

# The Daily Star

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## Solving Dhaka's perennial waterlogging

*City corporations can take the lead, engaging others in the process*

OUR two Dhaka city mayors have expressed their wish to take over the responsibility of drainage management from Dhaka Wasa in a bid to end the capital's perennial waterlogging problem. While we appreciate their enthusiasm to solve this long-standing issue, we would like to remind them that they must engage with all other organisations tasked with managing drainage to rid the city of its waterlogging woes. As Transparency International Bangladesh has pointed out, there is a culture of lack of coordination, unhealthy competition, and shifting blame, among different authorities, which compounds the problem rather than solve it. This culture must be broken if we are to expect any change of the situation in the future.

The two mayors recently criticised the Water Supply and Sewerage Authority (Wasa) and Bangladesh Water Development Board (BWDB) for their failure to solve this recurring problem, including their ineptitude in properly cleaning the canals, drains and box culverts and pumping out storm water in time after rain. While the lack of capability of Wasa and BWDB has been criticised by all, the two city corporations must also be questioned for their failure in drainage management and waste disposal, as they could not ensure that the 2,500km of drains under their jurisdiction are waste-free or operational.

Although giving the DNCC and DSCC the full authority in this regard could be a possible solution, that would only work if they can actually coordinate with six other organisations who are also involved in the process. Moreover, in order to prove their capability and efficiency, the two city corporations should first deliver on their expected duties as per their legal mandate.

If given the responsibility, the city corporations will need all the manpower and equipment from Wasa and will have to be given jurisdiction over not only the canals but also the banks of the canals from the deputy commissioner's office so they can protect them from encroachment. And since conservation of water bodies—rivers, canals, wetlands, water retention areas, and flood flow zones—are all vital for drainage of storm water, working in coordination with Rajuk will be necessary to save them from being grabbed. Dhaka has already lost around 50 of its canals that once played a crucial role in its drainage system. They must be recovered through proper coordination and action. Rajuk and the city corporations must work together to implement the detailed area plan.

Therefore, there should be no doubt that the city corporations alone cannot perform this huge task. But they can surely take the lead through proper legal reforms and coordinate with all the agencies concerned to save Dhaka from its recurrent waterlogging problem.

## Pandemic far from over in Bangladesh

*Authorities must take immediate steps to reduce community transmission*

IT has been almost six months since the first known case of coronavirus was reported in Bangladesh. Despite a lockdown that the authorities insisted on calling a "general holiday" and half-hearted attempts at localised lockdowns in areas identified to be hotspots, it was not possible to stop community transmission. The official cases of coronavirus have now gone past three lakh infected, although research done by various organisations, including a joint IEDCR-ICDDR,B survey, estimate that the actual numbers of infected could be six times higher in the capital alone. In the past month, an average of 40 people have died per day.

Despite this, travel restrictions have been relaxed all over the country, with shops and offices opening up and people going about like before. The health minister even went as far as to callously remark that coronavirus will leave the country on its own accord, regardless of whether a vaccine is found or not. However, experts have recently warned that the real scenario is the polar opposite—without proper measures to curb transmission, there is no possibility of the coronavirus outbreak in Bangladesh coming to an end any time soon. In fact, because of this sense of fatigue towards the response to Covid-19, not just from the authorities but from the general public as well, the situation is likely to become even more dangerous. This was confirmed by the additional director general of the DGHS, who said that if social distancing and safety measures are not strictly followed, it will not be long before transmission increases.

Throughout the pandemic in Bangladesh, we have often seen such conflicting statements come from different arms of the authorities, with the health ministry and the DGHS rarely being on the same page. How can we expect ordinary people to take safety measures seriously, when the health minister himself is making such misleading statements? We urge the government to ensure that all authorities involved take the situation seriously and come up with coordinated policies to reduce community transmission of coronavirus before it gets out of hand. There must also be continuous public information campaigns to spread awareness on coronavirus safety measures.

A report in this daily from yesterday quoted several doctors on a lack of clear data on coronavirus deaths at home as well as cases of rising respiratory infections across the country. There must be a country-wide survey and analysis of all of these cases to understand the true extent of transmission. This situation cannot be assessed without mass testing, and the authorities should immediately ramp up antigen or antibody based rapid testing in communities to take policy decisions that are informed by proper research and data. In all of this, the government should be guided by the experts, who have already warned of bitter outcomes if the government chooses to reopen everything while safety measures are flouted.

# Can more laws save us from becoming a corrupt state?

THE OVERTON WINDOW



ERESH OMAR JAMAL

BY using shell companies and moving money from one account to another, Prashanta Kumar Halder laundered at least Tk 3,500 crore out of the country and is now enjoying his life in Canada.

In his tracks, PK Halder left four non-banking financial institutions (NBFI) in ruin, and in case you were wondering why he chose four NBFIs instead of banks, the answer could be because many of our banks' vaults may very well be empty already.

After all, as this newspaper reported on August 16, financial regulators and government organisations are still struggling to recover Tk 18,253 crore that were embezzled in five of the more spectacular financial scams involving the country's banks. Even that aside, the financial sector is reeling from huge defaulted loans.

As the report also mentioned, the prime suspects in some of those cases were not even the main accused in the lawsuits due to them being connected with influential quarters. So can you really blame PK Halder? If all those crooks got their share, I bet Halder must have thought, "why not me"? "I'm a crook too." This is what happens when you sit idly by while delinquents rob the public exchequer.

On January 8 this year, the Anti-

*Halder could not have committed the crimes all on his own, neither could he have perpetrated them with just one or two accomplices. Clearly others were involved in them—we are talking about Tk 274.91 crore after all.*

Corruption Commission filed a case against Halder for amassing property worth around Tk 274.91 crore from unknown sources. Upon digging deeper—a bit too little too late, mind you—the Anti-Corruption Commission unearthed that Halder's shell companies had borrowed massive sums of money from the NBFIs without collateral, "perhaps" because he owned shares in those NBFIs.

This, too, is an old story. It was similar corruption that had previously led to another NBFI—First Finance—being unable to maintain its mandatory cash reserve with the central bank. As well

have perpetrated them with just one or two accomplices. Clearly others were involved in them—we are talking about Tk 274.91 crore after all. In this connection, the ACC has summoned multiple people for questioning. Let's hope that this time they catch the perpetrators before they launder all the money and themselves, out of the country.

Undoubtedly there is something wrong in our system which is letting such huge amounts of money to be siphoned out of the country. For example, it was the ACC's blunder which allowed Motazzaroul Islam Mithu, who has several medical equipment supplying companies

847,500). Had the ACC been more proactive, it is possible that Mithu could have been exposed long ago. However, given the ACC's lethargy, Mithu managed to continue amassing wealth and in 2016, his name surfaced in the Panama and Paradise Papers leaks—and it is quite likely that he has laundered huge sums of money out of the country.

A Global Financial Integrity report ranks Bangladesh as one of the top countries facing trade-based money laundering (TBML), which is a significant threat to growth and sustainable development. It estimates that some USD 3.1 billion, or Tk 26,400 crore, is being illegally remitted from Bangladesh a year. To address this, the government is expected to tighten tax rules soon—and taxpayers who inflate values of goods when declaring investments in their tax returns will have to face a hefty fine. But will that be enough? What about those who are defrauding banks and NBFIs—and particularly those with "political connections"—and laundering the money they have hollowed out of them?

The problem is not only a shortage of regulation, but a lack of their proper application, equally for all. As Tacitus, the famous Roman historian and politician said, "the more corrupt the state, the more numerous the laws". And Bangladesh seems to have become a prime example of what he was referring to.

As long as the authorities turn a blind eye to "some" because of their "political connection", many more who are perhaps not as well connected—and therefore have to flee to some foreign country after robbing banks, NBFIs or other institutions, instead of taking over banks or public offices in the country—will continue to follow in their footsteps. In the meanwhile, huge sums of taxpayers' money will continue to get drained from the economy, causing enormous damage to Bangladesh.

Moreover, it is not only the perpetrators of these crimes that must be held accountable, but the regulators who "fail to notice them on time" and either stop them or apprehend the criminals, who must also be punished. Along with those "connected" individuals who try to influence the regulators—as it is mainly this practice that has made our regulatory bodies toothless.

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as the corruption that nearly sank the Farmers Bank ("Banking Sector: A house of cards", *The Daily Star*, December 27, 2017). Yet, our banks, NBFIs, and the regulators seem not to have learned any lessons, which gives the impression that either they are extremely slow learners (very unlikely) or simply don't want to learn (more likely).

Nevertheless, one mustn't take any credit away from Halder for being a dedicated and expert criminal. He took years to amass his wealth through one fraud after another. He bided his time, and took the opportunity of having people like one of his cousins, and a former college being in key positions of the institutions he robbed, to rob them.

Halder could not have committed the crimes all on his own, neither could he

including Lexicon Merchandize and Meditech Imaging Ltd, to take over control of tenders in the health sector. In 2013, serious anomalies in the health sector led the ACC to ask Mithu to submit a wealth statement following the allegation that he had amassed wealth of about Tk 50 crore beyond the known source of income. But he did not bother to respond to the notice.

Later on, his syndicate looted about Tk 450 crore without supplying any medical equipment to the Shaheed Suhrawardy Medical College and Hospital, according to a letter issued to the public administration ministry on May 30. According to a US-based real estate information providing online service, in 2014 Mithu bought a villa in New York spending Tk 6.6 crore (USD

## Policing the police

STRAIGHT LINE



MUHAMMAD NURUL HUDA

FOLLOWING the death of Major Sinha in circumstances indicative of collusive criminal behaviour of some apparently errant police personnel along with other delinquencies of lawmen elsewhere in the country, well-meaning citizens have expressed their apprehensions about control and accountability of our police or the lack of it. Academics refer to an expression called "Quis Custodist Custodes", meaning who will police the police?

In a modern democracy, under the separation of powers system, all three branches of the government can exercise a form of constraint over the police. The executive exercises financial control and appoints key functionaries. The legislature can define powers and restrictions on those powers and include in Police Acts or other statutes discipline codes and regulations. The judiciary, too, can exercise some control over police by setting precedent which establishes acceptable police practice.

It would appear that police are constrained rather than controlled by the legislature, judiciary and executive, and within those parameters police retain the right to carry out their task as they choose. At the extremes, the independence of police from any control and absolute government control of police are both undesirable.

The media also has considerable power to hold both individuals and groups accountable, and police are no exception. Painstaking investigative journalism can shine a light into dark, corrupt corners and keep it there until something is done about it. The media has an important role in maintaining the style of policing acceptable to the public. Public perceptions are largely determined by the media.

The courts have significant power to affect police behaviour. It may monitor police behaviour and use power to exclude evidence in order to impose sanctions on police behaviour. If courts do not accept particular practices as a fair means of obtaining evidence, then police will be forced to obtain evidence by using means which are acceptable to the court.

The death of Major Sinha has been described as an isolated incident. However, it has to be noted that for delinquency to thrive in an organisation, it is not necessary for all to be deviant,

or even the majority; all that is needed is for there to be a sufficient number of individuals in key positions so that they can keep the rest in line, order the honest away, and divert those in higher authority from the fact. Diverting the authority is made easier if the fact is something that those in authority have no wish to hear. It also needs to be impressed that any government not involved in police deviance but strongly supportive of its police should strive to reduce allegations of police malpractice.

There is no clear defining point at which the malpractices that have come to notice can no longer be considered to be isolated incidents or the deviance of "a few rotten apples in the barrel", but has escalated to be indicative of a general malaise within the police organisation.

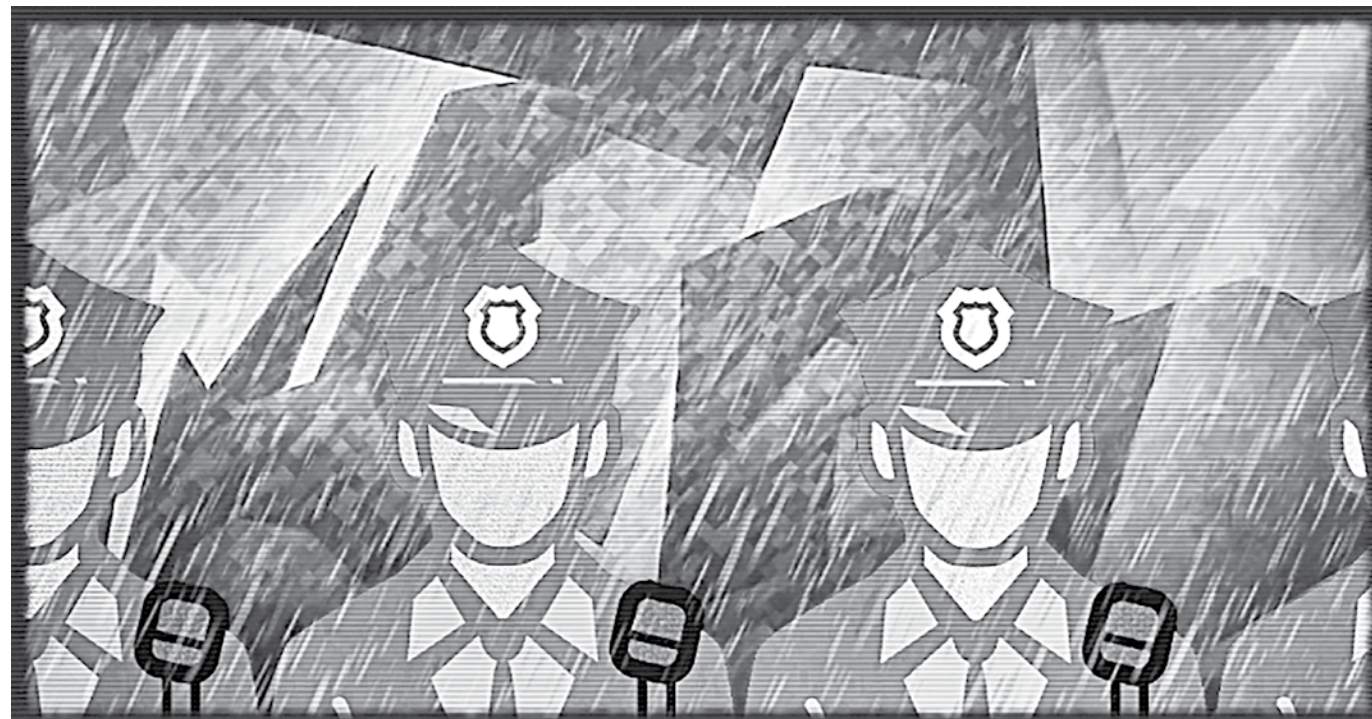
Investigation of complaints must not only be carried out fully and fairly but also be done and seen to be done.

Individuals in Bangladesh have a right to expect that if police behaviour toward them is sufficiently bad, avenues exist whereby complaints can be made and possibly disciplinary proceedings follow against the offending officers. Public confidence in a complaints investigation system comes from the knowledge that any complaint will be rigorously investigated. This perception is an even more important issue since there is a very real public fear that complaints against police will not be taken seriously and that serious matter will be covered up by an internal investigation.

In Bangladesh public confidence will

behaviour such as police integrity, the manner in which incidents are generally handled including the amount of force it finds acceptable and unacceptable in carrying out police duties and the interpersonal skills used by police in their dealings with the public. It has a right to have its voice heard, and the requirements of society with the regard to policing method and standard must be satisfied.

The mechanism of last resort for a police organisation to be held accountable to the general public is by means of some form of judicial inquiry or commission into policing. In instances of improper and illegal detention, the Apex Court have the jurisdiction to compensate the victim by awarding suitable monetary compensation.



In Australia, Britain and America, police organisations have all been subject to external investigation by public commissions which normally publish a report at the conclusion of the taking of evidence or submission.

An essential safeguard within policing a democratic society, which gives the public confidence in its police, is the existence of a fair and effective procedure for complaining about individual instances of alleged police misconduct, and having those complaints properly investigated and resolved. As with much of crime and policing, the public perception that the system is fair and efficient is as important as the objective

increase when the police complaints system will provide for an external body to supervise an investigation, or to review the evidence and conclusions drawn by police investigations, especially when this body shall have the power and the will to carry out an impartial review and order a re-investigation if necessary. In Australia and Britain, statutory bodies have been established to oversee internal investigations of complaints against police. In those countries there exist a review board with non-police community representatives to make decisions on the disposition of the complaints.

The society as a whole is deeply concerned with the standard of

Any system of police accountability will ultimately require legislative force. Whatever system of external supervision of police complaint is used, all systems need legislation to establish both police and public powers and duties, rights and obligations with regard to complaints investigation. If police are to be accountable to the public by a system of consultative committees, these will work best if they are established according to parameters led down by legislation. All these initiatives would demand persuasion by government and debates in many forums including the parliament.

Muhammad Nurul Huda is a former IGP.