

## **CBI In Shock and Awe**

*To the many admonitions by distinguished civil servants on how CBI should go about its business yet another has been added (HT 5. 5. 2014 The CBI today ..) which is an iteration of the obvious. Of course the CBI is “merely a police agency that investigates crime” .Of course it does not implement any “policy decision”. But these are as logical or as meaningful a statement as saying that a professor cannot not vault on the high horse or that an army officer cannot conduct a philharmonic orchestra. Everyone performs the function for which he is appointed. Taking executive decisions is not within the charter of a policeman’s responsibilities so he does not take them, just as an army officer is supposed to fight war and cannot be faulted for his inability in musical activities.*

*There is some more convoluted logic .Because the CBI (police in general) does not make policy it cannot investigate policy.(Is this immunity being sought for stragglers from other services also who have not been sub divisional magistrates and yet find their way to the charmed circle of policy makers.?) If policy is to be kept out of its purview for this very reason why should they be allowed to investigate the purchase of fighter jets and submarines? After all which director of the CBI has ever flown a Sukhoi or has handled a submarine? The decision to allocate a particular natural resource, be it spectrum or coal, may be termed as policy, but actual allocation amongst competing parties is a managerial decision which is not beyond scrutiny.*

*From the way CBI has been functioning over the years it has gathered notoriety as a weapon of blackmail by those who control it. Those who were at the receiving end of their investigation - from ordinary citizens to leaders of state governments –have expressed their distrust of the CBI from time to time. Now that the people in high perches of the central government itself are complaining it is a good occasion to ask the question: how does the concept of police function in our society?*

*The popular mind has a very straight forward and simple expectation from the police. It is that the police should make itself useful to them in all sorts of circumstances. It is a demanding task. You cannot be useful to the victim and the offender, to the complainant as well as the accused, to the party in power and the ones in perpetual quest of wresting it, all at the same time. As it is the job is complicated enough but sometimes under the pressure of public opinion, or compelled by the courts it is compelled to take up investigation against the really powerful .Then it becomes more investigated than investigating. Like fish in the living room aquarium- it is open to ogling all the time, in all its activities, open to the scrutiny of the interested and the curious. Investigation becomes subject to a plebiscitarian pressure.*

*Prodded by the court into taking some action, the CBI itself is more in “shock and awe” rather than the other way round. It faces a chorus of disapproval of the policymakers and its reverberations are heard long and loud in the corridors of power. There are anguished cries of “why” on behalf of those whose decisions are sought to be questioned. On the other hand common citizens long in “shock and awe” of CBI’s ways, ask in an equally anguished manner “why not”. It would be interesting to see how the CBI walks the high wire.*

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