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FALSEHOOD AS FREE SPEECH

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Free speech is unquestionably a pre-eminent Fundamental Right, but does free speech include the right to speak only falsehood? The Delhi Chief Minister, Mr. Arvind Kejriwal, seems to believe in untruth and defamation, delivered in a language that borders on hysteria.

A few days ago, a Secretary of the Delhi Government was searched and arrested after being caught red handed for allegedly accepting a bribe. The CBI had conducted the operation. The Delhi Government welcomed the move. Four days later, another official close to the Chief Minister was searched for an alleged offence which related to the pre-Kejriwal period. The Chief Minister raised two pleas. First, that it violates the federal structure of the Constitution. In addition, the Chief Minister used unacceptable adjectives against the Prime Minister and, second, he questioned the purpose of the search and tried to divert attention by linking it to the Delhi Cricket body rather than alleged corruption of this official.

Federalism

Federalism is not a one way stream. It is not always that the Union Government challenges the spirit of federalism. A State or a Union Territory, by its unacceptable conduct, can also be a threat to federalism. During the UPA Government, the Delhi Government, with no police or investigative powers, registered an FIR against two Union Cabinet Ministers of the UPA Government for voluntarily implementing a decision of the Cabinet. If State Governments start investigating decisions of the Union Cabinet there can be no greater threat to federalism. Delhi is a Union Territory with no Police powers. I had, on 12th February, 2013, written a blog and, as Leader of Opposition, condemned this violation of federalism by the Union Territory of Delhi.

If the Union Government were to consider using against the Delhi Chief Minister the adjectives that Mr. Kejriwal used against the Prime Minister, it would be legitimate to contend that this is not in consonance with the federal spirit. When two Chief Ministers, Mamata Banerjee Ji and Nitish Kumar Babu, supported Mr. Kejriwal, notwithstanding the use of highly objectionable words against the Prime Minister, can it be in consonance with the federal spirit? The two Chief Ministers need to redeem themselves by publicly distancing themselves from Mr. Kejriwal's vocabulary.

Now that the heat and dust of the search of an IAS officer's room has settled down, it is clear that the search had nothing to do with either the Chief Minister or his room. An official was being searched for an alleged offence in his earlier capacities. The CBI has adequately clarified that. Notwithstanding that, an actually false propaganda is being repeated continuously. Why should the Chief Minister place himself as a shield in front of an official who is facing investigation? Why should two

eminent Chief Ministers lend themselves to support the blatant falsehood of Delhi's Chief Minister?

The DDCA

It is a part of propaganda technique to deflect attention when you yourselves are in the dock. Finding himself acting as a shield to cover an officer under investigation, the Delhi Chief Minister has attempted to focus attention on me. He repeats endlessly that I misled the Parliament on the Delhi raid and that he has a series of allegations to make against me in relation to my tenure as President of the DDCA – Delhi's cricket body. The Congress transiently joined Mr. Kejriwal's company for the reason that its own leaders are in the dock for more than one reason.

Even though I am not concerned with cricket administration since 2013, a Member of Parliament has been writing to various governmental bodies with regard to Delhi's cricket affairs. The UPA Government seized upon the opportunity and referred the complaints to the SFIO which investigated all his complaints over a period of time and submitted a detailed Report on 21st March 2013. The Report concluded in relation to the DDCA being registered under the Companies Act, that:-

“thus, in a nutshell, there are certain irregularities / non-compliance or technical violations, but no fraud (was) noticed as alleged”.

These technical and procedural violations were all compoundable and were compounded by Members against whom they were alleged. The SFIO, under the UPA regime, investigated and could not find a shred of evidence against me.

No personal allegation was ever made against me nor did I ever feel the need of contradicting it.

There are fake allegations such as escalation of cost of construction of a stadium. When work expands, cost escalations are integral. A brand new 42,000 capacity world class stadium was constructed by the EPIL, a public sector body at a total cost of around Rs.114 crores. At the same time, the UPA Government renovated two stadiums. The Jawahar Lal Nehru stadium was renovated at a cost of over Rs.900 crores and Dhyan Chand stadium was renovated at a cost of over Rs. 600 crores.

I have felt the need for stating the above in order to counter any unsubstantiated, non-specific allegations. I have left cricket administration in 2013. By referring to some facts of 2014 and 2015, he can't drag me in.

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