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## Jayalalithaa and Governance

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The late Chief Minister of Tamil Nadu, Jayalalithaa.

*The demise of Chief Minister Jayalalithaa on December 5, 2016, brings to an end a unique approach to governance and policy-making in Tamil Nadu. In this article, **R.K. Radhakrishnan**, Associate Editor, Frontline, places in context the late Chief Minister's decision making process, distinct style of functioning and what it meant for Tamil Nadu's administration and politics.*

**D**uring her three completed terms as Chief Minister of Tamil Nadu, Jayalalithaa had a black-and-white approach to governance. If a decision needed to be taken, she gave you one; if there was a problem and you, as administrator offered her multiple solutions, she picked one – normally after asking you for your opinion on the solutions.

This came as a big relief for administrators in the State, who were weighed down by the endless democratic and often chaotic discussion-cum-decision making of the Dravida Munnetra Kazhagam (DMK), with which Jayalalithaa's All India Anna Dravida Munnetra Kazhagam (AIADMK) alternated in power <sup>1</sup>. The split second decision-making had both positives and negatives. The positive side was that any problem had a decision, and hence, the government had a clear way forward, but sometimes, this was not often the best way forward.

During DMK governments, Cabinet meetings went on for hours, in Jayalalithaa's tenures, on most occasions, the meetings lasted just about as long as it took to read the agenda. One former AIADMK Minister said that there were multiple occasions when he had not seen the agenda for the Cabinet meeting at all; in any case, it didn't matter because there was no scope for discussion or disagreement on a decision about to be taken.

Even in the State Legislative Assembly, Jayalalithaa did not want to be questioned, and was intent on making all announcements of her government, however insignificant. The easy way out of long-winding discussions in the Tamil Nadu Assembly was to make use of Rule 110 of Assembly proceedings. Jayalalithaa used it sparingly in her first two terms, but from 2011, many of her interventions - some even as Ministers were presenting their policy for the year ahead - were under this Rule. As *The Statesman* noted: "During the last five years, Jayalalithaa made 187 announcements in the Assembly under Rule 110, involving an expenditure of Rs. 172,196 crore," in her previous term in office between 2011 and 2016 <sup>2</sup>.

The attractive provision in this Rule is that there can be no discussion on anything presented under it by a Minister! Jayalalithaa used it to announce schemes and subsidies; for announcing ex-gratia and accident statistics, increasing maternity leave for government servants from six months to nine months, and creating new taluks, to name a few. Basically, she had no patience to engage the opposition in a debate and Rule 110 offered a way out. She was perhaps one of the few Chief Ministers who could not be taken for granted even by the Union Government. She repeatedly wrote letters to Prime Ministers on raging issues of the day – from the need to secure Cauvery river waters for Tamil Nadu, the firing at Indian fishermen in the Palk Strait by Sri Lankan forces to pushing the Centre to release Tamils in foreign jails – and she was moderately successful <sup>3</sup>.

Jayalalithaa's biggest act of defiance against the Centre was soon after she was back as Chief Minister for a second term. In 2001, Tamil Nadu refused to relieve three officers to take up their new assignments in the Cabinet Secretariat in New Delhi. The officers – the then Chennai Police Commissioner K. Muthukaruppan, Joint Commissioner (Central) S. George and Deputy Commissioner (Triplicane) Christopher Nelson – were responsible for the midnight arrest of DMK president, former Chief Minister, and Jayalalithaa's political *bete noire*, M. Karunanidhi <sup>4</sup>.

Jayalalithaa saw this as an instance of the Centre meddling in the affairs of the State. She wrote to all Chief Ministers, claiming that the transfers had "wide implications for the future of all-India services and also Centre-State relations". The then Union Law Minister, Arun Jaitley, asserted that the Centre had "overriding powers" in the transfer of Indian Police Service officers. It did not develop to a full blown Centre-State rights problem because of some deft footwork by a few intermediaries.

Her best dissent was after 2016, after she was elected for a second consecutive term, paradoxically when her friend, Narendra Modi, was Prime Minister. In a detailed memorandum submitted to Modi, she vehemently opposed the country's economy being united by a common taxation system. Jayalalithaa asserted that this was a serious compromise of federalism. She was wary of the National Counter Terrorism Centre and voiced her opposition

through her letters. She articulated her reservations over the implementation the National Food Security Act, and joining UDAY or the Ujwal DISCOM Assurance Yojna in the power sector [5](#) .

### **Loyalty above all else**

With Jayalalithaa, it was imperative that even All India service officers remain loyal. After she came to power for the first time in 1991, she slowly chipped away at the powers of the Chief Secretary, and concentrated more and more power in the hands of an ever-expanding Chief Minister's secretariat. It helped that her first Chief Secretary, T.V. Venkataraman, a 1958-batch Indian Administrative Service (IAS) officer, didn't offer any resistance to this gradual ebbing of power and prestige of the office of the Chief Secretary. As soon as the head of the service in the State buckled under, it was only a matter of time before the others did. The Chief Secretary was one officer with unhindered access to the Chief Minister in Tamil Nadu since the time of independence. By the time Jayalalithaa was in her third stint, Chief Secretaries were literally reporting to the Chief Minister's Advisor, who was a retired IAS officer!

Jayalalithaa's AIADMK party was in power from 1991 to 1996, 2001 to 2006, 2011 to 2016, and she won the last Tamil Nadu Legislative Assembly elections held in May 2016, earning for her party another five-year term. Though she had to step down because of court verdicts in corruption cases against her, she was effectively in control of the party and the government [6](#) . For all practical purposes, she was the power centre, and had the final word in all decisions.

Nothing beats the intolerance of her first term in office, from 1991 to 1996. Every rule that can be bent was bent, and most of her troubles – the cases that she faced through her life – are from the acts of omission and commission during the first term. She ruled with an iron hand, and any critic was in the line of fire, any dissent was suppressed with an iron hand. None were spared. Governance was the least of the concerns, as she amassed wealth, and embarked on an ambitious project to decimate the opposition political parties.

One of the first victims of her destructive ways was an IAS officer, V.S. Chandralekha. Acid was thrown on her in 1992 when she was commissioner of the Tamil Nadu Industrial Development Corporation, a few days after she objected to disinvestment in the fertiliser company SPIC, at a ridiculously low price [7](#) . Rumours were actively spread to make it seem as if Chandralekha's estranged husband was behind the attack. Chandralekha, who subsequently quit the service to join politics, has openly held Jayalalithaa responsible for the attack.

The term witnessed a level of intimidation never seen before in Tamil Nadu: a Vice Chancellor, who implemented a Supreme Court order on reservations had thugs barge into his house and destroy furniture even as he locked himself up in a room; the son-in-law of a judge, who had no history of drug abuse, was "arrested" for peddling drugs; an advocate who got a stay order for reservations over 50 per cent from the Supreme Court was sent to hospital with broken bones and former Union Minister P. Chidambaram's car was surrounded by a mob of over 400 AIADMK men in Tiruchi, because he dared tell the government that it should take the interim award of the Cauvery tribunal to the Supreme Court [8](#) .

This is just a sample of her style of functioning in her first term. There was no limit to the excesses of 1991-1996, as Jayalalithaa's Z-plus protection cut her off from people, and over-zealous Commissioners of Police blocked traffic for long periods of time when she was scheduled to travel from home to work or to any function. Barricades were set up across roads in Chennai so that she could travel unhindered. After she lost the 1996 polls, she claimed

that she was not aware of these high-handed acts of the police. In fact, she held some in the police force responsible for giving her a bad name!

### **Bright spots**

There were some bright spots too. Realising the heartless incidence of female infanticide and foeticide, in the northern belt of Tamil Nadu, she introduced the cradle baby scheme – where a girl child could be anonymously handed over to the state by placing it in cradles located in different places in the northern districts. This had a salutary effect on the survival of the girl child <sup>9</sup>.

The decision to help non-governmental organisations (NGOs) across the State was another. Recalls Vandana Gopikumar, founder-trustee, The Banyan, a home for mentally ill people: “Vaishnavi [Jayakumar, founder-trustee] and I first met her first in 1995, when we were 25. She was 47. She had read about our work in the *Indian Express*, in an article written by Rasheeda Bhagat [then Chief Reporter, *The Indian Express*]. We had appealed for assistance from the Government and were supported by N. Ram [now Chairman, Kasturi & Sons] and Revathi Menon [actor] in doing so. Responding favourably to our appeal, she called us for a meeting, extended kind courtesies, made us feel special and comfortable and engaged in a deep and equal conversation, never once displaying or capitalising on her constitutional authority.

“She congratulated us on our work and asked us how the Government could help. She never used the word I, it was always the Government. We put forth our request for land. Pat came the response with a question - 'where do you want it', which left us stumped for a brief second, considering we didn't think it would even get to that stage. No petitions, no 'I will consider', no procrastination. She advised us on how to write and submit a petition, spoke with the bureaucrats right away and helped us identify the land (where The Banyan sits today) immediately. She even offered us options, something only a true friend of the poor would do - choice being symbolic of dignity. I made a mistake in my calculations and said something that I can recall even today as being particularly foolish. She laughed a hearty laugh straight from her gut, gave me my first lesson in land measurements and made everything about the meeting and conversation seem so simple and light, never once judging me for my lack of knowledge or naivety,” writes Gopikumar, in a blog post after Jayalalithaa's demise.

“The second time that I met her, she gave us the Government Order for sanction of the land, just before she lost the elections. She enquired about all at The Banyan and asked specific questions in relation to what we had discussed the first time, remembering every small detail. She had won me over the first time, and with this meeting, she had earned herself a long time loyalist. She did seem, like Bala, Vandana's assistant said, to be my own. I felt that she was personally invested in our work. On losing the elections, she spoke at length about her contribution to The Banyan, again in the *Indian Express*, indicating the seriousness of her engagement. In many ways, meeting her was our first big break!” she adds.

Soon after she lost power in 1996, another NGO, which was also allotted land along with The Banyan, claimed that it did not get any allotment. The organisation's head went public in saying this on television. The Banyan too had trouble getting hold of the allocated land because the DMK government that followed in 1996, was going through all Jayalalithaa deals with a magnifying glass.

Jayalalithaa herself was upset that she didn't get enough credit for giving The Banyan the land, a fact that she brought up with Rasheeda Bhagat. “Actually when I interviewed her again after she lost in 1996, she was very bitter

about the fact that I did not give her credit...for giving that land.. I said but I did carry a news item,. But she said no, that wasn't enough. "Did you give me credit? No. Now that Revathi goes around saying I got them the land. Do you realise Mrs Bhagat how difficult it is to get the bureaucrats to let go of Government land. They don't like it. I had to drive and push them to release that land... But I never got any credit for it.", Jayalalithaa told Bhagat. [Conversation as recalled by Bhagat.]

Following representations from journalists, she speeded up allocation of land to build houses for them in Chennai. A total of 135 houses and apartments came up in Journalists' Colony, Srinivasapuram, in south Chennai. Though former Chief Minister Karunanidhi, had initiated the scheme, he got no credit – a fact that he remains bitter about even today –and he was also not invited for the function unveiling the scheme. For being obedient, and hence, deserving, each dwelling unit received a Rs.40,000 government grant for the construction from the Jayalalithaa government.

### **Getting back at Karunanidhi**

Just as Karunanidhi looked minutely into all that the Jayalalithaa administration had done, after it came to power in 1996, the AIADMK, which came back to power in 2001 with a brute majority, returned the favour. It was a kind of payback time: Jayalalithaa jailed Karunanidhi, after forcing the police to drag him out of his residence past midnight [10](#) . Officials too were not spared.

K.A. Nambiar, who was recalled from the Centre, where he was on deputation, to be the Chief Secretary when Karunanidhi returned to power in 1996, found himself behind bars along with Karunanidhi and 12 others accused of corruption in the construction of fly-overs in Chennai. Nambiar as Chief Secretary was Chairman of the high-level steering committee which was involved in approving the fly-overs. Another former Chief Secretary, A.P. Muthuswami, who retired from office on May 31, 2001, is also an accused in the same case.

If Jayalalithaa was the epitome of intolerance in the first term in office from 1991 to 1996, she was vindictive and vicious in the second term in office. A series of mis-steps, including the jailing of Marumalarchi Dravida Munnetra Kazhagam leader Vaiko and 11 others using provisions under the Prevention of Terrorism Act (POTA), dismissing a vast majority of government employees under flimsy pretexts, and then reinstating them, the arrest of Karunanidhi soon after an FIR was filed, the law banning animal sacrifice in Temples, and the attempt by the Tamil Nadu Legislative Assembly to arrest Editors and top management of *The Hindu* over an editorial, firmly put her in a place of no return [11](#) . She had been swept to power with a massive mandate in 2001 – she had won 132 seats, while the DMK had won a mere 31 – but she squandered it away in just three years. In the 2004 Lok Sabha elections, the AIADMK drew a blank while the DMK swept all the 39 seats!

Soon after, Jayalalithaa attempted a U-turn on all her schemes and she even repealed the animal sacrifice law. The government had embarked on a fiscal responsibility path, but after the 2004 defeat, she loosened the purse strings, and announced a slew of welfare schemes in a bid to win back the people so that she would win another term in 2006. But the people didn't forget. With alliance arithmetic favouring the DMK combine, she tasted defeat, only to bounce back in 2011.

## **The case of Archana Ramasundaram**

On February 7, 2014, Archana Ramasundaram, a 1980 batch IPS officer of the Tamil Nadu cadre received news that she was appointed Additional Director to India's premier investigation agency, the Central Bureau of Investigation [12](#). She was the first woman officer chosen to reach that level, and, then aged 56, she had a reasonable shot at becoming the first woman to head the agency. Though the February 7 order was based on a Tamil Nadu government request for deputing her to the Centre (dated October 15, 2013), the State government did not act.

Exactly three months later, on May 7, 2014, the Union Department of Personnel and Training (DoPT) issued an order directing Ramasundaram to join the Agency, with a copy to the Tamil Nadu Chief Secretary. On her part, Ramasundaram wrote to Chief Secretary, Home Secretary, Director General of Police and Additional DGP in Tamil Nadu Uniform Services Recruitment Board (which she headed at that time) with copy of letter from the Government of India the same day and, and left for Delhi. She took charge as Additional Director of CBI in Delhi the next day. The same day, the Tamil Nadu Government delivered an order suspending her at 9-30 pm at her Chennai residence. To this day, the Tamil Nadu government maintains that the officer – the first woman officer to head the specialised SSB – remains suspended!

Getting relieving orders from the State is a herculean task, and became progressively difficult after 2011. A Chief Minister looks at about 500 files a day – a lot of these files are personnel in nature requiring a minor concurrence – and the sheer volume delays routine administrative measures including promotions, reinstating staff, cadre transfers, deputations and even foreign travel. Many officers have been at the receiving end of delays at the Chief Minister's office, and the case of Archana Ramasundaram is different because she found a legal loophole to work around the Chief Minister's office.

Jayalalithaa was quick to grasp, but could also be misled. One instance was when she asked a top official to scrap the Transparency in Tenders Act, 1998. Her Cabinet colleague had told her that the Act stood in the way of quicker decision making, and if it was repealed, the government would act faster. Jayalalithaa ordered that this be carried out. The officer recalled that he hadn't contradicted the Chief Minister at that point. He muttered "yes madam" and walked away.

A few days later, he was back again with the Chief Minister discussing other issues of governance. At that time, he explained why the Tenders Act was enacted, and why repealing it would bring a "bad name" to the government. The Chief Minister readily agreed.

The same strategy was used to get the Fiscal Responsibility Act passed. But after the debacle in the 2004 Lok Sabha polls, the Chief Minister blamed, among other things, the Act for not winning seats to the lower house of the Indian Parliament. The third time in that tenure the strategy worked was after the Chief Minister was persuaded by a very able former top Indian bureaucrat, and her cabinet colleague, to go in for monorail to cater to the emerging needs of the metropolis bursting at the seams. Again, it took some deft footwork on the part of some horrified bureaucrats, to put the scheme in the back-burner. In their view, the return on investment did not justify monorail for most Indian cities; metro rail was more suited.

## Unyielding ways

But there was no weaning her away from her adamant ways when it came to getting a fair share of Cauvery waters from Karnataka for agricultural, and drinking water use in Tamil Nadu. She seemed to firmly believe that all it required was a direction from the Supreme Court re-establishing the rights of the lower riparian State, apart from the constitution of the Cauvery Tribunal. But rarely are inter-State water disputes in the realm of black and white, and she failed to read the many shades of grey in play.

The longest serving Public Works Minister in Tamil Nadu, Durai Murugan (the PWD department takes care of irrigation and water needs of the State too), has told this correspondent on record that more often than not, water was released from dams in Karnataka during a distress year, only because the Tamil Nadu government, each time the DMK was in power, sent SOS messages, and followed it up with Ministerial level visits. Anyone that would help the cause of Tamil Nadu – including successive Prime Ministers – was made to take up the case with Karnataka [13](#). Jayalalithaa didn't believe in this kind of personal outreach, though she was known for her charisma and warmth. She concentrated in legal solutions, barring the one time early into her first term as Chief Minister, when she went on a fast on the Marina over the Cauvery issue.

But Jayalalithaa's biggest failure was in handling the Tamil Nadu floods of December 2015. I've written elaborately in *Frontline* on this, and have held her responsible for the lack of action on the part of the government that led to the death of over 400 persons in Chennai and elsewhere [14](#).

On the whole, Jayalalithaa touched many lives with her welfare measure that actually reached people because of Tamil Nadu's decent record in implementation. Anecdotal evidence abounds on how much people, whose lives she touched, loved her. But as she increasingly didn't shake off getting trapped in her own image as a victim, a liberator, a mother, and a redeemer, she became an icon that could win elections under a set of circumstances. Governance was incidental. The five long years in governance, for instance in 2011, were spent in preparing for the 2016 elections.

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## Notes/References [All online resources were last accessed on December 9, 2016.]

1. [^](#) Except for the 2016 General Election in which the AIADMK was voted back to power, the DMK and the AIADMK were voted out in turns after one term each since 1989.
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13. [^](#) Radhakrishnan, R. K., 2016. [Cauvery conflict](#). Frontline, 14 October.
14. [^](#) Radhakrishnan, R. K., 2015. [That Sinking Feeling](#). Frontline, December 25.

*This article was last updated on December 10, 2016.*

#### **Links to related articles**

[Jayalalithaa \(1948-2016\)](#)

[Jayalalithaa \(1948-2016\): A Selection of Articles from The Hindu and The Hindu BusinessLine](#)

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