

Performance of the 8th parliament

Left a lot more to be desired

THE curtain on the 8th Jatiya Sangsad (National Parliament) came down on Wednesday, 4 October, keeping the nation wondering about its efficacy in solving some of the major national problems and bolstering the democratic process and institutions. The JS faced quorum crisis for a record number of times since the very outset, and the two-thirds majority of the ruling alliance in the House did not help in solving the crisis as most of the MPs and cabinet members remained absent despite words of caution from the prime minister. The series of boycott of parliament by the opposition did little to solve the burning issues.

Speaker Jamiruddin Sircar handled the JS with a conspicuous partisan inclination, which belied the supposed neutrality of the chair. This did not help create a congenial environment for the participation of the opposition members. The opposition was audible enough throughout the full tenure of the government about the way Jamiruddin Sircar handled the proceedings of the JS but nothing could change his heart. Till the very last day he demonstrated his personal preference in full view of the nation, thereby failing to win the confidence of the opposition.

The functioning of the various parliamentary committees and sub-committees also came under severe criticism from time to time for their collective failure in solving some key issues like corruption and irregularities and ensuring accountability and transparency in administration. The failure to elect a deputy leader of the House in five years is again a mystery that will generate many debates in the days to come.

On the last day of the last session however there were claims of success in the speech of Prime Minister Khaleda Zia, in which she termed the completion of the 5-year tenure as a milestone for parliamentary democracy. Speaker Jamiruddin Sircar was quick to follow in announcing that the current parliament has passed 185 bills. On the other hand the leader of the opposition Sheikh Hasina said that none of the 2,511 notices served by the opposition for holding discussion on important national issues was accepted. She labeled the just concluded parliament as a failure.

All said and done, perhaps the tangible plus points of the 8th parliament are: it has been able to complete the full tenure of five years and that the opposition law makers including the leader of the opposition in parliament attended the last session. This no doubt gave the House a full look but how much democracy has been served by a parliament with the opposition remaining outside for a major part of the tenure remains a nagging question in everyone's mind.

Circular waterway

An important project in limbo

LAST month's meeting of the Executive Committee of the National Economic Council (ECNEC) has deferred consideration of the second phase of the circular waterway from Ashulia to Demra. The first phase of the work for a waterway from Sadarghat to Ashulia which began on 2001 was completed in early 2005. The Prime Minister inaugurated it.

An evaluation of the first phase of the project by a four-member team led by the chief of the Implementation, Monitoring and Evaluation Department (IMED) of the Planning Division revealed some flaws in the work. It particularly mentioned the construction of some unnecessary landing stations. The report recommended building of landing stations with approach roads so that people could easily reach them. It also pointed out the presence of a low bridge over the Turag at Ashulia point as a hindrance to the completion of the circular waterway channel.

Thus it is a question of correcting the irregularities and pitfalls detected in the first phase of the work rather than abandoning the whole project halfway through. After all, Tk 36 crore has been spent in the first phase. Now rectification is one part of the job but its other part relates to establishing accountability of the persons who were involved in committing the irregularities in the first place.

The second part of the project envisaging a waterway from Ashulia to Demra at an estimated cost of Tk 103 crore needs to be completed in order to reap the benefits of the first phase.

We don't know where the hitch is. The Japanese government is funding the project, but if land acquisition is any problem the government must show the necessary political will to overcome this.

The entirety of the project has a huge potential for reducing water-logging in the city through reclaimed water channels and curbing traffic congestion in the capital. So, we must go ahead with the remainder of the project before long.

Lack of power stokes fire of discontent



MUHAMMAD ZAMIR

THE general population of Bangladesh is fed up with the non-performance of the public utilities sector. The frustration is that much more for the ordinary housewife. Every television channel, irrespective of political affiliations, other than the government run Bangladesh Television, has highlighted the serious dissatisfaction that is prevalent today due to the inconsistent supply of gas, water and electricity.

This government inherited a fairly functioning utilities sector. I remember coming back to Dhaka, after retirement from Brussels in September 2002, and being pleasantly surprised with the available facilities. Brown-outs were rare. Gas and water supply were both quite reasonable.

The last four years have seen a gradual decay in management and maintenance of these utility sectors. As an ordinary citizen and a taxpayer. I do not expect too many things from the government. I have minimum demands. I look forward to a steady supply of clean water and to the continued presence of gas and electricity. I also need protection and security, vital elements that can only be assured through proper maintenance of law and order. These are essential not only for me but for everyone else.

POST BREAKFAST

We are faced today with a problem that can only increase. We are heading towards a period of transition where the caretaker government cannot, in real terms, undertake policy initiative. Consequently, power insufficiency will continue to plague the general population. We can, and must undertake expansion of power generation, in a planned manner on the basis of our domestic natural resources.

Unfortunately, what is reasonable and assured in every other civilized country, is not necessarily so in Bangladesh.

The last few months have particularly seen a steep downward curve in the power generation and supply sector. It has witnessed two changes in the portfolio pertaining to the Ministry of Power. The latest has been the relieving of Ministerial responsibility pertaining to Mr. AK Talukder, after he decided to resign (accepting blame for his ministry's failure). Admirable on the part of Mr. Talukder, but this has not helped matters.

Frequent power failures and lengthy duration of outages have added misery to daily lives, not only in the urban areas, but also within the rural community. The high percentage of humidity has only made things worse.

People of Bangladesh are known for their resilience and patience. They are poor but continue to strive forward despite many obstacles. Being traditional, religious and conservative by nature, they also accept, most of the time, deprivation as another test from the Almighty. They also rely to a great extent on the government machinery to sort out their daily difficulties.

Unfortunately, trust and confidence in the administrative process of governance has gone out through the window. This, in a manner of

speaking is sad. It is also the harbinger of evil tidings.

The last few days have seen breakdown in law and order, chaos and arson. Television footage has focused on angry protesters setting fire to vehicles, damaging windowpanes and disrupting traffic in various parts of Dhaka and its suburban areas. Mirpur, Pallabi, Kafur, Shanir Akhra, Jatrabari, Lalbagh, Jurian, Shyampur and Keraniganj have been battle-fields with thousands from the local population fighting pitched battles with the police and RAB contingents. The situation was particularly volatile in Mirpur where demonstrators went on the rampage and destroyed public property as well as the DESCO power sub-station. Photographs in the media also clearly showed vandals dismantling and removing power utility machinery.

In the wake of such attacks, DESA officials have demanded proper security. Some of them have also mentioned to the electronic media that adequate security forces must be immediately deployed in all the power outlet key point installations. I wonder why the government has not taken this precaution. They might not be able to generate sufficient electricity, but they should at least be able to guard existing installations. This was another example of administrative incompetence.

There was another disappointing feature associated with this public outcry. There was another example of blatant partisanship from the Speaker's chair in the Parliament. Opposition lawmakers from the Awami League, quite understandably, demanded in the Parliament that the government clarify the reason for the poor power situation in the country. There could have been a lively debate and the government functionaries could have clarified matters. This would have conformed to the traditions of parliamentary democracy. This however did not happen. This time round, as in the past with regard to a request for debate on the extra-ordinary rise in prices of food-stuff, the opposition was denied the chance to draw everyone's attention to the current crisis. The Deputy Speaker, who was acting as the Speaker at that time, refused the opposition the chance to hold such a debate. Such action, underlined once again, the pitfalls of a large majority and the absence of true parliamentary ethos in our Jatiya Sangshad.

It would appear that the government has failed not only to increase power generation, but has also been unable to understand the depth of public anger. Events of last week indicated that the demonstrators undertaking violent acts thought that such action was legitimate given the inability of the government in meeting their 'justifiable'

demands. Such a trend is dangerous.

In the meantime, to soothe public opinion, and to contain further instability, several decisions have been taken. The Ministry of Power has initiated steps to increase supply of power to urban areas – especially Dhaka. For the moment, Dhaka, against its total demand for 1,700 MW, will be receiving about 1,350 MW. As in the past, rural areas will suffer. So will agriculture, because of reduced irrigation.

It has also been decided that electricity supply will be suspended to big shopping malls (despite stiff opposition from shop-owners) and 'less important' small industries during evening peak hours. Bill boards will also be denied electricity as a cosmetic step. Apparently, these decisions will make available an additional 75 MW for Dhaka consumers.

All I can say is that these are but palliatives and not the solution. Aspirin can only reduce the pain but will not cure the disease.

Statistics have indicated that national consumption demand now stands at slightly over 5,000 MW. Against this background, today, generation accounts for 3,600 MW. On the one side there has been an increase of only 500 MW generation capacity over the last five years. On the other, there has been decrease in generation capacity because of breakdown of many installed units due to wear and tear. Obviously, the equation is far from being optimum. Power plants due to be put in place in Siddhirganj, Chandpur, Saidpur, Fenchuganj, Haripur, Khulna, Bhola, Bheramara, Kaplai and Bogra have not been established. Despite perspective plans, implementation of the process has stumbled.

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take policy initiative. Consequently, power insufficiency will continue to plague the general population.

There can be two solutions – go either for nuclear energy as is being done by many other developing countries or intensify electricity production through greater investment in the coal and gas sector. The first option, capital intensive, has many regulatory hurdles, but is preferable in the context of long term. The second is comparatively cheaper and possible in the shorter term.

The first step however has to be the conscious decision of the newly elected government to transfer power generation to the private sector. It will mean greater efficiency and less of systems loss – a synonym for theft and corruption. Ad-hoc measures will not do. Such a step will probably lead to higher power rates in conformity with demand and price of generation, distribution and transmission. It will increase prices, but steady supply of power will also activate industrial growth, and in turn, create employment and reduce poverty.

We can, and must undertake expansion of power generation, in a planned manner on the basis of our domestic natural resources. This will, in the long run, be better than selling our gas and coal through questionable agreements.

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ACC: Physician, heal thyself



MD. ASADULLAH KHAN

AT a roundtable conference jointly organized by the Transparency International Bangladesh (TIB) and Reporters Against Corruption (RAC) at the Jatiya Press Club, on September 17, Dr. Maniruzzaman Mian, one of the commissioners of the Anti-Corruption Commission (ACC) made some startling revelations about the ineffectiveness of the commission after two years of its inception.

After serving for two years without anything to show for it, Dr. Maniruzzaman Mian, at the fag end of the alliance rule, asked for an all-party parliamentary body probe to identify its problems. Ironically enough, it sounds like the adage: "Physician, heal thyself."

With Bangladesh being rated as the most corrupt country in the world by international watchdogs for the fifth consecutive time, and donor pressure mounting to exorcise the demons eating up vital development funds, the ruling alliance, in a face-saving measure, constituted the ACC that is still limping in absence of the laws that will infuse life into it.

What struck a chord in the citizenry is the statement that Professor Mian made: "There is complete lack of transparency in the commission." Refuting the other commissioner's claim that the ACC

BITTER TRUTH

The present government cannot possibly deny that the ACC could not make any dent in corruption because there was hardly any political will to make it fully operational. It has been reported that donors, including the World Bank and IMF, cancelled project assistance in the health, education, communication, fisheries and livestock, water resources, and environment sectors after detecting non-transparent deals and misappropriation of funds

had sent the draft of the rules to the cabinet division for its approval. Professor Mian said: "The draft of the rules is still lying with the Commission." What is apparent is that a bizarre relationship exists among the top brass in the commission, making it an unworkable and ailing organization from its very inception.

This commission was an effort on the part of the government to refurbish its image in the eyes of the donors. The World Bank and IMF threatened to block all development aid unless corruption was checked and disbursement of funds and allotment of works through tenders were made transparent. Justice Golam Rabbani, a former Supreme Court judge, said that it was simply an eyewash since there were no laws to guide the commission's work.

Against the backdrop of the fact that corruption had pervaded all tiers of the administration, making it difficult to attain pro-people growth in the country, the alliance government, with an air of a sanctimonious superiority, instituted the "independent" Anti-Corruption Commission by enacting a law, duly passed in parliament in November 2004. But the whole game proved to be an exercise in futility.

In sub-section 1 of Article 32,

provision was made to rein in the commission and its activities. It states that in filing a case the commission will need to have prior permission, and a copy of that permission has to be submitted to the court while filing a case, with subsequent clause in Rule 32(2) that says that accord of such permission would be decided by enactment of rules. And the stumbling block is Article 34, saying that the ACC can only frame rules with the prior approval of the president. And the upshot of the whole exercise is that, as per the constitution of the country, the president, while performing his responsibilities, has to work as per the advice of the prime minister.

Against the backdrop of all these noble aspirations that are included in the inception paper of the commission, the prefix "independent" sounds farcical, and the future of the commission, as everyone could foresee, is fraught with uncertainty. Most shockingly, even after two years of its inception there are no laws guiding the commission to go ahead independently. In such a situation, neither the chairman nor the commissioners thought it proper to resign from their posts. What a complete waste of taxpayer money, especially in an organization that was brought into being to stop the

looting of state wealth.

In any age, in any part of the world, unsuitable environment for work, or position without concomitant power and authority, would be reason enough for the appointees to resign. But not in Bangladesh, not at any age. The ACC, from the very day of its inception, stumbled and faced serious problems due to lack of adequate laws to deal with the corruption cases, and, as Professor Mian told the roundtable, as many as 80 cases that the ACC has filed remain pending with the court. Even when the top brass in the commission were not provided with the armour to fight the menace of corruption, but they had no guilty feelings about continuing with their jobs. Unsurprisingly, attempts to parachute political appointees into important positions, either in the ministries, or constitutional posts or autonomous bodies, have had mixed results. This is most clearly reflected in most appointments these days. During the tenure of the alliance government it was either the bureaucracy, or their chosen persons in important positions in the administration, that performed the most dirty work for their political masters.

While reflecting on the socio-economic situation in the Asian

region in recent times, Professor Jagadish Bhagawati, an eminent economist of Columbia University, suggested that political parties in our region should consider adopting the American system of political appointments in government. His reasoning stems from a realization that the so-called professional bureaucracy are either overtly loyal, or hostile, to the regime they are working with, and the result has been disastrous for the general public.

The tragedy is that Bangladeshi politics has not generated the requisite political culture to nurture the American system of political appointees who come and go with each government. The right sort of people are either not chosen, or are not attracted to the job.

Some of the appointees who have been drafted to bolster the PMO have scored more "same-side goals" than even the prime minister. To be more precise, the interference of the PMO also affected leadership in the power ministry, PDB, and power cell. The main reason why the BNP-led alliance government failed to add power plants, in response to the rising demands, is corruption.

Undeniably true, the alliance government's actions have been the subject of endless debate for the last two years. The much-vaunted action of the government in setting up the "independent" Anti-Corruption Commission has boomeranged badly, robbing the architects of their credibility. It only exposed the government's gradual U-turns, saying one thing and doing another, promising much but delivering little.

It is increasingly apparent that the men at the helm of affairs have been too clever for their own good. While speaking about the stalemate in the

ACC, our law minister, in his inimitable manner and dispassionate exposition, said in a press interview that the government has made the ACC independent and if they have failed to carry out their task, the fault lies with the persons holding positions there.

Unfortunately the distinguished personalities holding on to the jobs are tight-lipped about the limitations and inadequacies in the rules they have been provided with. But the people's perception is that, credited neither with functional nor with financial autonomy, the organization, even after the passage of two years, is in limbo and has lurched into a crisis existence. Sadly enough, one of the senior members of the BNP fold has termed the commission as a "home for the old."

The present alliance government cannot possibly deny that the ACC could not make any dent in corruption because there was hardly any political will to make it fully operational. It has been reported that donors, including the World Bank and IMF, cancelled project assistance in the health, education, communication, fisheries and livestock, water resources, and environment sectors after detecting non-transparent deals and misappropriation of funds by influential persons in the government and political circles.

The government knew that the voters were sick to death of the system of governance prevailing in the country in which nothing moved without the greasing of palms. It knew that change was desperately required, and yet it did nothing at all to change anything. It has been the same story all over again.

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OPINION

Can we hope for better?

ABMS ZAHUR

WE are puzzled as to why a controversial KM Hasan should head the caretaker government. However now that a secretary general level dialogue is on between the ruling and opposition parties we may hope for some reasonable reforms. As a former chief justice, we may assume, he understands well the implication of his close involvement with BNP in the past. He may think hard before he decides finally to accept the position if offered as the law minister is trying hard to interpret the constitutional provisions to suit Hasan and the government.

Apart from this, he assures us that being a gentleman we should not expect any misdeed from Hasan. He does not hesitate to say that as Hasan's association with BNP was long ago he may now be treated as a "non-party man". Question naturally arises as to why BNP is so serious about protection of 'neutral character'. If so then does it need so many artifices like politicised bureaucracy, police force (particularly those recruited since 2001 and 2006) – (more than 10,000), lower judiciary-influenced Election Commission

Consider the performance of the bureaucracy during these years. A bird's eye view will reveal that there has been serious erosion of efficiency of bureaucracy. Take the case of police. They show perhaps more loyalty than public servants of other departments to the party/parties in power. However, usually those showing too much of loyalty have to pay heavily.

and the prospective chief advisor, CTG? Running the administration of a least developed country is indeed a difficult task. In a permanent bureaucracy it is not so easy to obtain always blind support even when a bureaucrat faces dismissal because of committing major offence. A corrupt bureaucracy is more interested in graft than performance of service. When such people take decisions, they have the tendency to flout rules and regulations.

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power. However, usually those showing too much of loyalty have to pay heavily. As we see, it may be a big headache for Hawa Bhaban to allocate seats among alliance partners, junior and senior leaders of BNP (and perhaps JP). Incumbency factor can also not be ignored. Added to these are poor performance of CEC and ECs resulting in rejection of controversial voters' list by the common people. The situation assumes further gravity with unprecedented price hike, too frequent power outages, stiffening attitude of the donor countries and agencies. If no understanding can be reached through the dialogue within a short time more problems will prop up.

The appointment of Justice KM Hasan

to the position of chief advisor, CTG will further deteriorate the political atmosphere as the 14-party alliance cannot accept his 'neutrality'. He may be a very competent judge (as stated by the law minister), but he failed to carry out his duty as he felt too embarrassed to preside over the hearing of Bangabandhu Murder Case. The law minister tried hard to defend Hasan. To him, Hasan should be acceptable because prominent lawyers like Dr. Kamal Hossain and Rokonuddin Mahmud never complained about Hasan's integrity. But argument of law-maker Suranjit Sengupta appears to be stronger and acceptable. A person once politicised must be regarded as politicised forever. We wish reason and prudence prevail in the dialogue.

Meanwhile, if Hasan declined the offer then the President may initiate actions as per the constitution. Awami League may accept any other qualified person. This will solve the crisis.

ABMS Zahur is a retired Joint Secretary.

Requisitioning private vehicles

ABU IMRAN

I am not aware about the genesis authorising the police to grab or requisition vehicles privately owned by people. It is a direct infringement of one's democratic right. Perhaps it could be possible by the colonial rulers in the long past to requisition or grab private properties. Then it was understandable as the relationship at that time was that of master and servant. But in the democratic situation, such kind of practice is unthinkable. Long ago it should have been done away with. Instead it is in vogue causing a lot of suffering to the owner besides causing damage to the vehicle itself. Some time back the vehicle of the office I work for was abruptly grabbed by the police in the name of requisitioning for the so called public interest. It is not understood how the cause of public interest would be served by depriving a member of the public? It is a common knowledge that such deprivation causes immense inconvenience as the public transport system in Bangladesh is in total mess. One has to

wait and wait for a bus to board. If at all one comes, it is normally over crowded and one has to fight his way into the bus. Those who can somehow afford to pay for a cab or CNG auto-rickshaw are not always helped. They have to be dependent on the sweet will of the drivers. Firstly they don't want to go for a short distance. Further, usually the auto-rickshaw drivers ask for extra amount above the metered fare or an exorbitant lump-sum, not metered fare. This is unethical and nuisance which must stop. Fares are already high if we consider the gas price. Then they won't go to a destination which they consider not worth going. Even they refuse to go to attend to emergency situation like going to hospital or clinic. At least I faced their refusal several times. Their attitude perhaps has further hardened following rickshaw ban on a good number routes. Thanks to the authorities that they have not put the ban order on rickshaw on all routes. I am sorry to say that it is really foolish and unwise to do away with an established system without making an alternative arrangement. Rickshaw could be an evil

but it is a necessary evil in Bangladesh situation.

Of course all the ills mentioned above can't be addressed in one go or within short time. The minimum favour that can be done in the interest of justice and fair play is that the requisitioning of private vehicles should be immediately stopped. By doing so, the government surely would earn appreciation of the people for physically restoring the fundamental democratic right of an individual to property and freedom of movement.

It may not be out of place to mention and suggest that when the government would be faced with emergent situation needing vehicles, they can requisition the vehicles of sub-ordinate offices, autonomous bodies or hire vehicles from the providers. This will disturb nobody and purpose of the government be easily served.

Abu Imran is a retired govt official.