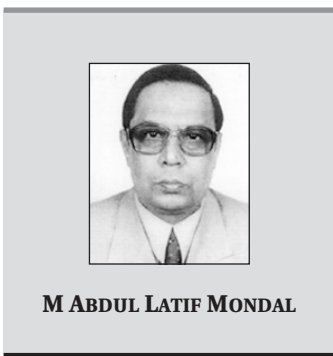


Whither consumer protection law?

Remembering Surya Sen



M ABDUL LATIF MONDAL

Consumer protection in the European Union (EU) include the basic principles namely securing consumers' safety, safeguarding consumers' interests, enforcing consumer protection rules, asserting consumer rights, working with consumers, and consumer education. On 07 May 2002, the European Commission adopted a new consumer policy strategy specifying its overall political

accepted only six. The eight basic consumer rights are as follows:

(1) Satisfaction of basic needs: To have access to basic, essential goods and services: adequate food, clothing, shelter, healthcare, education, public utilities, water and sanitation.

(2) Safety : To be protected against products, production processes and services which are hazardous to health or life.

in an environment, which is non-threatening to the well being of present and future generations.

Indian government has accepted 2nd to 7th rights. 1st and 8th rights were supposed to be covered under other programmes of government.

The consumer protection act 1979 of Sri Lanka came into effect on 1 January 1979. The act provides for consumer protec-

price spiral of commodities produced in the country, the retailers hold the wholesalers responsible; the latter shift the blame onto extortionists. For the imported goods, the importers shift the blame on the increase in prices in international markets, high tariff etc. Analysts are, however, of opinion that it is only the importers who have the means and scope to manipulate the market. It is they who set the price in the first place. An English weekly on October 7, 2005 thus wrote "Various syndicates of traders grope for an arbitrary price that will sustain demand."

Second, the people of the country have been facing serious problem of adulteration of all varieties of food. They are also victims of fake and date expired medicines and drugs. According to a front-page report carried by a Bangla daily on 1 November, 2005, there are five hundred thousand unlicensed pharmacies which are primarily responsible for selling low quality and date expired smuggled medicines. It is learnt that the draft law provides for a consumer council to formulate policies to protect consumers' rights. A consumer bureau will investigate allegations by consumers and if it finds any proof, the matter will be sent to special tribunal to be set up under the act to try the accused responsible for selling and producing fake, low quality commodities injurious to human health.

Third, provision for compensating the affected consumers by the manufacturers and sellers of fake, low quality and adulterated products will, to some extent, act as a deterrent in the manufacture and sale of such products.

Fourth, consumers need to be educated about their basic rights and responsibilities and how to act upon them. They have to be given facts that will protect them against dishonest or misleading advertising and labeling.

Fifth, a powerful lobby, according to some people, has been active against enactment of laws namely consumer protection law, and water bodies protection law. To allay this suspicion, the government should accelerate the process of enactment of consumer protection act.

Last but not the least, as a member of the UN, Bangladesh should not further delay in implementing the UN resolution on the issue.

To conclude, the proposed consumer protection law will encompass all strata of the society. The government may, therefore, consider soliciting opinion of the CAB, the civil society leaders and the media on the draft law before placing it in the cabinet meeting. The cabinet may be benefited from public opinion in according its final approval to the draft law.

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PREM RANJAN DEV

THE history of the Indian subcontinent's struggle for freedom will remain incomplete if it leaves unexamined an episode like the Chittagong Uprising of 1930. Hence the searching question: What was behind this unique phenomenon? Mere existence of common objective factors of colonial oppression was not enough. Had it been so, we would have witnessed similar resistances and similar instances of martyrdom all over the subcontinent.

The Chittagong Uprising did leave an enduring mark of our freedom struggle. The report of the Civil Disobedience Enquiry Committee set up by the British government noted: "The news of this coup, unprecedented in the annals of terrorism, gave fillip to the younger section of the revolutionaries who were already fired with enthusiasm to drive the British from India by force of arms... Recruits poured into the various terrorist groups in a steady stream and these included women and young girls."

Let us, therefore, try to find out the roots of this unique phenomenon in Bengal. Thanks to the emergence of mighty thought currents generated by the literature of Bankim Chandra Chatterjee, Rangalal Banerjee, Dinabandhu Mitra, Vivekananda, DL Roy, Rabindra Nath Tagore, Sarat Chandra Chatterjee, Kazi Nazrul Islam and others, in terms of patriotism, human dignity and sensitivity, massive cloud formations filled the spiritual and intellectual firmament of Bengal awaiting a precipitating agent to transform them into a phenomenal downpour of patriotic outbursts to secure freedom of the country. "Master Da" Surya Sen and the likes of him played a considerable role in that precipitating process.

Coming back to the Chittagong Uprising of 1930, what were the circumstances surrounding the people at that time?

This historical event in the subcontinent's eastern Port city of Chittagong overlooked the whole country by surprise. Bewildered public heard how a band of determined youths had launched an armed rebellion against the colonial overlords. Their lightning attack immobilised all the centres of Administration of Chittagong -- all the armories were in their hands ... all telegraph and telephone connections severed, railway lines uprooted ... the whole city was in the hands of the insurgents. The news hit the headlines "Is this a sort reenactment of the famous Irish Easter rebellion on Indian soil?" The news generated imaginary stories. The number of insurgents were imagined by some as '500' or even '100'. The real number of participants was about 65 only, of whom 70 percent were teenagers.

"Master Da" told man interview: "Ours is not an easy life. Our primary emphasis is quality. The role of maximum sacrifice and dedication must not be underrated. You need not rush into any decision as to whether you want to join or not. If after serious self-searching there is least hesitation, then it is far better to part company. There will be no ill feeling on our side. It

is not our aim to swell our numbers by indiscriminate recruiting. The party must be strong enough to match the challenge facing us: The fight for freedom is going to be a long and exacting struggle. There is only one way. A dedicated band of youths must show the path of all-out organised struggle in place of individual terrorism. Most of us, perhaps, will have to die in the process but our sacrifice for such a noble cause will not go in vain. Whoever dreams of a push button revolution on one fine morning on a national scale in a vast country like ours, with varied cultures and languages, is a worthless dreamer."

Owing to the determination and organisational skill of Surya Sen and his lieutenants, Chittagong witnessed the emergence of what could be truly described as an iron brigade of dedicated patriots whose motto was "one for all and all for one." It was, indeed, a unique organisation which almost emerged as a parallel local authority. There have been instances of the notorious goons and thugs not only punished with utmost severity but the leading ones even put to trial in the brigade's "Swadeshi Adalat"! On the one hand the patriotic army of Surya Sen earned



the gratitude of the victimised public at large and on the other struck terror in the underworld gangs of miscreants.

Surya Sen was born in 1894. His political life started around 1916 when he was a student of Baharampur College preparing for his graduation course. One day

the police raided the college hostel and few of his fellow resident students were searched. These suspect students attracted his keen attention and gradually he was drawn into radical politics, the aim of which was to liberate the motherland by all possible means. By then all his heart searchings were over and he was determined to dedicate his life for the cause of freedom.

The following is a brief resume of his revolutionary life:

To start with, he joined the Chittagong branch of the Indian National Congress and soon became the leading organiser of the local youth movement.

His all out participation in the first non-cooperation movement left its mark on the people of Chittagong. He effectively led the movement for the boycott of the official schools and colleges and courts and took a leading part in organising Swadeshi (National) schools of which he was the most popular "master" hence the endearing name "Master-da". His

involvement in the non-cooperation movement was extended to the field of mass movement. He and his lieutenants successfully led the Seamen's strike against the Bullock Brothers Co, as a result of which their steamships were brought to a standstill at the port of Chittagong. He also left mark in organising successfully the Assam Bengal Railway Strike in support of the national movement. These instances would show how misleading it was to brand patriots like Surya Sen and his colleagues as "terrorists" as if their political focus excluded the broader arena of mass action wherever situations were ripe for the same.

In due course, the inevitable difference cropped up between him and the leadership of the official Congress party to whom "non-violence" was inviolable. Surya Sen and his radical colleagues insisted that any colonial movement for liberation to be successful must not be fettered by any inhibiting conditions. His next task was the formation of a radical wing inside the Congress with the help of the like minded patriots -- a highly disciplined and dedicated band of youths.

He was arrested and detained as a State prisoner (without trial) in 1926 and released in 1928.

At last came the most memorable chapter of his life, the Chittagong Uprising of 1930. The first short-lived Free Provisional Government was formed in Chittagong and he was declared the President of the same. Then came the most exacting period of his revolutionary career when he led a series of guerrilla resistance, of which the pride of place belongs to the famous Jalalabad battle against overwhelming odds, thereby revealing the calibre of his leadership and stamina. Months later, no less a person than late Sarat Chandra Bose (elder brother of Netaji Subhas Chandra Bose) offered his help to arrange for his transit to somewhere out of the country for his safety. The proposal, however, was unacceptable to him. His answer was: "My place is right here in Chittagong -- here I will fight and die". He was, ultimately, arrested in 1933 and was brutally tortured and eventually tried by a Special Tribunal. The final stage of his hazardous life arrived on 12 January, 1934 when he was hanged along with his lieutenant Tarakeswer Dastidar at Chittagong.

His last letter to his comrades, written on 11th January, will remain enshrined in history as the most eloquent testimony of the excellence of his Manhood.

"Death is knocking at my door. My mind is flying away towards infinity ... this is the moment to prepare myself to embrace death as the dearest of friends. In this happy, sacred and crucial moment what am I leaving for you all? Only one thing, my dream, a golden dream, the dream of a Free India ... dear comrades, march ahead; never retrace your step. Days of servitude are receding. Freedom's illuminating ray is visible over there. Arise and exert. Never give way to despair. Success is sure to come...."

Prem Ranjan Dev is a researcher.

BARE FACTS

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How much protected is consumers' right in our markets?

approach for the five-year period, 2002-2006. It has three key objectives: (a) a high common level of consumer protection; (2) effective enforcement of consumer protection rules; (3) proper involvement of consumer organisations in EU policies.

Federal trade commission (FTC) of the US works to protect American consumers. The FTC works with foreign law enforcement agencies on investigations and cases that affect US consumers. The FTC also develops policies that promote consumer choice and encourage consumer confidence in the international marketplace, with a focus on e-commerce and emerging technologies, through international organisations.

Indian consumer got a 20th century gift from its government in the form of consumer protection act 1986 (COPRA-86) which enshrines six consumer rights and encompasses all the earlier legislations for consumer protection. The consumer rights are eight in number out of which Indian government has

(3) Information: To be given the facts needed to make an informed choice, and to be protected against dishonest or misleading advertising and labeling.

(4) Choice: To be able to select a range of products and services, offered at competitive prices with an assurance of satisfactory quality.

(5) Representation: To have consumer interests represented in the making and execution of government policy, and in the development of products and services.

(6) Redress : To receive a fair settlement of just claims, including compensation for misrepresentation, shoddy goods or unsatisfactory services.

(7) Consumer education: To acquire knowledge and skills needed to make informed, confident choices about goods and services, while being aware of basic consumer rights and responsibilities and how to act on them.

(8) A healthy, sustainable environment: To live and work

in, regulation of internal trade and the establishment of fair trade practices. The 1980 amendment of the act provides a novel feature--the consumer protection fund. Contributions to the fund come from fines imposed by the courts for offences under the act, 50 percent of the sale proceeds of any articles forfeited under the act, grants or donations to the fund, and any sums of money voted by parliament for the purpose of consumer education. The commissioner of internal trade created under the act is authorised to make payments from the fund for the promotion, assistance and encouragement of consumer organisations and for consumer education and information dissemination.

Enactment of consumer protection act in Bangladesh at an early date has become necessary primarily due to the following reasons:

First, price hike of essentials has been a matter of serious concern for the people in general and the poor and the fixed wage earners in particular. For

Will the 'peace process' remain there after departure of Sharon?

MOHAMMAD AMJAD HOSSAIN

ARIEL Sharon, Prime Minister of the State of Israel, now in coma following severe heart attacks, has been in the corridor of power for the last twenty-five years being a retired army Major General. President Bush US has expressed his concern about his health and said that he is a courageous leader who has taken some bold steps to help advance peace in the Middle East. The Press Secretary of the White House said: "Our thoughts are with the family of Prime Minister Sharon and with Prime Minister Sharon, and we continue to hope for his recovery." Even the Secretary of State has cancelled her foreign trip to Indonesia and Australia on hearing the news of massive heart attacks of Ariel Sharon which indicates the influence Sharon weighs in Washington administration. Ariel Sharon has had the privilege in calling as many as six times on the President of the United States, the only superpower in the world. On the other hand, President did not invite Yasser Arafat to the White House.

Sharon is the master mind in maneuvering politics in Israel. Likud Party is his creation but he deserted the party when the members of the party differed with him on the issue of with-

drawal from the Gaza Strip. However he did not complete evacuation of Jewish settlers from the West Bank to watch the situation in Gaza Strip. He formed a new political party: Kadima.

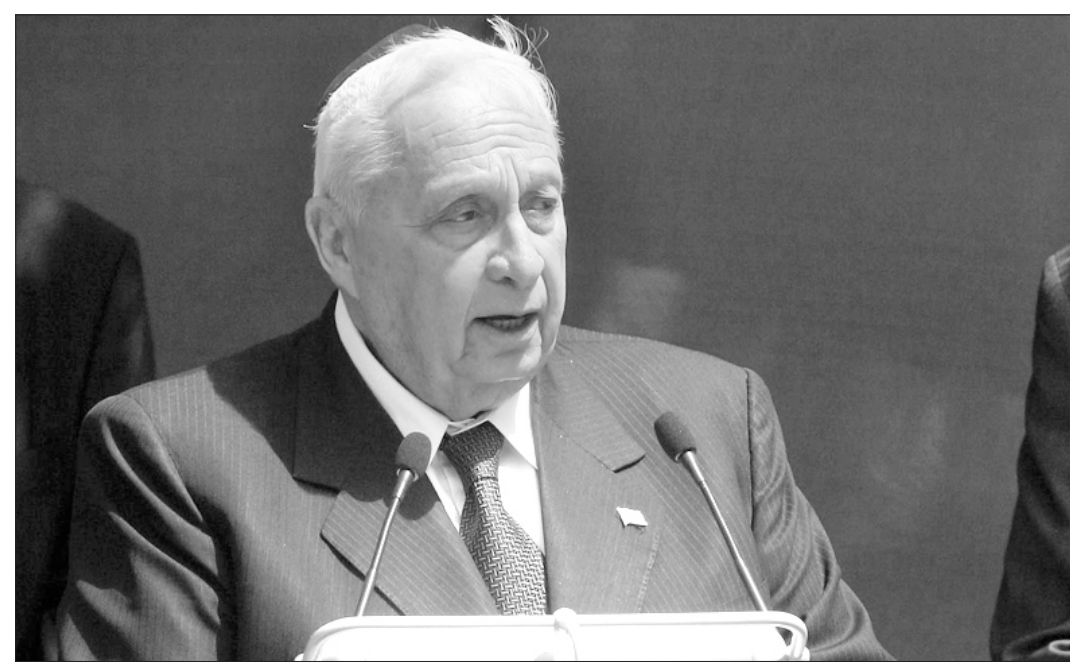
Born at Kfar Malal in post Israel on February 27, 1928 Ariel Sharon began his military career practically at the age of 14 which is unusual. He joined the Gadna, a paramilitary youth battalion followed by Haganah, the underground para military force and ultimately Israel's defence forces as military precursor. Ariel Sharon was promoted to the rank of Major General by dint of his valor and gallantry in the six-day war in 1967 which brought debacle to Arab countries, particularly Egypt and Syria, and the 1973 Yom Kippur war. Sharon commanded the most powerful armored division on the Sinai front which made a breakthrough in the Kusseima Abu-Ageila sector that was fortified. Sharon applied his intelligence by breaking the command of his superior in the battle field. The judge in the military tribunal gave credit to Sharon for his decision which in fact helped Israel to win war.

Ariel Sharon became controversial in Lebanon war in 1982 while he served as Defense Minister in the cabinet of Menachem Begin. He was

Both Ariel Sharon and Benjamin Netanyahu, former Prime Minister, are responsible for sabotaging peace plans. Reagan peace plan, Mitchell report, Tenant plan, Road map, Oslo peace treaty and Camp David plan have now been thrown into the trash bins of history. Political climate in both Israel and Palestinian controlled areas are fluid. Elections in Israel may bring another hard core politician Like Netanyahu to power. Therefore, future is uncertain for the Palestinians.

blamed for the massacre of Palestinian refugees at Sabra and Shatila camps near Beirut. That he was responsible has been reflected in the report of Israeli Kahan Commission which recommended to the Prime Minister to remove Sharon. He was removed, but remained as Minister in successive governments. Palestinians demanded his trial as war criminal. On June 18, 2001 relatives of the victims of the Sabra massacre began proceedings in Belgium court to have him indicted on war crime charges. But as the law of Belgium had changed, a foreigner could not file a case against a foreigner.

In politics Sharon was restless. After retiring from the military, he was instrumental in establishing Likud party in order to avoid joining Begin's party Herut. Likud party comprised of the liberal and independent politicians. Having elected in the Knesset in 1973 and serving for one year, he decided to quit politics. In 1977,



Sharon made an attempt to join Likud party but he was rejected. He also tried to join Labour party where he was not acceptable either. Only alternative for him

was to form a political party, Shlomtzion, which won two seats in Knesset. Immediately after the elections Sharon merged Shlomtzion with Likud

party and became the Minister of Agriculture. During this period Sharon supported the Gush Emunim (an extremist extra parliamentary group)

settlements movement which led to the settlement of Jews in occupied territories with a view to preventing return of these territories to Palestinian Arabs.

Sharon in fact increased the number of Jewish settlements in the West Bank and the Gaza Strip. While he was the Minister for Construction and Housing from 1990 to 1992 he was the key player in expanding Jewish settlements by confiscating more lands which was never seen before in Israel's history. During the same period he developed bad relations with the Prime Minister Yitzhak Shamir. Sharon wanted to replace Shamir as head of Likud party, but failed. But this arrogance implied that only Sharon was capable to wipe out 'terrorism' of the Palestinians.

Cruel, arrogant, aggressive in his demeanor Ariel Sharon was instrumental in carrying out massacres of Palestinian refugees in Lebanon and occupied Arab territories in Gaza Strip and the West Bank. Since 1982 he was bent upon to destroy infrastructure of the Palestinian Liberation Organisation. Several attempts were made to assassinate Yasser Arafat. The last day of his life was practically confined to Ramallah, the headquarters of Palestinian Authority, as a result of the

ruthless policy of Ariel Sharon after he assumed premiership in 2001. During the last half of 2002 the whole world witnessed the massacres carried out by Israeli troops against innocent people in the Palestinian controlled areas in the West Bank and Gaza Strip. The envoy of the Secretary General of the United Nations described the devastation in Jenin in particular as horrible beyond belief. He was reported to have said that the Jewish State had been morally repugnant. This could be the most notorious atrocities that had been conducted by Ariel Sharon. By his behavior and action Sharon could be compared with Hitler of Germany.

Both Ariel Sharon and Benjamin Netanyahu, former Prime Minister, are responsible for sabotaging peace plans. Reagan peace plan, Mitchell report, Tenant plan, Road map, Oslo peace treaty and Camp David plan have now been thrown into the trash bins of history. Political climate in both Israel and Palestinian controlled areas are fluid. Elections in Israel may bring another hard core politician Like Netanyahu to power. Therefore, future is uncertain for the Palestinians.

Mohammad Amjad Hossain, a former diplomat, now resides in Virginia.