

Business Standard

Vinayak Chatterjee: Who's upset with Gajendra Haldea?

INFRATALK

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Quite a few. Yet, few can deny that this 1973-batch IAS officer has significantly impacted the infrastructure sector.

Who's upset with Gajendra Haldea? Well, if you leave out the prime minister and the deputy chairman of the Planning Commission, the popular belief is practically everybody else!

For over a decade and a half, he has been leaving his distinctive imprint in sector after sector — ports, airports, highways, power and now railways. And leaving many gnashing their teeth and foaming at the mouth. As a wag remarked, the recent history of infrastructure in India is divided into two periods — BH and AH. That is, Before Haldea and After Haldea. The superset of those 'upset' includes ministries, state governments, private developers, consultants and regulators. But as Gajendra will himself tell you, he is not here to be loved and cheered. He is here to perform his task, as he thinks best, for the good of the country.

Gajendra is a 1973-batch IAS officer. He has had a long tenure with the Union Finance Ministry, first as director in the late-1980s, and later as Joint Secretary (ADB and Infrastructure) in the mid-1990s. He has been a member of the National Energy Policy Committee. He was also a member of the Expert Group under the chairmanship of Dr Rakesh Mohan on 'commercialisation of infrastructure' and a member of the Power Reforms Committee chaired by Montek Ahluwalia, then member, Planning Commission. At the request of the Union Power Ministry, he drafted the Electricity Bill 2001 as part of the restructuring and modernisation of the electricity sector. The Bill was extensively debated by the Standing Committee of Parliament and enacted by Parliament in 2003, with modifications. He has been the Chairperson of the expert groups set up by the governments of Punjab, Assam, Rajasthan and Chattisgarh for restructuring and reforms of their Power and Roads Sector. His book *Indian Highways: a Framework for Commercialisation* was released in 2000 by the finance minister. In 2000, he joined NCAER as chief advisor and head of the Center for Infrastructure and Regulation. In November 2004, he was handpicked as the advisor to the deputy chairman of the Planning Commission with particular responsibilities relating to infrastructure reform. As is well known, the Planning Commission serves as the secretariat for the Prime Minister's Committee on Infrastructure.

In the course of this long infrastructure innings, Gajendra Haldea has been painted by many as the villain of the piece concerning various matters. Sample the following:

He was reputed to have single-handedly slowed down, in the early 1990s, the first lot of 'fast-track' Independent Power Producers' projects from happening.

As an IAS officer, he got into a controversy for copyrighting the Model Concession Agreement for national highways which was published as a government document, where he purportedly used government inputs, time and resources. Haldea's contention is that the work is based on his book which was published in 2000 (when he was not in the government) and hence carries his copyright.

Recently the National Highway Builders Federation has taken their grievance to the High Court on account of the (widely believed) Haldea-sponsored scheme of having only six qualified bidders to participate in the final round of tendering.

On the Delhi-Noida Toll Bridge, a study was posted on the Planning Commission website, done by a consultant associated with the World Bank under the guidance of adviser Gajendra Haldea. It said that this first of its kind public-private partnership (PPP) project was less about partnership and all about unwholesome gains for the promoters.

The privatisation process of the Delhi power distribution was challenged by Gajendra Haldea, who filed a writ petition before the Delhi High Court, before the privatisation happened in 2002. The scathing judgment of the High Court stopped at undoing the privatisation as the clock could not be turned back. An appeal before the Supreme Court is yet to be resolved.

The list could go on and on. But if you were to study the infrastructure field, dispassionately and neutrally, you would also record the following:

Sterling work was done by him in evolving model concession agreements for roads, ports, airports and metro projects.

His work on renegotiating the fast-track power projects and restricting the scope of sovereign guarantees is widely recognised.

A brilliant white paper has been produced on proposing a change in the architecture of independent regulatory authorities.

After two rounds of evaluation of the privatisation bids for Mumbai and Delhi airports, the consultants had initially shortlisted only two bidders in a process viewed with suspicion by most. As the Planning Commission representative, Gajendra Haldea expressed deep dissatisfaction verbally and in writing. He alleged that the selection was biased and had been neither fair nor transparent. Ultimately, this view was vindicated upto the Supreme Court.

The 11th Plan vision for infrastructure, including the emphasis on PPP and allied matters, were developed under his initiative.

For the first time, the Ministry of Railways and the Planning Commission worked jointly to create the PPP model for the private development of New Delhi railway station.

He structured and wrote the documents for the Hyderabad Metro Rail project which was recently awarded on exceedingly robust terms.

He has written several documents, model concession agreements and other policies that have created a robust, sound and transparent architecture for PPP projects in India.

The whistle was blown whenever there was clear evidence of ham-handed and biased bid processing.

In doing all this path-breaking work, Gajendra Haldea has been considered insufferable by many. He is accused of trampling on toes, ruffling feathers, choosing not to appreciate a dissenting point of view, and often showing a huge intolerance to what in his opinion were plain, stupid arguments against his own views.

In the January 2003 issue of SEMINAR, Gajendra Haldea, in an article written by him titled "Salvage Reforms" expounded the philosophy that makes him tick: "There is a no dearth of instances where conflicts of interest are conveniently brushed aside until a crisis or a scam forces some action." One such action, evidently, is Gajendra Haldea himself, as the nation's conscience-keeper for infrastructure projects.

It is often said that you should count the impact a person has made on society by the number of detractors he has. Gajendra Haldea's detractors are legion. Cheers to that!

The author is the Chairman of Feedback Ventures. He is also the Chairman of CII's National Council on Infrastructure. The views expressed here are personal.