



Unseemly spat

India and Pakistan must step back from the accusatory exchange over the Jadhav reunion

The meeting in Islamabad between former naval commander Kulbhushan Jadhav and his family should have been a sign that India and Pakistan are able to adhere to internationally accepted norms in dealing with officers accused of espionage. Instead, Mr. Jadhav's meeting with his mother and his wife has led quickly to an unseemly spat, with fears that bilateral ties could now deteriorate further. India has reason to complain on several counts. First, it took months for Pakistan to allow the meeting after Pakistan conducted a secret military court trial of Mr. Jadhav on terrorism and spying charges, which seemed a sham. India had to take its case for consular access to the International Court of Justice for Pakistan to be made to pause the process, and give a commitment that Mr. Jadhav's execution sentence would be on hold pending a decision. Second, having accepted the visit, Pakistan's Foreign Office turned a personal, humanitarian meeting into a media circus, with photographs of the meeting and a prepared video statement from Mr. Jadhav thanking the Pakistani government released. A gaggle of hostile journalists hurled undignified questions at the women. Pakistan would have been expected to use the visit to showcase its "humanitarian gesture", but its conduct of the Jadhav reunion was crass.

India's statement reacting to Pakistan's actions bears closer scrutiny as well. To have objected to the frisking, change of attire and removal of the *mangalsutra* necklace, *bindi*, and so on obscures other, more egregious actions that India could rightfully have taken up. Most prison manuals in India mandate the removal of all metal objects and most accessories, while several prisoner-family meetings around the world take place across glass screens, especially when they involve terror suspects. References to Pakistan's "religious and cultural insensitivity" needlessly give the episode a denominational tinge. Instead, India should have made its objections on the other procedural blunders from their understanding known, but by summoning the relevant Pakistani diplomat to South Block. Going forward, India and Pakistan should ensure that their exchanges on Mr. Jadhav are conducted through quiet diplomacy. If the object is to save him from an unfair trial and sentencing, where a coerced confession and dual passports appear to be the only evidence against him, then it is in India's interests to convince Pakistan and the world of the benefits of doing so. Backed in a corner on several counts from other countries on the issue of terrorism, Pakistan may well be persuaded of the inhumanity, injustice, and imprudence of carrying out Mr. Jadhav's sentence – but it will need a face-saver which can only be found through reasoned diplomacy. When a man's life hangs in the balance, political point-scoring, especially at this stage, can be counterproductive.

The diagnostic lens

It's time doctors updated their understanding of encephalitis

A paper in the Indian journal *Current Science* suggests an unexpected cause for the inflammatory brain disease – encephalitis – found in Malkangiri district of Odisha. For many years, this recurring outbreak, which killed over 100 children last year, was thought to be due to the Japanese encephalitis (JE) virus. Now researchers say it was likely due to the consumption of a wild bean, called Bada Chakunda, which grows freely in the region. Like several natural toxins, the anthraquinones in the bean don't harm healthy people, but cause fatal dysfunction of the liver, heart and brain in underfed children. This finding draws on the researchers' previous work in Uttar Pradesh's Saharanpur district, where too a recurrent encephalitis outbreak was traced to this bean. While more data may be needed to confirm this link, it is clear the Malkangiri scourge wasn't JE. This is only the latest in a series of such investigations in which suspected pockets of JE turned out to be something else. An illness around for three decades in U.P.'s Gorakhpur turned out, primarily, to be scrub typhus last year, while epidemics in Bihar's Muzaffarpur were linked to lychee consumption, again among emaciated children. In all these cases, the suspicion of JE, though the epidemiology and symptoms didn't match, delayed the discovery of the cause.

Why does this keep happening? One answer is that JE was indeed the biggest cause of encephalitis in India for decades, and today the public health diagnostic machinery is built around this illness. But as JE vaccination rates have grown, incidence has shrunk, and a host of other causes of encephalitis, like dengue, scrub typhus, herpes simplex and the West Nile virus, have emerged to the forefront. Yet, investigating agencies such as the National Centre for Disease Control and the National Institute of Virology have persisted in focussing on JE. Another problem is the archaic format in which encephalitis is reported to the government. This too is a relic of the pre-JE-vaccination era. Under this format, if an encephalitis case cannot be confirmed as JE, doctors tag it as Acute Encephalitis Syndrome (AES), a term that has now crept into medical literature. But AES is no diagnosis, just a temporary label for different unnamed diseases. Classifying them all under one head gives doctors the false sense of security of having pinpointed the illness, the researchers behind the Malkangiri finding argue. It is time for Indian investigators to update their understanding of encephalitis and look at outbreaks through a wider lens. If JE made 2,043 Indians sick this year, the mysterious AES is reported to have affected six times as many. A fixation with JE means the numerous patients in the second group may never get a diagnosis.

Post-poll 'chalphal' in Nepal

As an ordinance holds up government formation, the Left Alliance needs to be largehearted to find a way out



RAKESH SOOD

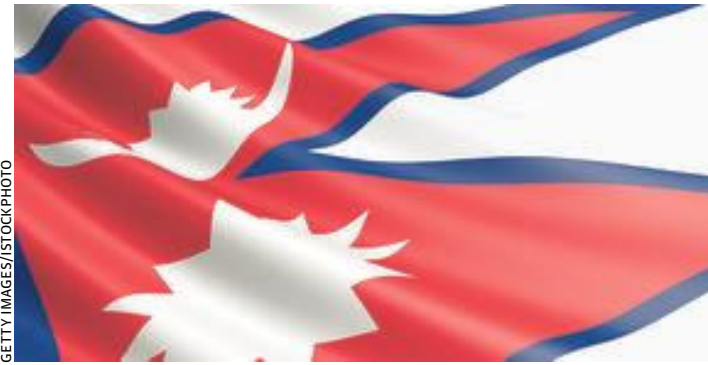
The word 'chalphal' in Nepali means more than a discussion; it implies an interminable discussion, often for the sake of it, to a point where in the heat and dust of arguments the way forward gets obscured. Nepali politicians revel in this pastime. The post-election 'chalphal' currently underway in Kathmandu, unless resolved with maturity, will lead to heightened polarisation in a society that has been in search of political stability for nearly three decades.

This has been a watershed year when Nepal successfully conducted three elections – the local body elections after two decades between May and September, followed by the first federal and provincial elections, under the new Constitution, in November-December. The elections were reasonably peaceful and the results have been accepted by all political parties but government formation remains uncertain.

The outcome

The new Constitution provides for a bi-cameral Parliament – a 275 member House of Representatives, of which 165 are directly elected on a 'first past the post' (FPTP) system and 110 on the basis of 'proportional representation' (PR); and a 59-member National Assembly (NA) consisting of eight members indirectly elected from each of the seven provinces and three nominated members. The Parliament is then convened to elect a new Prime Minister – not that there is any dispute about the fact that the Communist Party of Nepal (Unified Marxist-Leninist) leader K.P.S. Oli will be the PM.

In October, the UML and the Maoists came together to form a



Left Alliance with the prospects of a merger after the elections. Of 165 seats, the Left Alliance managed an impressive tally of 116, with Maoists getting 36 seats. The Nepali Congress was reduced to a distant third with 23 seats. An understanding between the Rashtriya Janata Party-Nepal (an alliance of Madhesi parties) and Upendra Yadav's Federal Socialist Forum helped them get 11 and 10 seats, respectively.

Interestingly, in terms of the vote count, the gap between the UML and the NC was marginal – the UML getting 33.2% of the vote and the NC maintaining its share at 32.8%, with the Maoists following with 13.7%. Therefore, in the PR category of 110 seats, UML and NC were close, getting 41 and 40 seats, respectively, with Maoists at 17 and the two Madhesi based parties claiming six each. With a total of 174 seats in a House of 275, the Left Alliance led by Mr. Oli is well placed to form the government.

Government formation

Yet the Election Commission of Nepal cannot announce the results. The issue is the methodology of election of the 56 members of the NA for which the electoral college consists of 550 members of provincial assemblies and the mayors/chairpersons and deputies of the 753 local bodies. Two months ago, the government had submitted an ordinance to President Bidhya Devi Bhandari proposing that the Election Commission frame the rules for the NA

elections on the basis of the single transferable vote (STV). This is seen as more representative and enables preference votes to be counted. (Rajya Sabha members are elected on this basis.)

President Bhandari, a UML loyalist who owes her position to Mr. Oli, has not signed the ordinance. The results of the provincial assembly elections have given the Left Alliance a clear majority in six of Nepal's seven provinces. Earlier this year, in the local body elections, the UML won the mayorships/chairmanships in 294 of the 753 bodies, with the Maoists winning another 106. On the basis of the FPTP system, the alliance can win 42 of the 56 seats, giving it a brute majority in the NA. The UML is, therefore, pushing the President to reject the ordinance.

The glitch is that the new Constitution provides for 33% representation in Parliament for women, with any shortfall being made up in the PR lists. The precise shortfall will not be clear till the NA members have been elected. Consequently, the names of the 110 PR members cannot be notified, and so the House cannot be convened to elect Mr. Oli as the new Prime Minister. Other political parties led by the NC are adamant on the STV system as being consistent with the intentions of the framers of the Constitution. Even the Maoists are quietly supportive of the STV idea.

Mr. Oli is blaming caretaker Prime Minister Sher Bahadur Deuba for delaying tactics and the de-

bate is increasing polarisation. Mr. Oli is unlikely to get his way but needs a political face-saver. The Maoist leader, Pushpa Kamal Dahal 'Prachanda', had joined the alliance thinking that he and Mr. Oli could share the prime ministership by dividing up the tenure. Given the UML's strong showing, Mr. Oli is not receptive to such an idea and has suggested that Mr. Prachanda instead become chairman of the new entity once the merger between the two parties takes place. Mr. Prachanda is unlikely to find this satisfactory as it cements his junior status, but his options seem to be limited.

The NC has received a drubbing in the FPTP results but its vote share remains intact, which is more a reflection of poor campaign management and disenchantment with the NC leadership than a dent in its political base. Its old leaders have been defeated, pointing to the need for a thorough revamp. Madhesi groups have put up a strong showing in Province 2 indicating that if they work together, they can be a potent force for pushing a forward looking agenda. Further constitutional amendments on inclusivity will have to be pushed through with persuasion rather than agitation and confrontation.

The way forward

Having won a decisive victory, Mr. Oli now needs to display a degree of pragmatism and balance, both at home and with India. President Bhandari has been urging consensus even as she keeps the NA election ordinance pending, and the UML would be well advised to accept the STV in the interests of democracy. A hard line may not only deprive Mr. Oli of his victory but also bring the office of the President into needless controversy.

On December 19, Mr. Oli undertook a surprise visit to Rasuwagadhi (on the Nepal-China border) to announce its upgradation to an international border crossing and the entry point for the railway link

from Shigatse, nearly 550 km away in Tibet. The gesture was noted in Delhi, as two days later Prime Minister Narendra Modi telephoned him to congratulate him on his election victory. He followed it up with a call to Mr. Prachanda and another to Mr. Deuba to felicitate him on the successful conduct of the elections.

Clearly, both sides need to get over the unpleasantness that marked Mr. Oli's nine-month tenure as Prime Minister in 2015-16. He blamed India for overtly supporting the Madhesi agitation leading to the 'economic blockade' and held India responsible for Mr. Prachanda withdrawing support in July 2016 and forcing him to resign. The Indian action, particularly the economic dislocation caused by the 'blockade', generated a sentiment of anti-Indianism, effectively exploited in the elections by Mr. Oli in the guise of Nepali nationalism. Except for this short period, however, Mr. Oli has been consistently supportive of better relations between India and Nepal.

Playing the China card is not a new phenomenon in Nepal. In the past, China would advise Nepali leaders to resolve differences with India. Things have changed with Nepal now an eager participant in the ambitious Belt and Road Initiative.

While Mr. Oli is smart enough to see the risks of too close a Chinese embrace, Delhi too needs to rebuild trust with Mr. Oli. This requires addressing concerns quietly and ensuring consistency of messaging. Fast-tracking implementation of reconstruction and development projects promised after the devastating earthquake in 2015 would be a good signal and in keeping with Mr. Modi's 'neighbourhood first' policy.

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Through the smog-screen

Delhi's residents must take the blame for the city's alarming pollution levels



AMITANGSHU ACHARYA & SUNDEERAJAN KRISHNAN

When Sri Lankan cricketers trooped out wearing pollution masks in the middle of a Test match at the Feroz Shah Kotla ground in Delhi, it heralded a new low for the city. The desolation of smog plays out every year with immaculate regularity. Anti-corruption rallies in 2011 and the brutal rape of 'Nirbhaya' in 2012 may have brought thousands of people out on the streets of Delhi but anti-pollution activism has largely been home-based. WhatsApp has been preferred over popular venues like Ramila Maidan or Jantar Mantar. People have, indeed, thronged the streets, but it was either for the Delhi marathon or to watch the Test match against the Lankans. Delhi has proved time and again – either by damaging the Yamuna floodplain to host a World Culture Festival, or bursting crackers in Diwali even after a court ban on its sale – entertainment comes first.

Significant sections of recent reportage on Delhi's air pollution have trained their guns on paddy

stalk burning in Punjab and Haryana, positioning it as a key contributor to the crisis. Some have pinned the blame on the Green Revolution and the rampant use of tubewells which converted Punjab to a paddy-growing landscape. Others have pointed at the recent success of the Punjab Preservation of Subsoil Water Act, 2009. Aiming at arresting Punjab's falling groundwater tables, it banned farmers from transplanting rice in fields before June, so that they would not pump groundwater and rely more on the monsoon rains for their water supply. This allowed a window of barely 20 days for farmers to get their fields ready for sowing wheat after harvesting paddy. It's pretty clear that actions of farmers are often a reaction to state policy, indicating lack of choice rather than a wilful act of environmental vandalism.

An IIT report

But the same cannot be said about the denizens of Delhi. A 334-page India Institute of Technology (IIT) Kanpur report published in 2016 cites municipal solid waste burning and vehicular pollution as critical contributors of air pollution apart from crop residue burning. The report clearly states that if municipal solid waste burning was stopped and waste management upgraded, it would improve Del-



hi's air quality by 100%. Control of vehicular pollution would do the same by 50% and stopping crop residue burning would ensure 90%. Delhi's air remains polluted throughout the year because of municipal solid waste burning and vehicular pollution. Crop residue burning only tips the scales in favour of a catastrophe.

Delhi, a city of 18.6 million, has approximately 10 million cars on its streets, owned by only 15%-20% of its population. The recent Supreme Court approval to bring 10,000 buses on the streets of Delhi by end of next year is a welcome step, but will not stem the rising tide of private vehicle ownership. Moreover, approximately 190-246 tonnes of municipal solid waste is burnt every day in Delhi. However, Delhiites and civic authorities have both assiduously avoided segregating waste at source.

Choice-less farmers in Punjab are being asked to manage 15 million tonnes of paddy stalk sustainably. But no one is asking residents of Delhi to do the simple thing of keeping two separate waste bins at home. On the contrary, in an effort to protect themselves from a pollution crisis fuelled by their own consumption, Delhiites have tried to buy their way out of it. The sale of household air purifiers and steroid inhalers has skyrocketed. The Delhi government is considering seeding clouds in order to get artificial rain to clean up Delhi's air rather than inconvenience its citizenry with waste segregation measures.

The urban elite of Delhi has always succeeded in keeping attention away from their consumption.

Radical measures needed

In the first leg of Delhi's clean air struggle almost two decades ago, the Supreme Court forced the government and the automotive industry to introduce new standards for fuel and emissions, but the successful shift to Compressed Natural Gas (CNG) was restricted to auto-rickshaws and public transport buses. In the second leg, the NASA satellite map with numerous vermilion spots marking crop-burning sites has again conveniently shifted media focus away from the

city to the rural hinterland. Diagnosis has been prioritised over action, and in spite of apps that give us daily updates to real-time dashboards spatially visualising our misery, there has been little tangible effort at addressing the internal contradictions of air pollution in Delhi.

In a paradox that truly defines India, farmers are being goaded by policies to provide food security, ensure groundwater conservation, and now, protect Delhi from pollution, while Delhi elites are required to do nothing. The other irony is that Delhi's environment is repeatedly being rescued by judicial interventions and not by its elected representatives. Delhi needs radical policies – more car-free zones, increased taxation on sale of private vehicles, clampdown on illegal parking and making a garage a prerequisite for car purchase.

It is time that we acknowledge that smog is only a symptom. What Delhi suffers from in reality is irresponsible consumption and urban misgovernance.

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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.

Unacceptable conduct

Minister of State for Employment and Skill Development Anant Kumar Hegde has clearly violated the oath he took under Article 75(4) of the Constitution to bear true faith and allegiance to the Constitution of India ("Minister deriding Constitution: Cong.", December 27). Evidently, he has no faith in the Constitution leave alone the question of following it. As such, he cannot be allowed to continue in office. It is not enough for the BJP to distance itself from the issue by saying that Mr. Hegde's remark is not an issue for it. On the contrary, this will only show how the party itself takes the Constitution very lightly. The Prime Minister must

immediately ask for his resignation, failing which he should be dismissed by the President. Unless something is done, the very purpose of making the provision for oath of office will be lost. Inaction will also encourage more such attempts to weaken the Constitution. Mr. Hegde is also liable for breach of privilege for violating the oath he took as an MP.

S.N. SHUKLA,
Lucknow

Mr. Hegde's remarks are not befitting those of an elected representative who swears allegiance to the Constitution. While deriding secularism may help Mr. Hegde fetch votes from the advocates of Hindutva, his statement is in direct contrast to the Prime

Minister's claim that the Constitution is the holy book for the government. The Prime Minister needs to drop such elements from the Council of Ministers.

K. B. DESSAL,
Fatorda, Goa

It is unfortunate that a Minister should now say that the Constitution must be changed. How can a Minister who took oath as Union Minister under the Constitution question its relevance? What is more disconcerting is that the BJP leadership has chosen to distance itself from his irresponsible remarks. Is it not time for the Central government to rein in those leaders who cause damage to the Indian polity?

K.S. SUNDARAM,
Bengaluru

Meeting Jadhav

Pakistan appears to have stooped low in its treatment of Kulbhushan Jadhav's family members by not only violating the letter and spirit of the understanding about this but also conducting the meeting in a hostile and intimidating atmosphere, thereby defeating the very purpose of such a reunion. India's strong response should make the world realise that Pakistan does not play fair ("Jadhav's family harassed", December 27).

K.R. SRINIVASAN,
Secunderabad

The real test

Under Indian cricket team the Virat Kohli's aggressive leadership has been on a roll throughout the year, with hardly any hiccups (Editorial – "Best ever year",

December 24). However, the mettle of the team will be tested when it plays in the forthcoming series, starting with South Africa early next year.

The way in which the famed Indian batting line-up collapses against genuine fast bowling is well known. Playing against hostile fast bowlers of South Africa and

CORRECTIONS & CLARIFICATIONS:

In the Business page interview, "Can commit \$2 bn in guarantees for India" (Dec. 26, 2017), the Multilateral Investment Guarantee Agency (MIGA) has corrected one data point which said 13 billion people in the world do not have access to power. MIGA has said the corrected figure is 1.3 billion.

In the Ground Zero page report headlined "Who built the Indus Valley civilisation?" (Dec. 23, 2017), there was a reference to Birbal Sahni Institute of Paleosciences, Lucknow. It should have been Birbal Sahni Institute of Paleobotany, Lucknow.

It is the policy of The Hindu to correct significant errors as soon as possible. Please specify the edition (place of publication), date and page. The Readers' Editor's office can be contacted by Telephone: +91-44-28418297/28576300 (11 a.m. to 5 p.m., Monday to Friday); Fax: +91-44-28552963; E-mail: readerseditor@thehindu.co.in; Mail: Readers' Editor, The Hindu, Kasturi Buildings, 855 & 860 Anna Salai, Chennai 600 002, India. All communications must carry the full postal address and telephone number. No personal visits. The Terms of Reference for the Readers' Editor are on www.thehindu.com