



Choked by smog

Urgent correctives are needed, or lethal winter pollution will become the new normal

Air pollution is choking several cities in the northern States once again, as changes in temperature and slowing winds trap soot, dust and fine particulate matter. The National Capital Region is badly hit, as the burning of agricultural residue in Punjab and Haryana is releasing large volumes of smoke containing, among other pollutants, highly damaging fine particulates, or PM2.5. The problem is aggravated by the burning of urban waste, diesel soot, vehicular exhaust, road and construction dust, and power generation. Although India has nine of the 10 most polluted cities in the world, it has not taken consistent action on pollution. Tens of millions live with ambient air quality that is well short of even the relaxed parameters the country has set for fine particulates, compared with those of the World Health Organisation. India should at least now give high importance to the WHO warning about air pollution being the new tobacco. This year's 'severe' air quality rating for Delhi and poor conditions prevailing in other cities in the Indo-Gangetic Plain should compel a decisive shift in policy. The Centre and the State governments need to get into crisis mode to dramatically reduce emissions. They must address the burning of carbon, which is a direct source, and emissions with oxides of nitrogen and sulphur from vehicles that turn into fine particulates through atmospheric reactions. Failure to take sustainable and urgent measures will inflict long-term harm on public health, affecting children even more by putting them at higher risk for diseases.

The UN Environment Programme's recent report titled 'Air Pollution in Asia and the Pacific: Science-Based Solutions' has sounded a warning, pointing out that only 8% of the population in the countries of the region get to breathe air of acceptable quality. One study of degradation of Delhi's air over a 10-year period beginning 2000 estimated premature mortality to have risen by as much as 60%. With the steady growth in the population of the capital and other cities, the trauma is set to worsen. Farm stubble burning is a major contributor to the problem, and its footprint may be growing because of wider use of mechanical harvesters that is producing more waste. An innovative approach could be to use climate change funds to turn farm residues into a resource, using technological options such as converting them into biofuels and fertilizers. From an urban development perspective, large cities should reorient their investments to prioritise public transport, favouring electric mobility. The World Bank has said it is keen to enhance its lending portfolio to tackle air pollution, opening a new avenue for this. Governments should make the use of personal vehicles in cities less attractive through strict road pricing mechanisms. Sharply escalated, deterrent parking fees can be implemented. If governments delay action on the critical issue of pollution control, public pressure must force them to act.

Stepping back

Angela Merkel's decision to quit her party's leadership opens up German politics

As the Angela Merkel era draws to a close, Germany's post-War political model of two-party rule is under strain. Chancellor Merkel's decision to stand down as leader of the Christian Democratic Union, after leading it for 18 years, was triggered by its poor showing in recent regional elections. But Ms. Merkel's announcement to quit politics after the end of her current term merely mirrors her waning influence among the conservatives and in the governing coalition with the Social Democratic Party (SPD). Recently, her preferred choice to lead the party in Parliament was voted down. Earlier, the row between her and the Interior Minister over the treatment of refugees nearly marked the end of the CDU's alliance with the Christian Social Union. Following their worst combined showing in the 2017 general elections, the CDU and the SPD took months to forge their grand coalition. CDU hardliners blamed the drubbing on Ms. Merkel's policies seeking to steer the party to the political centre. Conversely, the SPD saw its cohabitation with the conservatives exacting a heavy price. The alliance thus remains uneasy.

But the one singular factor that dramatically turned the tide against Ms. Merkel, both at home and across the EU, was her approach to migration. The 2015 humanitarian intervention to welcome into Germany a million, mostly Syrian refugees was seized upon by the eurosceptic and far-right Alternative for Germany (AfD). Its populist rhetoric was directed until then against Berlin's backing for the eurozone bailout programme. The target now shifted to playing up the economic burden on account of the arrival of masses of Muslim refugees. The move also bolstered support for CDU leaders, who saw a direct link between what was to them too lenient an approach to migration and the inroads of the AfD. The conservative leadership battle will determine whether the CDU will be able to reverse its course back to its traditional base on the political right. Veterans eager for a return to the party's roots hope that such a reconfiguration would force the AfD to the fringe. Another likely scenario is the emergence of the Greens as a formidable mainstream alternative, possibly cutting into the SPD base. Paradoxically, even as Germany's two-party system turns shaky, its famed model of political consensus-building could only have greater relevance under a future multi-party polity. The implications for the EU from the unfolding transition in Germany are immense, given Berlin's leadership role over the decades, alongside Paris, in shaping the course of European integration. The 2019 election to the European parliament could be a pointer to the way ahead.

Always a fine balance

The RBI-government tussle must prompt a debate on defining the RBI Governor's position



RAGHUVIR SRINIVASAN

Yuga Venugopal Reddy, a former Governor of the Reserve Bank of India, (RBI) known as much for his wit as his clever stewardship of the central bank, coined an interesting phrase, "open-mouth operation", taking off from the Open Market Operation tool of the RBI.

That phrase best describes RBI Deputy Governor Viral Acharya's A.D. Shroff Memorial Lecture in Mumbai last week. Dr. Reddy had coined the phrase to describe his speech in Goa on August 15, 1997 at a conference of the Foreign Exchange Dealers' Association. Then a Deputy Governor, Dr. Reddy (with the full support of the then Governor, C. Rangarajan) tried to talk down the rupee which the central bank felt was over-valued.

Compelling correctives

The objective of an "open-mouth operation" is clear: influence a target audience to behave in a manner favourable to you or your objectives. If the target was the forex market in Dr. Reddy's Goa speech, it was the Central government in Dr. Acharya's speech. The "open-mouth operation" worked beautifully in both instances. The rupee corrected immediately after Dr. Reddy's speech; after Dr. Acharya's speech, the government has been forced to acknowledge, even if grudgingly, that the RBI's autonomy is "within the framework of the RBI Act".

Shorn of the personalities, what we are witnessing now is a fascinating tussle between an institution covered by an Act of Parliament and the executive, with one fighting for its autonomy and the other for its interests. Where does the fair balance lie?

Before trying to answer that question, we need to understand the 'autonomy' that the RBI enjoys and the limits to that. This is not the first time that the RBI's autonomy has come under focus, and it will surely not be the last. Successive Governors have fought against what they felt were transgressions – formal and informal – on the central bank's autonomy by powerful Finance Ministers.

Dr. Reddy once famously quipped to a journalist: "I'm very independent. The RBI has full autonomy. I have taken the permission of my Finance Minister to tell you that." On a more serious note, he clarified that the RBI is independent, but within the limits set by the government.

In his book, *Advice and Dissent: My Life in Public Service*, he explains his understanding of this autonomy under three functions: operational issues, policy matters, and structural reforms. In the case of the first, he believed in total freedom; on the second, he preferred prior consultation with the mandarins in North Block; and on the third, he worked in "very close coordination" with the government.

Dr. Reddy describes the interactions with the government as "walking on a razor's edge" and concedes that the sovereign is ultimately supreme. That is because the RBI Act allows the government to give written directives to the RBI



K. MURALI KUMAR

in the public interest (the infamous Section 7 that is now in the news). On critical issues, often the choice for the Governor is to concede to the government with or without a written directive. But tradition has been that both the government and the RBI have avoided recourse to this provision.

That has been due only to the mature handling of differences behind closed doors, something that has been absent in the current tussle. Duvvuri Subbarao, another former Governor, argues along similar lines in his book, *Who Moved My Interest Rate?*

Handled with care, till now

The existence of Section 7 in the RBI Act, even if it has never been used till now, proves that the RBI is not fully autonomous, says Dr. Subbarao. He points out that the fact that it has never been used is testimony to the sense of responsibility that the government and the central bank have displayed.

The statement put out by the government on Wednesday underlines this message very clearly: the RBI is autonomous but within the framework of the RBI Act. It is thus clear that the central bank cannot claim absolute autonomy. It is autonomy within the limits set by the government and its extent depends on the subject and the context. There is a clear reason why,

even while it is conceded that control of the nation's currency should be with an independent authority removed from the sway of elected representatives, the RBI Act has the veto option in the form of Section 7.

And that's because it is not the technocrats and economists sitting in Mumbai's Mint Street who carry the can for the policies they frame; it is the rulers in Delhi who do. Ultimately, it is the elected representative ruling the country who is answerable to the citizen every five years. The representative cannot split hairs before the voter while explaining the economy's performance – he has to own up for everything, including the RBI's actions, as his own.

In a democracy, it is unthinkable that we will have an institution that is so autonomous that it is not answerable to the people. The risk of such an institution is that it will impose its preferences on society against the latter's will, which is undemocratic.

Seen from this perspective, the limits to the RBI's autonomy will be clear. It is autonomous and accountable to the people ultimately, through the government. The onus is thus on responsible behaviour by both sides. There is enough creative tension between the two built into the system. The Governor has to be conscious of the limits to his autonomy at all times, and the government has to consider the advice coming from Mint Street in all seriousness, as indeed Dr. Reddy and Dr. Subbarao have pointed out.

Government's failure

But what if they do have fundamental disagreements, as they

seem to be having now, and are unable to arrive at a common ground? Well, the *brahmastra* of Section 7 is certainly available to the more powerful side; but just as the weapon is a deterrent never to be used, so is Section 7. The cleverness of the politician in Delhi lies in negotiating with the RBI and having his way without ever threatening to unleash the *brahmastra* – the other side knows it exists anyway. This is where the present dispensation in Delhi seems to have failed.

It is to avoid situations such as the one we are seeing now that former RBI Governor Raghuram Rajan argued for a clear enunciation of the RBI's responsibilities. In his book *I Do What I Do*, he points out that the position of the RBI Governor in the government hierarchy is not defined. The Governor draws the salary of a Cabinet Secretary, and it is generally understood that he will explain his decisions only to the Prime Minister and the Finance Minister. Argues Dr. Rajan: "There is a danger in keeping the position ill-defined because the constant effort of the bureaucracy is to whittle down its power."

The latest tussle between the executive and the central bank will eventually end, in all probability with a compromise. However, its purpose would have been served if the debate leads to greater awareness on both sides of the other's compulsions. Better still, if it leads to a clear definition of the RBI's responsibilities that would, to borrow Governor Urjit Patel's words, be the pot of nectar coming out of this *Samudra Manthan*.

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A catalogue of all that's valuable

State and public initiatives to compile registers of antiquities must be closely coordinated



ROHAN KOTHARI

Over the last two years, the Madras High Court has become the site of high drama in the most unlikely of ways. Binding spirited advocates, a famed industrialist, a gritty police force, and various other state agencies is the somewhat overlooked question of antiquities conservation. Tasked with the onerous mandate of investigating theft of idols and antiquities, Tamil Nadu Police's Idol Wing has been engaged in a tense confrontation with the State's Hindu Religious and Charitable Endowments (HR&CE) Department, a body charged with, among other things, the upkeep and safety of a vast collection of invaluable temple artefacts.

A feeding ground

Tamil Nadu is rich feeding ground for idol thieves and smugglers because of the sheer number of temples within its borders. It is not surprising that the State should then have a court designated specifically to deal with such matters. Earlier this year, the then Chief Justice of the Madras High Court constituted a special bench con-

sisting of Justices R. Mahadevan and P.D. Audikesavalu to hear cases relating to idol theft.

But it was in July last year that a remarkable development took place in this area of law. Justice Mahadevan passed a momentous order as far as the legal framework on antiquities is concerned. Noting the lack of coordination between departments responsible for custodianship of our cultural heritage and law enforcement agencies, the court observed: "It is their [the HR&CE Department's] primary duty to protect the temples and safeguard the valuable idols/antiques, which, this Court with great anguish expresses that the department has failed to do...One more important point to be noted is that the department has not computerised the stock, provided adequate ICON Centres with surveillance to keep safe custody of the valuable idols in the Centre and in the temples... It also appears that the Idol wing is interacting with the respective departments of the Central Government only to recover the stolen Idols and antiques, but there seems to be no-coordination between them to curb the crime."

The court also passed detailed directions to be followed by the respondent State actors, including the following: "The stock of Idols maintained in the manual books in the State must be computerised within a period of four weeks, if



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not already computerised. Similarly, a list of stock of Idols in the temples must be computerised and the same must be reported to this court."

Significantly, this did not come in the course of interpretation of the statute that occupies the field (the Antiquities and Art Treasures Act, 1972), but despite it.

Records do not indicate that a complete and computerised record of temple idols in Tamil Nadu has been submitted to the court so far. This is not to say such a record may or may not exist – but its inaccessibility to the layman, the scholar or the police brings into perspective the larger issue of creating an efficient and comprehensive database of antiquities.

A vital resource

In the absence of such a searchable catalogue, the risk of antiquities theft and loss of cultural property is multiplied enormously

because it becomes that much easier for art criminals to manufacture the provenance of a certain artefact. Without a reliable reference point to confirm the origins and the trail of ownership of a certain antiquity, its sale abroad becomes relatively harder to track. This concern has been voiced by academics and art enthusiasts alike, and was abated to a certain degree by the creation of the National Register on Antiquities.

Established in 2007 under the aegis of the National Mission on Monuments and Antiquities (now under the administration of the ASI), the Register is a publicly accessible repository of documented and registered Indian antiquities. There is also the India Pride Project, a volunteer-network of private individuals interested in protecting Indian antiquities, that has been instrumental in the repatriation of several works of incalculable archaeological and aesthetic value.

Concerns remain

But cause for concern still remains. Though the Register on Antiquities gets diligently populated on the basis of already registered antiquities and objects catalogued in public collections of museums or universities, there are still artefacts yet to be registered or documented. And the problem of non-coordination and lack of information highlighted by the Madras

High Court still looms large. One easily identifiable example is that of the quantities of registered antiquities that have found their way into the NMMA's Register. While the Ministry of Culture's annual report for 2017-18 states that a mammoth 15.2 lakh registered antiquities have been documented through the NMMA, the Register only provides information for about 4.7 lakh of these. Similarly, if there indeed has been sharing data problem between two state agencies (HR&CE Department and the Idol Wing), what might be scale of this data asymmetry between a local body and the National Mission? Related to this are also the questions of how secure these heritage repositories are; whether the public at large can contribute to them or even use them to assist understaffed and underfunded state actors in foiling antiquity thefts.

The NMMA fortunately does have a mandate to cultivate public engagement and awareness for the protection of India's cultural heritage. Its progress towards that realisation seems slower than planned, and much remains to be completed. In the meanwhile, citizen-led initiatives and timely judicial interventions are making up for what already ought to be higher on the list of national priorities.

Rohan Kothari is a Bengaluru-based advocate

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.

The Statue of Unity

People are aware of the contributions of leaders like Sardar Patel, Mahatma Gandhi and Jawaharlal Nehru, so why build a statue that costs nearly ₹3,000 crore ("Towering statue of Patel dedicated to the nation", Nov. 1)? Our leaders should stop wasting taxpayers' money on statues and instead use it to build schools and hospitals and formulate schemes in these leaders' names. Also, it is ironical that a statue of unity is being built at a time of polarisation.

N. MAHADEVAN,
Chennai

It is sad that the Prime Minister has lashed out at those criticising the government for wasting so much money on the Patel statue. This is taxpayers' money; people have every right to question where it

goes and why it goes where it goes.

JAISON JOSEPH,
Thiruvananthapuram

Remembering our leaders who made countless sacrifices for the sake of the country is not a crime, just as Mr. Modi said. Every nation gives respect to its leaders in different ways; this is not unique to India. I am sure that many will flock to India to see the tallest statue in the world.

MOHD. RAHMANI,
Delhi

When BSP chief Mayawati built parks and memorials to commemorate B.R. Ambedkar and Kanshi Ram, she was accused of squandering public money. It is funny that the Patel statue is being hailed as a symbol of national pride.

G. DAVID MILTON,
Maruthancode

The statue is supposed to attract thousands of tourists daily. But foreigners are afraid to come to India as they hear it is unsafe and dangerous, especially for women. Reports say that the statue is situated in a remote corner. The government should address basic problems such as how to get there easily and how to make public spaces safer.

HASAN NAJMI,
Lucknow

Bolsonaro in Brazil

The victory of Jair Bolsonaro hardly comes as a surprise as right-wing politics is on the rise across the world ("Mapping Brazil's far-right shift", Nov. 1). His promise of "Making Brazil great again" seems to have been borrowed from the Trump campaign. Mr. Bolsonaro, like the U.S. President, will also probably walk out of

agreements and adopt populist measures. It is unfortunate that globalisation and harmony have taken a backseat the world over.

VIDHYA B. RAGUNATH,
Thanjavur

The Brazilians have made a choice which may prove to be catastrophic not only for them but for the world. The U.S.'s withdrawal from the Paris Agreement has already dealt a severe blow to the efforts to tackle global warming. Now, the likelihood of Mr. Bolsonaro merging the environment and agriculture ministries will threaten the Amazon, say experts. The recent report on global soil biodiversity was depressing in itself, so one should not think of future living conditions in this context.

KOSARAJU CHANDRAMOULI,
Hyderabad

I can't help but notice how *The Hindu* begins to bemoan the victories of only right-wing parties, much like *The Guardian*, *The New York Times* and the BBC. The problem with proponents of the left wing, or just those opposed to the right wing, is that they consider themselves to be the voice of the oppressed. In the process, they conveniently choose to obfuscate the weaknesses in their policies and speeches. This further ruffles the silent majority. For instance, Hillary Clinton called half of

Donald Trump's supporters a "basket of deplorables". This prodded the fence-sitters in swing States to vote for the Republicans during the elections. Vijay Prashad is selective in his analysis: he left out the fact that Mr. Bolsonaro was stabbed during his campaign. The Brazilians who have languished in poverty, lived amidst violent crimes, a faltering economy and corruption scandals are sagacious.

CHIRAG SHARMA,
Palampur

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CORRECTIONS & CLARIFICATIONS: Mr. K.V. Chowdary is the Central Vigilance Commissioner – not the Chief Vigilance Commissioner, as given in the opening sentence of the report, "Perusing files, will call officer if needed: CVC" (Nov. 1, 2018).

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, 859 & 860 Anna Salai, Chennai 600 002, India. All communication 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