

'Ministers avoiding answers to important questions'

1.38 crore youths unemployed, JS told

The Jatiya Sangsad resumed its sitting at 11.15 am with Speaker Abdul Rahman Biswas in the chair. Day's proceedings began with the recitation from the Holy Quran, reports BSS.

In the question hour only five questions were asked and all related to the Ministry of Finance and Planning. The concerned minister, Saifur Rahman, replied to a volley of supplementaries about a question concerning the country's Third Five-Year Plan.

The question hour over, a number of members, particularly from the Opposition benches, strongly objected to the inclusion of only five questions in the day's proceedings while leaving a total of 56 questions unanswered.

Rahmat Ali

Rahmat Ali (AL-Ghazipur) said if the ministers continue to avoid their responsibility by not giving answers to important questions, the rights and privileges of the MPs would be curtailed. Awami League member Col (Retd) Sawkat Ali also supported the views of Rahmat Ali and demanded a ruling of the Speaker in this regard.

At this stage the Finance Minister took the floor and assured the members that he would personally look into the issue and henceforth most of the questions scheduled for a day would be answered. The Speaker Abdul Rahman Biswas also urged the Treasury Bench to ensure that the members' questions are duly answered.

Munirul Huq Chowdhury

Later the Speaker rejected two separate privilege motions moved by the two Jatiya Party members. The motions moved by the Jatiya Party members — Munirul Huq Chowdhury and Advocate Fazle Rabbi — sought measures against the Attorney General for his alleged 'misbehaviour' to the former President Hussein Muhammad Ershad, who is being tried in a corruption case. The Speaker rejected the motions on the ground that any discussion on the issue would be 'subjudice' because the incident referred to was held in a court of law.

Abul Hasan Chowdhury

Taking the floor Abul Hasan Chowdhury (AL-Tangail) drew the attention of the Chair to the suspension of operations of the BCCI in Bangladesh and said this suspension at the directive of the Bangladesh Bank came as a surprise.

He said India, Pakistan and Sri Lanka did not follow suit when some western countries suspended operation of the said Bank because they would decide on the operations of the Bank by their own experience and not by the experience of other countries.

The Opposition member demanded a statement from the Finance Minister on the subject.

Shamsul Huq

Shamsul Huq (AL-Mymensingh) drew the attention of the Speaker to the deteriorating law and order situation in the country.

He said the law and order situation in the Chittagong University and the Jagannath University College was bad and demanded a full-dress discussions on the matter.

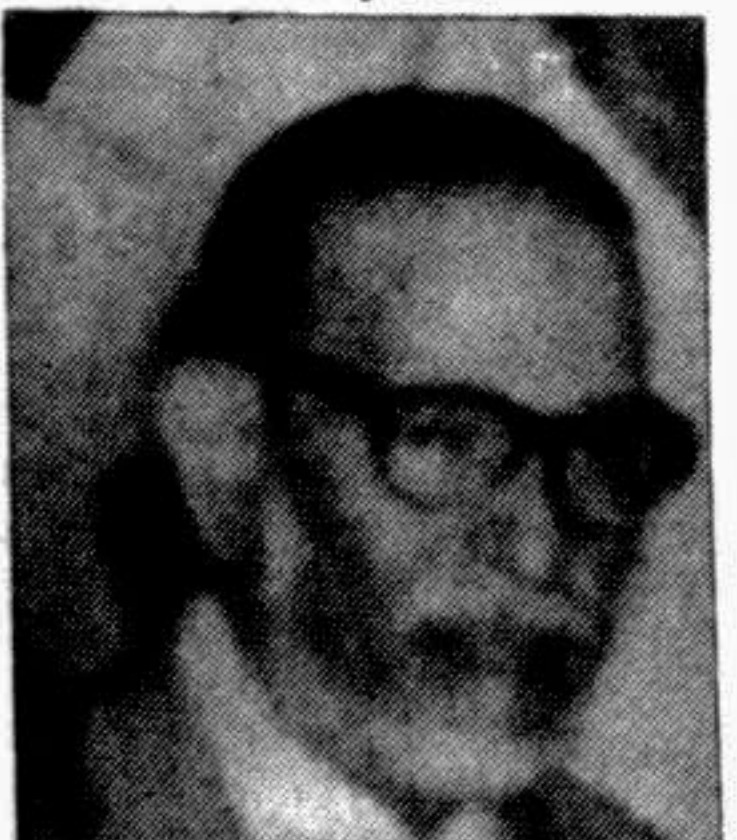
At this stage almost all the member belonging to the Jatiya Party rose to their feet and were trying to say something.

Fazle Rabbi

Advocate Fazle Rabbi (JP-Gaibandha) drew the attention of the Chair to the remarks by the Attorney General about former President H M Ershad who is a member of this Parliament.

Lt Col (Retd) Akbar Hossain

Lt Colonel (Retd) Akbar Hossain intervened to say that the Jatiya Party members were concerned about the treatment to the former President but asked who would reply to the treatment meted out to the 12 crore people of the country by Ershad for nine years.



Mirza Golam Hafiz

Law Minister, Mirza Golam Hafiz took the floor and said the House was not the forum to discuss this issue. Many remarks are made in court and they are generally settled there, he said.

Mirza Golam Hafiz said he knew about many remarks

made by lawyers in the court during his long 45-year career as a lawyer and as such the comments made by the Attorney General could not be a subject of discussion in the House.

Besides, the Law Minister pointed out, the Attorney General also gave a denial to the press about a portion of the comment attributed to him by a section of the press.

He said valuable time of the House should not be spoiled. He wondered under what rule the Jatiya Party members were speaking.

'We must follow the conventions of parliamentary practice', Mirza Golam Hafiz said.

Advocate Dharendra Nath

Thereafter, Advocate Dharendra Nath Shambhu (AL-Barguna) moved his call attention notice on environmental degradation in the capital city of Dhaka due to the plying of defective vehicles.

He complained that though there were laws against plying of defective vehicles, these were not being applied. Consequently, environment pollution was taking a serious turn in the capital, he added.

Communications Minister said the government had taken a number of steps to create awareness among the people about hazards of black smoke by defective vehicles. In this connection he referred to the establishment of mobile courts to check vehicles from time to time.

He told the House that 189 cases were filed against the owners of vehicles during the last one year for emitting black smoke.

The minister sought the cooperation of the MPs, members of public and owners of vehicles to save environment from pollution.

The Law Minister then introduced The Administrative Tribunals (Amendment) Bill, 1991.

The House was adjourned at 1-10 pm to meet again at 4 pm Sunday.

The House resumed its sitting at 4.17 pm after the lunch break with Deputy Speaker Sheikh Razzak Ali in the chair.

He gave the floor to Law and Justice Minister Mirza Golam Hafiz to move his bill, the Public Servants (Retirement) (Amendment) Bill, 1991, for the consideration of the House.

After the minister moved the bill, the Deputy Speaker said sixty members had brought amendments to the bill demanding eliciting public opinion on different dates.

Harun ur Rashid

The floor was then given to Sheikh Harun ur Rashid Mia (AL-Khulna).

Harun demanded eliciting public opinion, considering the overall situation obtaining in the country in regard to unemployment. He said there were about 1.38 crore unemployed youths in the country.

The AL member said if the age limit of the BCS cadre serving in the judiciary was increased as proposed in the bill, job opportunities in this service would be squeezed.

Prof Mannan

Taking the floor next, Prof Abdul Mannan (AL-Meherpur) said enhancing the age limit for the BCS cadre people serving in the judiciary would be a partisan act. He said it would create disparity among the BCS cadre service holders at different levels. It would also go against the conception of rule of law, he said, adding that administration would lose its dynamism.

Dhirendra Debnath

Moving his amendment for eliciting public opinion, Dharendra Debnath (AL-Barguna) said it seemed that the Law Minister had brought the bill because he felt a shortage of experienced people in the judiciary. He called for appointment of more judges instead of increasing the age limit of the BCS cadre people serving in the judiciary.

AKM Jahangir Hussain (AL-Patuaakhal), Abdul Matin Khurasri (AL-Comilla) and Rahmat Ali (AL-Gazipur) also supported the above contention.

Ruhul Quddus

Shah Mohammed Ruhul Quddus (Jamaat-Khulna) said there was no dearth of talents in the country and stressed their recruitment instead of increasing the age-limit of the judges to 60 years for speedy disposal of the large number of cases pending in the courts of the country.

Abdus Sattar

Mufti Moulana Abdus Sattar (Jamaat-Bagerhat) urged the chair to send the bill for eliciting public in the greater national interest.

Abdus Sobhan

Moulana Abdus Subhan (Jamaat-Pabna) laid emphasis on increasing the number of judges through fresh recruit-

ments instead of the enhancement of the age-limit, considering the socio-economic condition of the country.

Nazrul Islam

Nazrul Islam (Jamaat-Satkhira) pleaded for the formation of a committee to elicit public opinion before the passage of the bill.

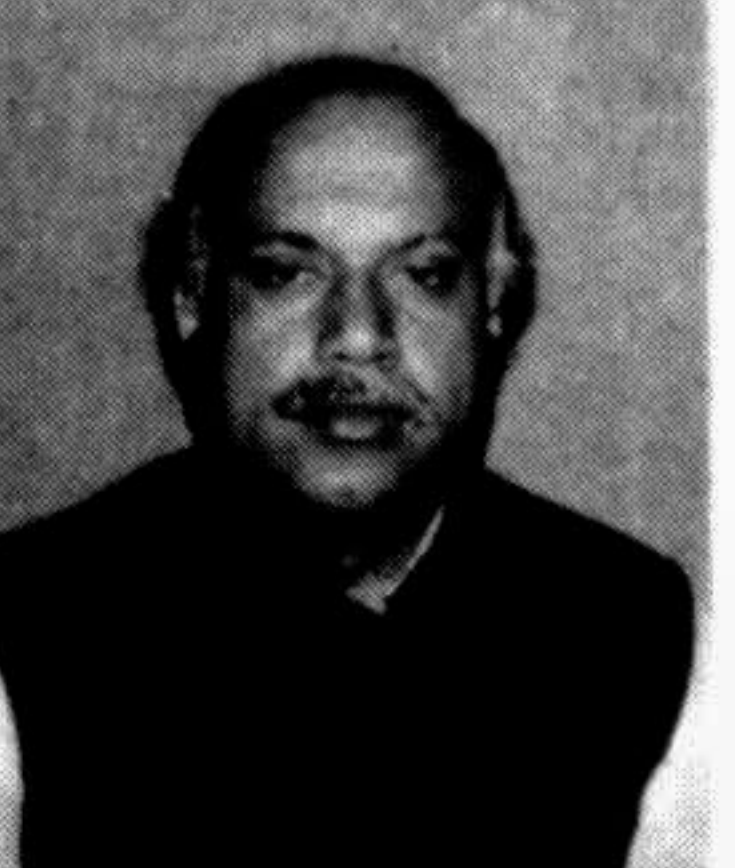
Abdul Majid

Abdul Majid (JP-Sunamganj) said, there was no denying the fact that experience in the judiciary was necessary by the need for young talents also cannot be ignored.

Abdus Shahid

Mohammed Abdus Shahid (AL-Moulvibazar) said if the judges posted at different levels, were encouraged by promotions, they would help in quick disposal of the cases pending in different courts of the country. Thus it would not be necessary to increase the age-limit by three years from the present 57 years.

The Deputy Speaker adjourned the House for Asr prayer at 5-10 pm.



Mohammad Nasim

As the House reassembled after the Asr prayer with the Deputy Speaker, Sheikh Razzak Ali, in the chair, Chief Whip of the Opposition Mohammad Nasim rose on a point of order and expressed his dissatisfaction over the delay in announcing the parliamentary standing committee on various ministries.

He said it was unfortunate that although three months had passed since the first session of this parliament, the Treasury Bench could not announce the parliamentary standing committees which are necessary to make the different ministries accountable to the House.

Mohammad Nasim demanded that the names of these committees must be announced by the Leader of the House without further delay.

Suranjit Sengupta

Supporting Mohammad Nasim, Suranjit Sengupta (JP-

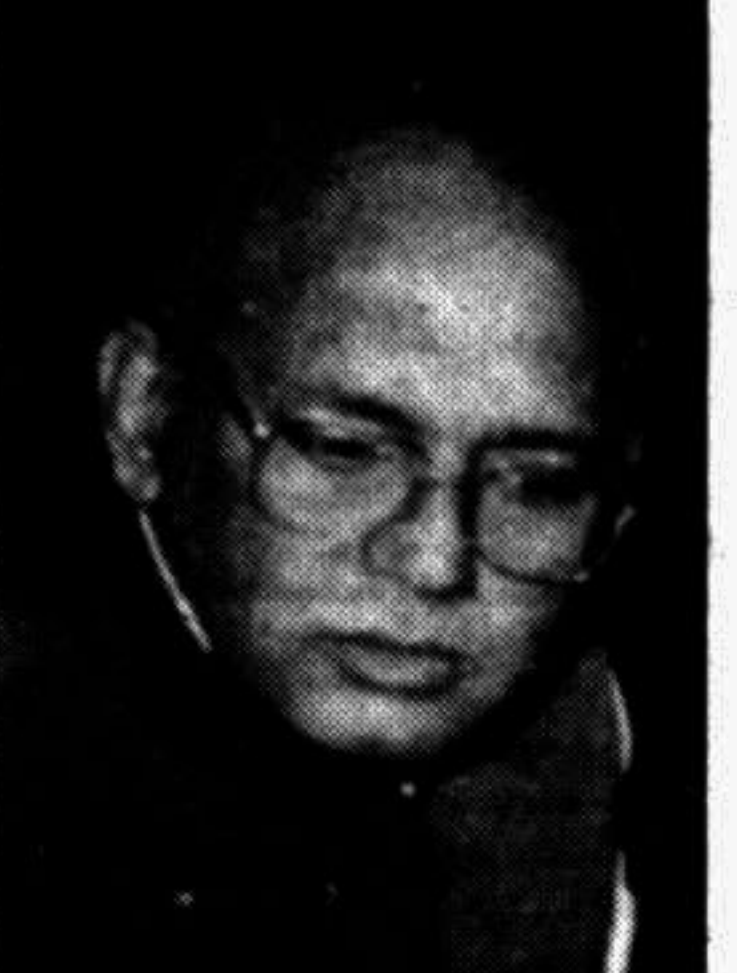
Sunamganj) referred to Article 76 of the Constitution and said the parliamentary standing committees are mandatory and the Treasury Bench should come out with the announcement immediately. Sengupta pointed out that not only the standing committees had not been announced the most important public accounts committee was yet to be formed.



Taking the floor in the absence of the Leader and the Deputy Leader of the House, Law and Justice Minister Mirza Golam Hafiz expressed his regret over the delay in announcing the parliamentary standing committees. He said these committees are 'mandatory' and they should be announced without much delay.

But, Hafiz said, since the names of concerned members had been given by the two sides of House the Speaker and the Deputy Speaker should take immediate action in this regard.

He also pointed out that the ultimate responsibility of announcing these committees lie with the Speaker.



Tofael Ahmed

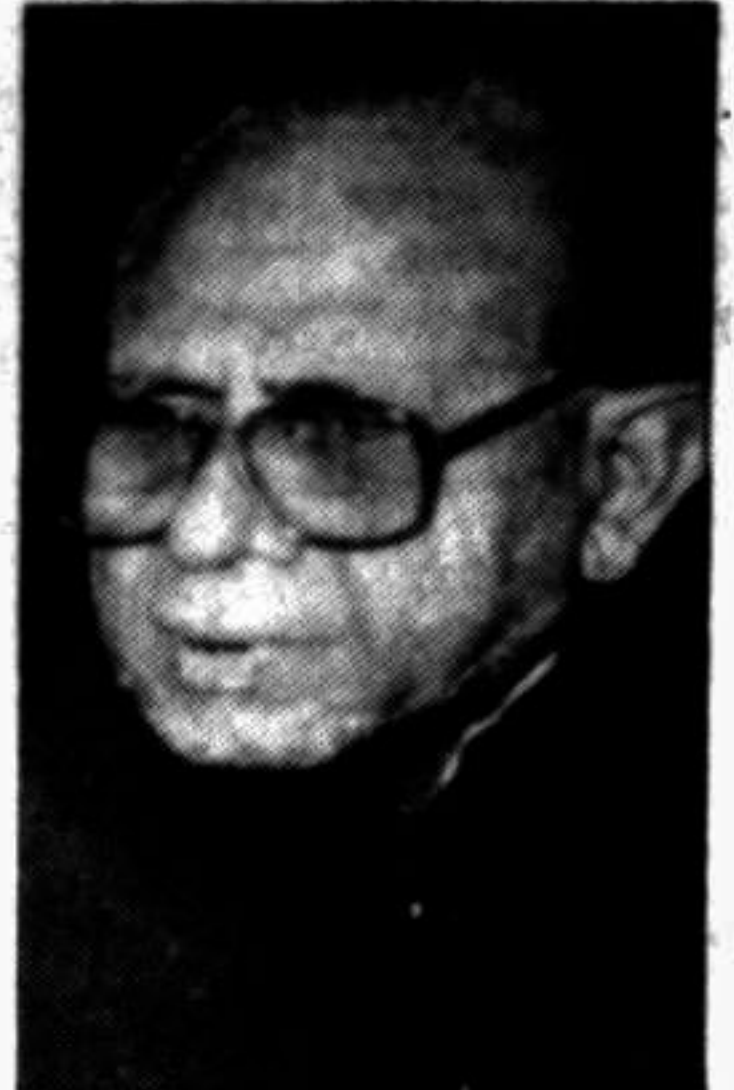
At this stage, Tofael Ahmed (AL-Bhola) took the floor and said the parliamentary committees are announced by the Leader of the House and Prime Minister and expressed his displeasure over the delay in this respect.

Pointing out that the Leader of the House Prime Minister Begum Khaleda Zia and the Deputy Leader of the House

Prof Badruddoja Chowdhury both were not present, Tofael Ahmed quoted relevant sections of the rules of procedure and argued the House cannot function in the absence of the two. He said when the House was engaged in an important discussion the absence of the two important leaders were regrettable.

As soon as Tofael Ahmed concluded, the Deputy Leader of the House Prof Badruddoja Chowdhury entered the House and said he was in the lobby and lobby was regarded as the part of Parliament.

The contentions of Mohammad Nasim, Suranjit Sengupta and Tofael Ahmed were supported by the Deputy Leader of the Opposition Abdus Samad Azad, who also demanded the announcement of the parliamentary standing committees without further delay.



Abdus Samad Azad

The Deputy Leader of the House then took the floor and said he was unanimous with the Law and Justice Minister and said the committees should be announced immediately.

At this stage Salahuddin Qader Chowdhury (NDP-Chittagong) pointed out that according to the precedence, the Leader of the House should announce such committees. Giving an example he said the then Prime Minister late Shah Azizur Rahman did so.

Since the Law and Justice Minister, Mirza Golam Hafiz, argued that the parliamentary committees are announced by the Speaker and the Deputy Speaker, Sheikh Razzak Ali, who was chairing the sitting, reminded the minister that according to practice such committees are announced by the Prime Minister and Leader of the House after consultations with the Chief Whips of the two sides.

The House then began discussion on the Public Servants (retirement) (Amendment) Bill, 1991.

Matia Chowdhury

Taking the floor, Begum

Matia Chowdhury (AL-Sherpur) said the bill should be sent to elicit public opinion. She argued that people in our society normally become weak and lose their memory and aptitude to work after they cross 50.

Begum Chowdhury also pointed out that if the age limit of the judges was enhanced, there might be further delay in disposing of the large number of cases already piled up in the courts. She also said that by moving this bill, the Law Minister had showed his partisan view as he belonged to the legal profession.

The Awami League leader also alleged that if the age limit of the judges was enhanced, employees of the other 41 cadre services might demand similar rise in the age limit for their retirement.

She also demanded of the government to create new job opportunities, saying that already one lakh seventy thousand educated youths are jobless.

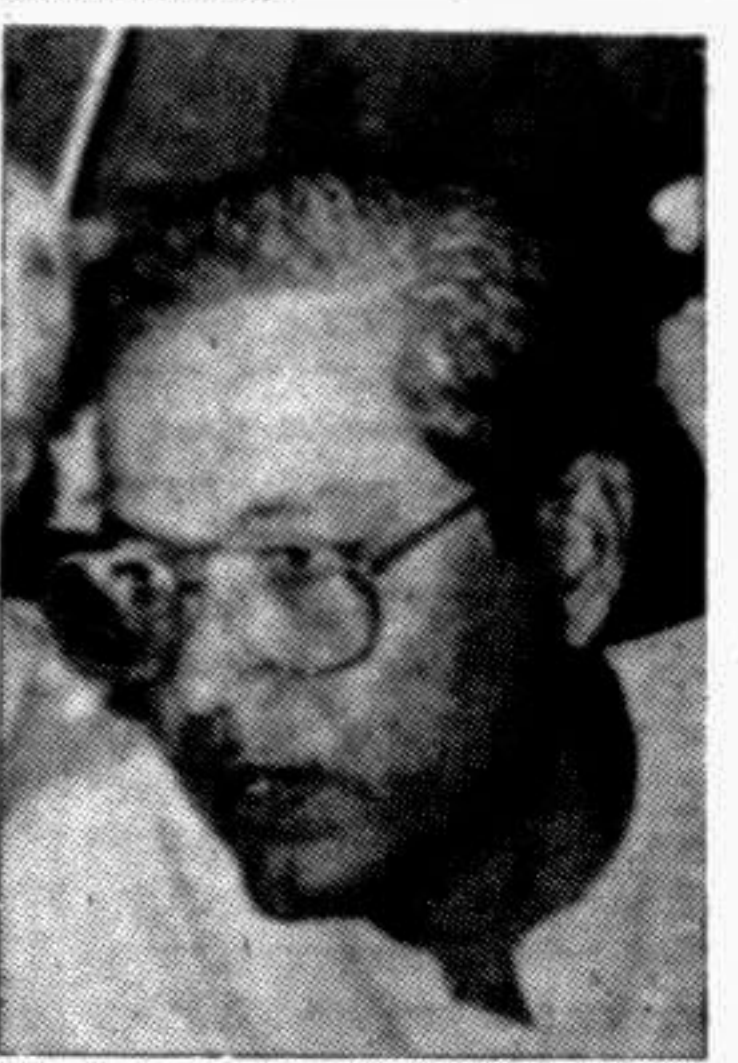


Mohiuddin Ahmed

As soon as Begum Matia Chowdhury took her seat, Mohiuddin Ahmed (BAKSAL-Pirojpur) rose on a point of order protesting the observations of Begum Chowdhury.

The elderly politician said he cannot accept the observation of Begum Matia Chowdhury that people lose their efficiency and their memory become weak after 50. He asserted that he was still an active man and his memory was also sharp.

Mohiuddin Ahmed also said that Begum Chowdhury's observation had come as a breach of privilege of the elderly MPs like Law Minister Mirza Golam Hafiz, Deputy Leader of the Opposition Abdus Samad Azad and himself.



Badruddoja Chowdhury

Deputy Leader of the House Prof Badruddoja Chowdhury promptly took the floor and said as a physician he was ready to certify that Mohiuddin Ahmed was physically fit and fully active. This observation created a laughter in the House.



Sajeda Chowdhury

Sajeda Chowdhury (AL-Faridpur) said the problem in the judicial service would not be solved by extending the retirement age of the judges.

She said the bill in question had made no mention of the teachers, doctors, engineers and others. If the age of retirement of a judge is to be extended, his physical fitness should be examined by a tribunal for giving him contract service, she said.

S S Halder

S S Halder (AL-Pirojpur) pleaded for separation of the judiciary from the executive for proper dispensation of justice. This measure would establish the country's judiciary on a strong foundation and consequently none would be able to go beyond the limit of law, he added.

Sharif Khasruzzaman

Sharif Khasruzzaman (AL-Narail) said there was no point in extending the retirement age of the judges when thousands of jobless youths were roaming about in the streets after obtaining the highest degrees from the universities.

If the retirement age of the judges were to be extended, the cases of teachers, doctors and engineers also should be considered, he said.

Dhirendranath Saha

Dhirendranath Saha (AL-Narail) said the cases of service holders belonging to 41 cadres should be taken into consideration when the issue of the judges was discussed through this bill.



Rashed Khan Menon

Workers Party leader Rashed Khan Menon said if only the case of the judges was considered for the extension of their service, it would be viewed as a discriminatory act.

He expressed himself in favour of giving contract service to the judges crossing the age of 57. He also pleaded for separation of the judiciary from the executive.

Tabibur Rahman

Tabibur Rahman Sardar (AL-Jessore) said increasing the age-limit of the judges will not serve any purpose if fresh recruitments were not made to cope with the huge number of cases lying pending in the courts of the country.

Asaduzzaman

Speaking on his proposal to send the bill for eliciting public opinion, Asaduzzaman (AL-Magura) said the nation will gratefully remember the contributions of Justice Shahabuddin Ahmed. The people will also not forget the roles, Justice ASM Sayem and Justice Ahsanullah played with the military to strengthen the hands of autocracy in the country, he said.

He said there was no need for the passage of the public servants (retirement) (amendment) bill, 1991, before the passage of the Constitution amendment bills.

Salahuddin Yusuf

Salahuddin Yusuf (AL-Khulna) said efficiency does not necessarily increase with age. So to improve the situation in the judiciary, he said, the number of judges would have to be increased along with the increase in their age-limit. He said it was necessary to send the bill for eliciting public opinion.

Satish Chandra Roy

Satish Chandra Roy (AL-Dinajpur) said the increase in the age-limit of the judges will create disparity.

He said the number of judges should also be increased.

Afsar Hossain Mollah

Afsar Hossain Mollah (AL-Gazipur) pleaded for raising the age-limit of the physicians if the age of the judges was increased to 60.

Principal Nazrul Islam

Principal MM Nazrul Islam (AL-Bhola) said it will be an act of injustice with the people in other services if the age-limit for the judges was raised to 60. He said this might bring the employees of other services out on the streets for voicing their protest.

Mustafizur Rahman

Advocate Mostafizur Rahman (AL-Dinajpur) said it was a long standing demand of the people to being dignity to the judiciary. But mere raising the age-limit of the judges to 60 will not increase their dignity, he said.

The Deputy Speaker adjourned the House at 6-56 PM for the Maghreb prayer.

After the Maghreb break, Deputy Speaker gave the floor to Mosharrar Hossain (AL-Faridpur).

Mosharrar Hossain

The member said though the Law Minister had brought the bill to remove the age difference of the judges serving in the judiciary, the difference would virtually exist because the retiring age of the high court judges remains to be 65.

He said while reducing the age difference in the judiciary, care should be taken to ensure that members of other BCS cadre feel hurt on deprived. He said passage of the bill might create indiscipline in the administration.

Matiur Rahman Nizami

Moving his amendment, Moulana Matiur Rahman Nizami (Jamaat-Pabna) said the Law Minister had moved the bill with the good intention of making the judiciary more effective and for its improvement. But he urged the minister to accept the reality and think twice whether the bill would create any side effects which might be harmful for the nation as well as the government.

Nizami said a huge number of cases had been pending for shortage of judges. He demanded separation of the judiciary from the administration for ensuring its neutrality.

The Jamaat member said this House was elected by the people and its decisions should be judicious and actions prudent.

He said there were 42 cadres and if the retiring age for one cadre was increased, others might not be silent. He said in the meantime some whispering had started against this step.

Taking the floor, Suranjit Sengupta wanted to know from the Law Minister how many people would be benefited from this bill. He said if the minister wanted to increase the age limit it should be applicable to all cadres of service.

Sengupta said when the elected member of this House want to decide all issues through consensus, we should not act in a manner which could create unwanted division. He said the Pay Commission had already created tension. He called upon the House not to add fuel to fire by passing this bill.

Sengupta said they would support a bill for the independence of the judiciary. But they cannot be a party to the passage of bad laws.

Col (Retd) Shawkat Ali (AL-Shariatpur) said the demand of the mass movement was to bring changes in the judiciary but he said, the Amendment Bill for raising the retiring age of the judges had not reflected the aspiration of the people.

At this stage, the Whip of the Opposition, Azizur Rahman (AL-Moulvibazar), rose on a point of order and urged the chair to provide the young members of the Sangsad with the opportunity to speak on the Amendment Bill.

The Deputy Speaker assured the Opposition Whip that he would consider the proposal.

Abdul Awwal Mian said the raising of the age-limit for the judges will not be good for the country. He said the increase of three years by a stroke of pen will block employment opportunities in the cadre.

Sheikh Ansar Ali (Jamaat-Satkhira) said mere increase in the age-limit will not serve any purpose unless facilities for the judges were also expanded.

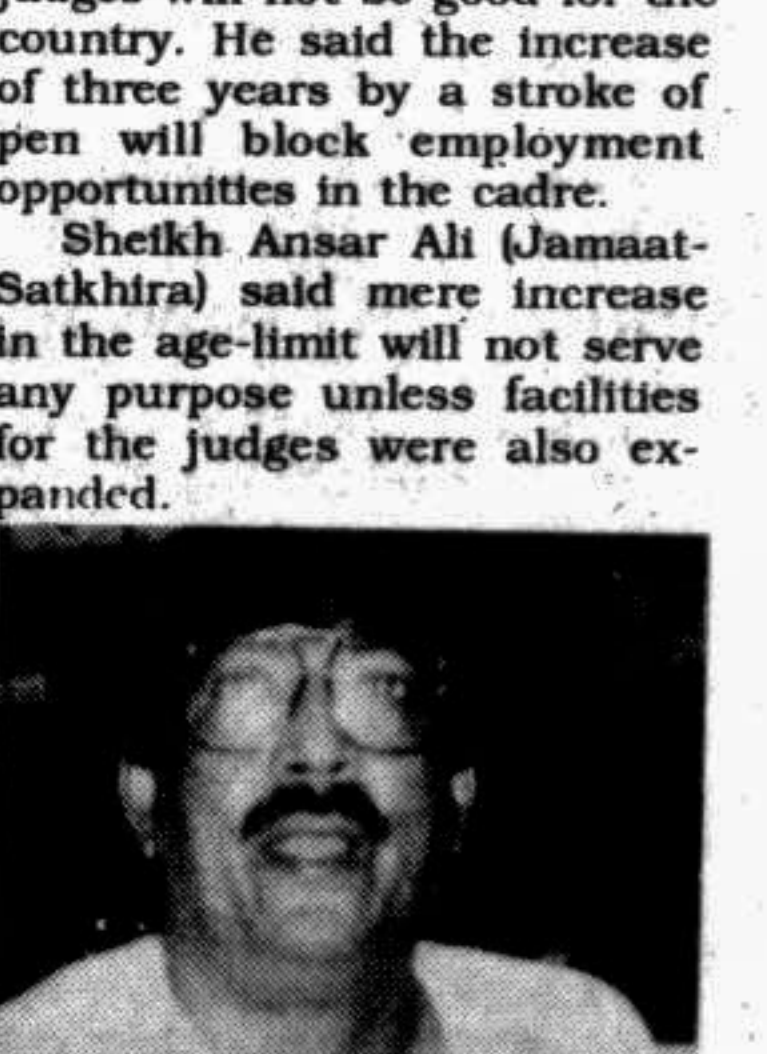
Shajahan Siraj

Shajahan Siraj (JSD-Tangail) said the public servants amendment bill had been introduced in the House on persuasion of some people.

Mohammed Shamsul Haq (AL-Mymensingh) said the Opposition will be happy to have such a bill in the House as it would pave the way for new movements. He, however, urged the Law Minister to withdraw the bill in the greater national interest.

Abdur Rouf Mian (AL-Faridpur) hoped that the bill would be withdrawn to show respect to people's will.

The Deputy Speaker then adjourned the House at 8-40 pm to resume at 4 pm today (Monday)



Opposition support to weed out corruption needed

Finance and Planning Minister Saifur Rahman on Sunday said accountability of the government has to be enforced an corruption eliminated to ensure economic development and wellbeing of commonman, reports UNB.

Success of the government programme largely depended on the Opposition in keeping the administration in right track and support to eliminate corruption from the government machinery, he added.

Saifur Rahman was replying to a volley of supplementaries during the question hour when he admitted failure of the 3rd Five Year Plan (1985-90).

Replying to Nurul Islam Moni (Ind-Barguna), the Finance Minister identified 29 factors for a mere 3.8 per cent growth during the Third Plan as against the target of 5.8 per cent.

The factors responsible for the failure of the target included low labour productivity, weak labour management, lack of infrastructure, limitation of the domestic market, increase in unplanned imports leading to shrinkage in domestic market and rise in poverty, failure of administration in distributing developmental inputs to poorer section, lack of accountability in economic management, unproductive expenditure, rise and domination of rent-receiving class.

The Finance Minister said contribution of agriculture and industry to GDP declined to 30 per cent in 1990 from that of 42 per cent in 1985. Similar decline was recorded in investment in the greater national interest.

Replying to another question by Rafiqul Bari Chowdhury (JP), the Finance Minister said the country's population rose to 10.8 crore as reflected in the preliminary report of the Population Census-1991. The population growth during the 80s was 2.15 per cent.

Only five questions, all relating to the Planning Ministry, were tabled in the House today while answers to 56

others deferred. This provoked question of breach of privilege of the members.

Saifur Rahman said answers to those could not be readied because of pre-occupation for budget and time constraints. He, however, assured the House that this would not happen in future.

He asked the Opposition to help keep the administration in right track and said amendment to the constitution was also proposed aiming at restoring accountability.

On question of corruption in bureaucracy, the Finance Minister admitted weaknesses in the administrative machinery which, he said, can be removed with a government accountable to the people. He regretted that corruption has become a part of life, not only in economic spheres, due to long autocratic rule.

Asked about the Fourth Plan (1991-95), Saifur Rahman said it is "a misguided, imaginary plan based on false assumption Ershad has tried to bluff the people".

Explaining, he said, the plan envisaged an investment of Taka 60,000 crore but actually it can at best be 50,000 crore including Tk 32,000 crore in the private sector.

A three-year rolling plan is being adopted suspending the Fourth Plan because of its shortcomings, he added.

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Opposition demands formation of JS standing bodies

By Staff Correspondent

The Opposition Bench in Parliament on Sunday demanded constitution of standing committees of Parliament as required under the Rules of Procedure.

In reply the Deputy Leader of the House Dr Badruddoja Chowdhury told the House that the committees would soon be constituted in consultation with the Leader and the Deputy Leader of the Opposition.

Deputy Speaker Sheikh Razzak Ali who chaired the afternoon sitting said that a list of opposition members of Parliament to be nominated to different committees has already been collected by the Chief Whip of the Treasury Bench from the Chief Whip of the Opposition.

The Rules of Procedure of Parliament provides for the setting up of a standing committee for