I have been taught in my school to do so. I have seen my parents, teachers respecting the icons of the nation, respecting the rule of law.

My plea to politicians of this country is that let not such distortions be repeated by any political order just looking for a few votes. Let the law of the land prevail in an environment of justice, good conscience and equity. That's what the fathers of our Constitution envisioned. Let's pledge to actualise their vision of a fair and democratic nation. Whatever may the truth be, let's have the courage to face it and get on with the correction mission.

For this endeavour to really succeed we at first need to know what really happened during those days.

Many observers would have noted a very unique trend in 2014 in the build-up to the General Elections 2014. Quite a few officers who had served in the security establishments had joined the political group which stood for implementing the objectives of the Preamble to our Constitution. There was R K Singh, former Home Secretary, Satyapal Singh, the former Commissioner of Police, Pune at the time of the German Bakery attack, General V K Singh, the former Chief of Army Staff, Hardeep S Puri, a seasoned diplomat and India's former Permanent Representative to United Nations and many others. On the Economic front also Bibek Debroy, one of the country's leading economists, who, as Director of the Rajiv Gandhi Institute of Contemporary Studies under the aegis of the Rajiv Gandhi Foundation, had acknowledged the success of the Gujarat Development Model had to resign for that. Although this book proposes to detail only the happenings in the security

scenario of those days, this example of even the economist being victimised is reflective of the endemic rot that had set in during 2004-2013 in India's governance space.

The dictum to be followed those days was similar to Tennyson's famous poem, *The Charge of the Light Brigade*, that's 'Not to question why, Not to reason why, But to do and die'. It was not just six hundred but many more who were victimised during the Congress-led UPA regime's rule.

It was a Hobson's choice for bureaucrats of the time. You question or change the course, you are doomed, so is your career. If you pursue with loyalty the then-ruling politicians, your country is doomed. Your professionalism is affected. You will be branded as the 'committed bureaucracy' with all the values you have always stood for, you were given in training institutions, vanquished. It is a process where the civil servants' self-esteem gets demolished bit by bit.

Article 309-311 provides protection and safeguards to the civil servants. But that's only with regard to service matters. There is no protection for your family members, no protection against ostracism by your colleagues, no safeguards against victimisation, no safeguards against delay in career progression etc.

Unfortunately victimisation of this kind happened. That's the reality. I do not intend to wreck vengeance on anyone, whether an individual or a sociopolitical group. I just want to share some of these experiences with the public.

I was ostracised, victimised, chased by the government agencies for standing up for the truth. Some of my less-courageous colleagues avoided me. Some had even stopped taking my phone calls, even official ones. Some suspected my integrity and suspected me of furthering a political agenda.

My impressions about intelligence agencies changed completely after the posting in the Ministry of Home Affairs. Earlier, like a common man, I did not hold the agencies in high

esteem, but after being an user of their inputs in my professional life I began to appreciate the quality of inputs they really generate and I, as a citizen, was extremely thankful of their endeavours, efforts and results.

Likewise, after meeting Prema and a few other media personnel my impression about the media professionals changed. They are really good, they are thorough and do their rigours excellently. At least the media personnel I have met like Prema, Megha Prasad, Aditi, Geeta Mohan, Priyank, Bharti Jain, Manish Shukla and several others.

By 2013, it became obvious that the politically-powerful at that time were getting hit right across the face on account of the stand taken by some of us. Many believed in taking a back seat. Now the attempt is being made to peddle some of the same lies through the route of fiction.

It is really challenging for any civil servant to take on the might of a powerful dispensation. But I have dared to do it. Let us see, how?

Canard or a Sponsored Abhiyaan?

WHILE I WAS in the University of Manchester, a faculty member of Indian origin, Rathin Roy, was working on a theme of dominant coalition. The essence of his theme was that a dominant coalition comprises political elites— ‘other governing elites’ in the parlance of Italian sociologist Vilfredo Pareto—who are highly-placed public servants and retired public servants serving sine cure, members of the judiciary in coalition with the non-governing elites from corporate houses, media, social activists including NGOs and they form what is known as ‘Public Opinion’.

This public opinion, doctored or true, is used as ruse for framing public policy. No matter this public policy is at times at variance with the expectations and requirements of the public at large. Needless to say that every member of this group defined as ‘dominant coalition’ has his/her own axe to grind in furthering a public policy. This gets validated perfectly in the Indian context.

The Ishrat Jahan story

Recently I read a review of the book *Miss Laila Armed and Dangerous* written by Manu Joseph. The story line is predictable. The story line seems to reiterate a particular narrative peddled by many in the media.

There is a lot of hype created about dominance and overbearance of people of certain religious grouping that has a majority presence over the others who do not belong to this group. The author has sought to reconstruct the now well-know Ishrat Jahan case in his work of fiction to reinforce the narrative of how majority manipulation of a minority group took place in the Ishrat Jahan case.

The character akin to Ishrat Jahan is named Laila Armed (the name in the fiction also betrays her ethnicity and Armed is a corrupted form of Ahmed which again is a reinforcement of the faith). Her companion in real life was Javed Mohammed Ghulam Sheik alias Pranesh Kumar Pillai, who was a small-time criminal in Mumbra who converted to Islam for marrying a Muslim woman (not Ishrat). Later, during his stay in the Gulf, this man was radicalised. The location is aptly captured as Mumbra. The IB officer involved, Rajinder Kumar, is given the fictitious character of Mukundan.

The review in *Outlook India* of 23 October 2017 by Saikat Niyogi, titled *Beware of Highwayman*, states: Joseph's novelistic intelligence lies in making Mukundan and Dr Vaid his two most fleshed-out characters. Through them, he plumbs the mental processes—a curious mix of half-truths and unreason—of the Sanghi and the Sangh¹ supporter.

I have not personally known Rajinder Kumar, the senior Intelligence Bureau officer who was victimised by the UPA

1 Member of the Bharatiya Jana Sangh, a precursor to the Bharatya Janata Party. It also denotes the supporters of the Rashtriya Swayamsevak Sangh.

government in the Ishrat Jahan case. But I have been exposed to the outputs generated by him. They were precise, accurate and actionable. I have publicly said so in my interview with *Times Now* on 1st March 2016.

IB official Rajinder Kumar had headed the Pakistan Desk in the Intelligence Bureau during his days. He had generated enormous amount of qualitative, precise and actionable inputs. His information had helped liquidate many ISI and Pakistan-sponsored sleeper cells in the country, used to recruit, prepare and arrange logistics for terror attacks in India. Every sleeper cell liquidated meant loss of time, money and resources for the Pakistani establishments controlling these cells. They also suffered collateral damages to their efforts in the jihadi² recruitment process amongst local supporters in India.

The Pakistani establishment had cultivated many supporters in the government and other positions, including in the media, who had to prove their loyalties to Pakistan. They had accepted payments in cash or kind, and it was now payback time for the pro-Pakistan Indians. They started a tirade both in the files of the North Block as well as through the judicial process and media against Rajinder Kumar and other loyal countrymen like him.

The image novelist Joseph has portrayed of Rajinder Kumar through his character Mukunadan is criminal, capricious and smells of a larger conspiracy, as does the canard about the Intelligence Bureau per se in the book.

The J&K narrative

I do not think we are a nation of ingrates. But there are people in this country who are now known as ‘Libtards, Sickularists’ and many other such new terms. Even within these secular

2 Religious war.

brigades, we have positions taken to prove that one group is more secular than the other a la a detergent ad, '*uski kameez se meri kameez zyada safed*'.³

These 'secular' people have for many decades perpetuated a narrative where a majority community becomes the criminal.

Not only Rajinder Kumar or Col Shrikant Purohit et al, but many anonymous innocent honest security personnel, who were defending the nation and were fighting for the ideals of the Preamble of the Constitution, preserving and protecting the integrity, sovereignty and security of India, were painted as 'biased against the minority community'.

At the same time, these very same 'secular' people extended their overwhelming support to many of those who were furthering an agenda of destabilising the nation. These people are known to have given speeches in the United States alleging minority persecution in India.

They used sponsored trips to propagate the anti-national narrative under the garb of human rights, minority rights. They advocated right to self-determination in Kashmir, without having read the Instrument of Accession. They may not have read the 1953 Agreement, and many of the series of agreements between the then Chief Minister of J&K and India. They raised the call of *jihad*. They came out in support of persons who conspired to and attacked the temple of democracy, the Parliament of India. They invoked new remedies for a terrorist, like a Curative Petition, after a Presidential rejection of their clemency plea (this meant, all previous petitions filed in appeal before the Supreme Court and the President of India against the order of the lower judiciary was short on facts).

In my view these people should have been charged for suppression of material facts under Section 218 of the Indian

3 My clothes are whiter than his.

Penal Code. The irony of ironies is that the Supreme Court admitted their petition and heard their plea at wee hours of the morning. After rejection of the curative petition, the sloganeering in a prime institution like the Jawaharlal Nehru University had to be heard to be believed; *'Afzal sharminda hain, tere qatil zinda hai'* was a furtherance of this narrative.

The Binayak Sen story

These people did not bat an eyelid when a CRPF jawan injured in a Naxal attack in Chhattisgarh was denied first aid by a doctor made famous by these libtards. During my tenure in the Ministry of Home Affairs, Battalion No. 82 of the CRPF was posted there. I had met some jawans and officers from this Battalion coming to the Ministry on official errands. They would narrate in detail as to how this local doctor would refuse them first aid in the event of being injured in a crossfire. But the same doctor would extend not just treatment but also hospitality to the Naxals. I have been privy to many papers, conversations and even anecdotes from security personnel serving there at that time.

This doctor and his wife, I was told, allowed their clinic to be used for holding strategy meetings of this criminal group known as Naxals. Spare a thought for the dead Superintendent of Police of Rajnandangaon. I hold the view that this decorated doctor, Binayak Sen, and his wife Ilina were conspirators. The government in power decorated this conspirator with a plum posting in an advisory role in the then Planning Commission. What were they planning? More such attacks?

The story of the arms loot

It may not be out of context to state here that the Gadchiroli district of Maharashtra was also declared as Naxal-affected at that time. There were many reported ambushes between the Naxals and State Police. Readers can corroborate from the many replies

to Questions in Parliament during the period that in many of these ambushes, very few police personnel lost their lives unlike in Chhattisgarh. But every time, policemen's weapons were reportedly snatched by Naxals.

Was it a pattern? Or was it a conspiracy? Or was it a partnership to discredit the neighbouring State government, which was not ruled by the then ruling dispensation at the Centre? Incidentally, Maharashtra was then ruled by the same political dispensation then sitting at the Centre, ie. the Congress party.

Also it is important to note that whenever police lose their weapons, a procedure is established as per which a court of inquiry-type recording is made. Responsibility is fixed for loss of weapon and some of the policemen are penalised as per the rules of the State. But no such adherence or action was ever reported. *Was the Congress-ruled State government actually helping the Naxals by supplying them weapons by trafficking it through their own police force?* Incidentally, many police personnel posted in those areas will corroborate that in many of the small victories of the security forces in Dantewada, Kanker etc. the weapons seized from the captured and killed Naxals were with police markings.

It is a sheer coincidence that I was in MHA at that time. I got to know the truth. Make no mistake. This is no work of fiction. Every word of informational value can be corroborated from court records, public records which can be accessed through RTI and broadcasts in media etc.

In fact, it was a time when every truth had been replaced by a canard. One of my many objectives in bringing this testimony to light is to demolish narratives being peddled by Manu Joseph's ilk and set the truth before my countrymen.