

FARCE OF LAW: THE HINDU EDITORIAL ON THE SEARCHES IN RAJASTHAN AND THE ENFORCEMENT DIRECTORATE

Relevant for: Indian Polity | Topic: Issues and Challenges Pertaining to the Federal Structure, Dispute Redressal Mechanisms, and the Centre-State Relations

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[Searches at the premises of Rajasthan Congress president Govind Singh Dotasra](#), a sitting Member of the Legislative Assembly (MLA) and a party candidate from Lacchmangarh in Sikar in the Assembly polls in November, and that of independent MLA Om Prakash Hudla, who has been fielded this time by the Congress from Mahua, have turned the spotlight yet again on the Enforcement Directorate (ED), a central agency that stands accused of selective targeting of Opposition leaders. The ED's money-laundering investigation is based on the cases instituted by the Rajasthan police to probe the alleged leak of the general knowledge paper of the Senior Teacher Grade II Competitive Examination (2022), which was cancelled and rescheduled by the Rajasthan Public Service Commission. The ED has also summoned Rajasthan Chief Minister Ashok Gehlot's son Vaibhav Gehlot in an alleged foreign exchange violation case. In Rajasthan, incumbent governments usually get voted out, but Mr. Gehlot has effectively challenged that perception this time with a slew of new welfare schemes and the accompanying publicity blitzkrieg. Factionalism in the Congress has been contained, and Mr. Gehlot and party colleague Sachin Pilot are united. On the other hand, the Bharatiya Janata Party (BJP) is dealing with increasing friction within its ranks. The Congress has termed the [ED's action in the election-bound State as a sign of the BJP's frustration](#).

The BJP's claim that all ED actions are purely to root out corruption could have been taken at face value only if they were even-handed and impartial. The pattern of action and inaction by the ED leaves no scope for any such inference. The ED's enthusiasm in pursuing political corruption fluctuates. It is also too much of a coincidence that the ED suspects corruption only in Opposition-ruled States and among leaders opposed to the BJP. Few would accept an argument, if at all the BJP or the ED is making one, that there is no corruption in States ruled by the party or by its leaders. The BJP has been the only beneficiary of large-scale defections of elected representatives in recent years. No one can argue that agencies should not do their job and enforce the law. But both governance and democracy are undermined when the rule of law is weaponised against political opponents. When action against political players is taken in the midst of an election, it could potentially tilt the scales. The current legal regime for fighting corruption — and also the one against terrorism for that matter — is fast degenerating into an arbitrary internment of those who are inconvenient for the ruling party. This needs to end.

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