



## Marooned once more

Chennai needs integrated flood management, especially the revival of lakes and water tanks

Chennai's date with a strong northeast monsoon ought to be a cause for all-round relief since the water fortunes of more than eight million residents of the metropolitan region depend on this weather system. Yet, the torrential rains in the meteorological sub-division, exceeding the normal by 93% in the period of four days from November 1, left tens of thousands of citizens in a state of despair. Flood waters marooned them in the rapidly growing suburban housing clusters, with many having to flee to safer places fearing a repeat of the deluge of 2015. While there have been efforts to alleviate immediate misery through the distribution of relief material in some places, the larger issue of how the city deals with flood and drought cycles remains unaddressed. Chennai is a lower elevation coastal city with global aspirations, and very high population density. Scientific management should have ensured the preservation of the many traditional lakes and canals that existed in the city's core a century ago to absorb the intense downpour of about 1,300 mm of rain, most of it in an annual window of a few weeks. Successive governments have allowed the mindless draining of wetlands and their conversion into expensive real estate, with catastrophic consequences. Regrettably, the great flood two years ago, which left many dead and families impoverished, has not yielded a policy course correction. If the Tamil Nadu government is serious about putting Chennai on the global map of economically viable cities, it must move beyond the creation of weak storm water drains to an integrated flood management system.

Chennai and its sprawl extending to two neighbouring districts should return to the traditional wisdom of creating tanks and lakes for water storage, and rejuvenating old silted ones, in order to harvest the floods and replenish depleted groundwater. The finding from one study in 2013 shows that 27 tanks have totally disappeared and another 400 have lost almost their entire capacity. This underscores the need to revive such natural sponges. Inviting the community to monitor the health of the tanks and lakes can keep out encroachers, who are often protected by patron-politicians. Yet, such measures can work only when the deficit of good housing and civic infrastructure is actively addressed. Tamil Nadu, one of India's most urbanised States, has a poor record in this area, resulting in fragile slums. New housing has mushroomed in Chennai's suburbs, where municipal bodies are mired in incompetence and corruption. It is these localities with little infrastructure that have borne the brunt this year. Looking ahead, the priority for the State should be to integrate flood management using expert opinion and public consultation. Remedial structures should be built for existing localities. Poor waste management is exacerbating the problem by blocking drains, canals and lakes, while ill-planned road projects are cutting off flood flows. These have to be immediately addressed. The tendency to treat floods and drought as events to dole out patronage is preventing Chennai from forging robust solutions.

## Change, yet continuity

Jerome Powell's nomination as Fed chief will reassure U.S. and global markets

President Donald Trump's decision to name Federal Reserve Board Governor Jerome Powell as his pick to head the central bank signals that the businessman-turned-politician has plumped for continuity even as he ushers in change. For a President whose first nine months in office have been marked by a succession of signature appointments to key posts ranging from a Supreme Court Justice to heads of federal regulatory bodies, the choice of the 64-year-old lawyer and former investment banker suggests that Mr. Trump's business instincts won. Mr. Powell, who was appointed by President Barack Obama as Fed Governor in 2012 and worked alongside the incumbent Chair, Janet Yellen, over the past five years, will represent policy continuity in the monetary management of the world's largest economy. After all, with the economic engine ticking over nicely and creating jobs, and the markets buoyant, there was little reason for Mr. Trump to run the risk of choosing someone who may have altered the calibrated approach the Fed has adopted in overseeing the recovery from the global financial crisis. Two of the other short-listed probables – Kevin Warsh and John Taylor – had both been critics of the Fed's actions. That Mr. Powell had served in the Treasury Department during the George H.W. Bush administration means that he will, in all likelihood, receive bipartisan backing in the Senate.

Emerging markets, including India, can heave a small sigh of relief with Mr. Trump's choice, given the influence the Fed's interest rate decisions have on global capital flows. Delivering a lecture on 'Prospects for Emerging Market Economies in a Normalising Global Economy' last month, Mr. Powell acknowledged the challenges these economies faced as a result of the 'normalisation' of global financial conditions – short-hand for the slow but sure reining in of the easy money conditions that had undergirded policy responses to the financial crisis. And crucially, he stressed that "the best thing the Federal Reserve can do – not just for the United States, but for the global economy at large – is to keep our house in order through the continued pursuit of our dual mandate" of fostering economic conditions that achieve both stable prices and maximum sustainable employment. But it is not only the stability aspect that won Mr. Powell the nod. A former Carlyle Group partner with a stated keenness to adopt a light-touch approach to regulation, he is expected to be closely aligned to Mr. Trump's positions on easing regulatory oversight of big banks and financial markets. And with other top positions at the central bank to be filled by the President soon, Mr. Powell could end up overseeing a Fed that reflects Mr. Trump's political leanings as well.

# Beyond big game hunting

Ahead of the Quadrilateral meeting, PM Modi must be cautious about bringing big powers into South Asia



SUHASINI HAIDAR

By accepting an invitation to join the Japan-proposed, U.S.-endorsed plan for a "Quadrilateral" grouping including Australia to provide alternative debt financing for countries in the Indo-Pacific, India has taken a significant turn in its policy for the sub-continent. Explaining the need to invite other countries into what India has always fiercely guarded as its own turf, Foreign Secretary S. Jaishankar was remarkably candid. "Our neighbours also feel more secure if there is another party in the room," he said recently, giving examples of working with the U.S. on transmission lines in Nepal or with Japan on a liquefied natural gas pipeline in Sri Lanka. His words contain a tacit admission: that having India in the room is no longer comforting enough for our neighbours.

### The Quad pivot?

As Prime Minister Narendra Modi heads to the East Asia summit in the Philippines next week, where the first "Quad" meeting is likely to be held, it is necessary that India analyse the impact of this admission on all our relations. It would also serve as a useful exercise to understand why India has conceded it requires "other parties" in the neighbourhood, even as it seeks to counter the influence of China and its Belt and Road Initiative.

One reason is that as a growing economy with ambitious domestic targets, India's own needs often clash with those of its neighbours. More connectivity will eventually mean more competition, whether it is for trade, water resources, or energy. Take, for example, the case of Bhutan, which is working, with

India's assistance, on its own goal of producing 10,000 MW of hydropower by 2020.

Even as Indian and Chinese troops were facing off at Doklam on land claimed by Bhutan, a very different sort of tension was claiming the attention of the government in Thimphu. The first indicator came on May 8, when in his budget speech at the National Assembly, the Bhutanese Finance Minister warned that the external debt is about 110% of GDP, of which a staggering 80.1% of GDP (or 155 billion Nu, or \$2.34 billion) is made up by hydropower debt mainly to India. In April, the International Monetary Fund's world economic outlook had already put Bhutan at the top of South Asia in terms of the highest debt per capita, second only to Japan in all of Asia for indebtedness. The budget figures attracted much criticism for the Bhutanese government, and opposition taunts that Bhutan could become the "Greece of South Asia" forced Prime Minister Tshering Tobgay to appoint a three-member committee. In a government order he said that said the negative media, public perception and "absence of strategy" could even affect the "larger and more important relationship between Bhutan and India."

Among the committee's findings were that Bhutan's external hydropower debt financed by India at 9-10% rates was piling up, with the first interest and principal payments expected in 2018, and con-

struction delays, mainly due to Indian construction issues, were taking the debt up higher. Above all, despite several pleas to the Ministries of External Affairs and Power, the Cross Border Trade of Electricity (CBTE) guidelines issued by India had not been revised, which put severe restrictions on Bhutanese companies selling power, and on allowing them access to the power exchange with Bangladesh.

In the Power Ministry's reckoning, relations with Bhutan took a backseat to the fact that India already has a power surplus, and its new renewable energy targets come from solar and wind energy, not hydropower. Moreover, given falling prices for energy all around, India could not sustain the Bhutanese demand that power tariffs be revised upwards. Eventually, it wasn't until early October that Mr. Jaishankar visited Thimphu and subsequently the visit last week of King Jigme Khesar Namgyel Wangchuk began to address the problem that has been brewing for more than a year.

### History of forgetting

Another problem is what one diplomat in the region calls 'India's big game hunting attitude': "India chases its neighbours to cooperate on various projects and courts us assiduously, but once they have 'bagged the game', it forgets about us. As a result, crises grow until they can no longer be ignored, and the hunt begins again." Over the

past decade, since the defeat of the LTTE, India passed up offers to build the port in Hambantota, Colombo, and Kankesanthurai, despite Sri Lanka's pressing need for infrastructure. At the time, given India's crucial support in defeating the LTTE, Sri Lanka was considered "in the bag". With the U.S. and other Western countries also taking strident positions over human rights issues and the reconciliation process, Chinese companies stepped in and won these projects, for which Sri Lanka recklessly took loans from China's Exim bank.

New Delhi has changed its position on Hambantota several times, going from initial apathy, to disapproval of the Chinese interest, to scoffing at the viability of the project, to open alarm at the possibility of any Chinese PLA-Navy installation in Sri Lanka's southern tip. Finally this year, upturning everything it has said, the government decided to bid for the Mattala Rajapaksa International Airport at Hambantota, a \$205 million investment for the empty facility that sees an average of two flights a day. Even as a 'listening post', it is an expensive proposition, with some officials now suggesting a flight training school at Mattala to defray the cost. India is also hoping to win the bid to develop Trincomalee port with several projects. Clearly India is moving in now to build a counter to China in the neighbourhood, but it may be too little, too late and a little too expensive.

India has also been ambivalent on tackling political issues in its region, often trapped between the more interventionist approach of the U.S., which has openly championed concerns over 'democratic values' and human rights in Sri Lanka, Maldives and Bangladesh, and the approach of China, which is to turn a blind eye to all but business and strategic interests. In Nepal, India lost out to China when it allowed a five-month-long blockade at the border, calling for a more inclusive constitution to be imple-

mented by Kathmandu – but in the case of Myanmar, it lost precious ground in Bangladesh when Mr. Modi refused to mention the Rohingya refugee situation during a visit to Nay Pyi Taw. In both cases, India reversed its stand, adding to the sense that it is unsure of its next steps when dealing with neighbours on political issues.

### Multiple rivalries

Finally, it is important to note that while the government's new plan to involve the U.S. and Japan in development projects in South Asia will yield the necessary finances, it will come at the cost of India's leverage in its own backyard. India's counter to China's persistent demand for a diplomatic mission in Thimphu, for example, could be to help the U.S. set up a parallel mission there – but once those floodgates open, they will be hard to shut.

In Sri Lanka, the U.S. and Japan will now partner in India's efforts to counter China's influence, but whereas India objected to Chinese naval presence in the Indian Ocean, it will not be able to object to an increase in U.S. naval warships and Japanese presence there. Writing about Myanmar in a new book, *India Turns East: International Engagement and US-China Rivalry*, the former French diplomat Frédéric Grare says the emergence of new players like the U.S., Europe and Japan has only increased multiple regional rivalries in the region. "This does partly benefit India, who is no longer isolated vis-à-vis Beijing," he concludes. "But New Delhi's political profile has consequently diminished."

Mr. Modi, who began his pitch for his "neighbourhood first" plan by inviting the neighbours to his swearing-in ceremony in 2014, must look before he leaps while inviting other powers, howsoever well-meaning, into the neighbourhood.

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# Seize the opportunity

The judiciary should now exercise a firm grip over criminal cases involving politicians



SRIRAM PANCHU

On March 10, 2014, the Supreme Court passed an order in a case brought by the Public Interest Foundation. Various issues dealing with electoral reform were involved, including whether candidates for election should be disqualified only after conviction in a criminal case, or at the earlier point of framing of a charge sheet by a court. That issue was postponed for a more detailed hearing.

However, Justice R.M. Lodha utilised the occasion to pass a succinct and categorical direction, hopefully the forerunner of a game changer for cleaner politics in India. In relation to cases against sitting Members of Parliament (MP) and Members of Legislative Assemblies, who have charges framed against them for serious offences specified in Section 8 of the Representation of the People Act, 1951, the trial should be conducted ex-

peditiously, he said, in no case later than one year. If this was not possible, the Chief Justice of the High Court should be notified.

Move the frame to the present. On November 1, 2017, Justices Ranjan Gogoi and Navin Sinha pick up the baton. They want to know how many of the 1,581 cases involving MLAs and MPs (as declared in their nomination papers to the 2014 elections) had been disposed of within the time frame of one year, and how many of these ended in conviction. The questions are as succinct as the previous order. The Central government will take six weeks to respond. It fairly states that it will cooperate in setting up special courts to try criminal cases involving political persons.

### After the order

Hardly any reports have filtered in about convictions following Justice Lodha's order; it is likely that the answer to the court's questions will show extremely low numbers, corresponding to a high degree of violation of the court's order. This by itself is a serious concern affecting all branches of government. However, it makes it all the more desirable that the Bench now exercises a firm grip over this case and steers it



to conclusion. This will be as great a contribution to governance in India as any other.

Except perhaps for tainted politicians, the rest of India will acknowledge that those with criminal backgrounds cannot govern us. It is not just a few politicians, and not just any criminal background – out of the 542 members of Lok Sabha, 112 (21%) have themselves declared the pendency of serious criminal cases against them – murder, attempt to murder, communal disharmony, kidnapping, crimes against women, etc. These are the people who make laws for us. Furthermore, our ministers are largely chosen from MPs and State Assemblies. Crime and venality stalk the corridors of power. Those with criminal tendencies do not compartmentalise them. They also engage in corruption and infect the

bureaucracy and the police. If virtually every aspect of public governance is tainted – from tenders and contracts to safety of buildings and roads to postings and transfers – lay the blame squarely on the decline and fall of political morality. Urgent judicial relief is therefore a necessity.

It is also a real possibility. Few things stand in its way. The argument that we will be somehow breaching the law of equality by creating special courts to try this lot can be brushed aside; Article 14 permits classification based on criteria and nexus; MPs and MLAs form a distinct class and their early trial is a democratic must. They thus deserve to be given priority treatment (as they get in so many other instances). A shortage of judges can be overcome. The Constitution, under Article 224A, provides for the reappointment of retired High Court Judges as ad hoc judges. There is thus a large pool of judges of integrity and experience to choose from.

### It can be done

Special attention needs to be paid to two factors. One is the necessity of having prosecutors who are not attached to any political party. A

director of prosecution, headed by a retired senior judge, who chooses prosecutors in turn vetted by the Chief Justice of the High Court, should be able to address this aspect. The other danger is that the main trial will be obstructed by interim orders. Experience has shown that political leaders are adept at finding legal counsel who files multifarious interim applications which stymie the trial; High Courts and the Supreme Court have sometimes failed to address these expeditiously. This needs to be avoided, and can be if Chief Justices have a superintending mission.

One concern expressed is to find funds to create the infrastructure and staffing for the special courts. A government which comes up with ₹2.11 lakh crore to clean up bank balance sheets should have no difficulty in finding a fraction to clean up political criminal spread sheets. And if required, the Finance Minister can devise a 'Swachh Politics Bharat Bond'. It is bound to be oversubscribed, many times over, by delighted citizens.

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## LETTERS TO THE EDITOR

Letters emailed to letters@thehindu.co.in must carry the full postal address and the full name or the name with initials.

### Touching a low

The BJP and the Congress locking horns over Gujarat seems to be an act borne of desperation. The ruling party wants to hold on to the fort while the

Opposition would like to break this hold and get a mandate in its favour. This will help it claim that the government is losing power and the confidence of those who voted it to power. However, in this campaign, the leaders of both parties have done no good to themselves by lowering the standard of their public discourse. The Congress vice-president naming GST as 'Gabbar Singh Tax' and the Prime Minister calling the Congress 'termites' are both in bad taste. These negative vibes should be avoided. The electorate does not elect individuals but candidates. Hence both parties should highlight what they intend to do for the security and welfare of citizens and avoid mudslinging in public. Both parties also need to know that the electorate of today is wiser than before and will

express itself clearly based on present and past performances and the effect on them.

B. SUNDAR RAMAN, Coimbatore

### For transparency

The conclusion in the Editorial, "Trying politicians" (November 3), "If only the routine criminal process... the expediency of special courts may not be needed", is true. The two factors mentioned point towards the large crack in the opaque mirror of judiciary – the secrecy in the appointment of judges. The secrecy is perhaps what leads to the appointment of some incompetent judges which in turn slows down the process. A transparent system, perhaps an examination, is needed and a performance-reward and rank-based system introduced so that higher officials can identify the under-performing ones. Until then, plans such as "special courts for politicians" will be like cello-taping the smaller cracks and hiding the larger

ones. Eventually, the mirror is bound to shatter.

ABHISHEK G. MATE, Bengaluru

### Industrial accidents

As an engineer with more than 50 years of experience and investigation into industrial accidents, I wish to comment on the Editorial, "Unsafe boilers" (November 4). In any boiler there is a steam side and fire side. The steam side, and not the fire side, comes under the Boiler Act. It is a presumption that there was a massive rupture on steam side, i.e. some steam pipes burst. Usually they get punctured. The consequences are different when such a thing happens. News reports seem to indicate otherwise. Usually the fire side pressure is almost atmospheric, say plus or minus 5 mm water column. It is reported that the pressure went up to 350 mm water column. This sort of pressure could perhaps result in the break of the fire side walls of the furnace and with horrifying

consequences. Normally all parameters recorded in the control system are available online for remote monitoring. These cannot be erased except by an authorised person. There were numerous punctures at one time at the Ennore thermal station when oil firing was resorted due to a shortage of coal. The technical reasons were found and the problem rectified. Whatever be the action taken by the operators, certain questions arise: was the same procedure usually followed when such issues arose earlier? How many times did such problems arise? And what is the process followed? The NTPC has a large statistical boiler population, and such problems would have arisen earlier. Also, to peremptorily state that an inquiry should be held by an independent authority is not fair. The NTPC has a stake in arriving at the facts so that corrective action can take place across the board.

D.M. MOHUNTA, Chennai

### A dent in fortress UPSC

The transparency and integrity around one of India's toughest examinations has been challenged and the time has come for the Union Public Service Commission to evaluate its much-famed three-stage selection procedure wherein only 0.2% of aspirants are selected out of a pool of around five lakh aspirants appearing for the preliminary exam every year ("UPSC exam fraud: two more arrested", November 5). One must not forget that it includes a full-fledged 'ethics' paper. Aspirants who have sacrificed a lot in attaining

their goal of serving the nation find it demoralising to read reports about alleged unethical measures attempted by some aspirants.

The selection process needs more teeth. In addition, due weightage must be given to identify the traits and personality of the candidate rather than assessing his or her knowledge level and presentation skills. A judicial commission must also analyse the way the examination has been conducted in the past decade.

SARATH, Thiruvananthapuram

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### CORRECTIONS & CLARIFICATIONS:

In "Sri Lanka's post-war poverty trap" (Nov. 5, 2017), the reference to national average income of Sri Lanka of LKR 43,511 should be changed to national median income.

A report on Mukul Roy joining the BJP (Nov. 3, 2015) erroneously referred to Ravi Shankar Prasad as the Union Minister for *Law and Information Technology*. He is the Union Minister for *Information and Technology*.

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