

The Daily Star

FOUNDER EDITOR
LATE S. M. ALI

DHAKA TUESDAY DECEMBER 22, 2020, POUSH 7, 1427 BS

The urban poor continue to go hungry

The pandemic has made things worse

IT is widely known that hunger is a regular feature for the urban poor that causes chronic malnutrition and consequently makes them vulnerable to diseases, thus affecting their overall well-being. Now, a Bangladesh Bureau of Statistics survey has quantified the level of hunger urban households must deal with. The study has found around 12 percent of households surveyed had no food at all in the house, with eight percent going to bed on an empty stomach and over 21 percent not being able to eat what they preferred. Conducted last year, some of the findings from this survey reveal the dire situation that many people in cities such as Dhaka and Chattogram face. And this was a pre-pandemic study—we can only imagine how much worse the situation is now because of joblessness caused by the sporadic shutdowns.

Many in the low-income groups had their incomes fall drastically, and others became unemployed and had no food stock during the 66-day countrywide shutdown that started on March 26. A Brac survey conducted during the first month of the lockdown found that 14 percent of people in low income groups did not have any food at home. Thus, food security for these people has decreased during this year, which is something the government must address on a priority basis.

The survey has also found that urban households spend as much as 51 percent of their total expenditure on food, followed by rent and healthcare costs, which are around 26 percent. Most households have no savings and completely rely on the incomes they earn. Dhaka city is notorious for the high rents that even the poorest urban families have to pay. While jobs have come back with easing of the lockdown, the urban poor are still suffering from hunger.

This is unacceptable for a country that has managed to keep food production at pace with its population growth. The government, in fact, has been able to ensure food production even during the pandemic as well as during the floods, when crops were destroyed. Yet despite such commendable efforts, there is a gap in the distribution of food, especially when it comes to the urban poor.

The government must identify these households and provide food relief or make cash payments to poor urban households who are finding it increasingly difficult to afford their daily food requirements. The authorities, however, must be extra vigilant about irregularities in such distribution, the evidence of which has been ample in the past months, especially in the case of rural households. A proper system of registering the names of such vulnerable families, making a list and distributing this relief according to it with vigorous monitoring, can bring some solace to the urban poor whose miseries have been exacerbated by the pandemic. There is also a need to have a comprehensive study, as the one done last year, on the state of hunger among the urban poor in the year 2020. These studies are extremely important for planning and policy-making, and assessing the real picture of poor households.

Bringing middlemen under a legal framework

It is essential for safe migration

IT is good to know that the government is considering bringing informal grassroots service providers, known as middlemen or sub-agents, into the labour migration sector under a framework to tackle fraudulence. These informal service providers are not recognised by our laws, despite the fact that they are an integral part of the labour migration cycle. According to a joint report of the International Organisation for Migration (IOM) and the International Labour Organisation (ILO), our migrant workers take the services of the middlemen because of a major gap that exists in the government's pre-departure services to the migrants. They provide at least a dozen types of services to migrant workers—they assist the migrants in preparing necessary documents, collecting smart cards, processing passports, etc, and also accompany the workers to the airport. However, a large number of migrant workers are being cheated by them in the process.

Although the middlemen provide a great service to our migrants, there are widespread allegations that remaining under the shadow of unscrupulous recruiting agencies, they often take large amounts of money from unaware migrant workers, giving them false promises of jobs. Reportedly, many of them are even involved with national and transnational trafficking gangs. According to a survey done by the Refugee and Migratory Movements Research Unit (RMMRU) of 5,407 households in the high migration-prone district Tangail in 2017, 19 percent of people could not avail overseas jobs despite paying Tk 1.95 lakh each on an average. And most of them paid the money to the middlemen.

Since our migrant workers depend on the informal agents more than authorised recruiters and state institutions, the government should find a viable option to hold these middlemen accountable. They should be brought under the coverage of the Overseas Employment and Migrant Act 2013 and other government regulations to ensure safe migration. Moreover, by bringing them under a legal framework, the trafficking of our workers can be checked and the overall migration costs can also be reduced. We hope the government will waste no time in doing the needful in bringing the middlemen under a legal framework.

LETTERS TO THE EDITOR

letters@thedailystar.net

Stop border killing

Killing of unarmed, innocent Bangladeshis by the BSF on our borders has increased in recent times. Despite repeated assurances by the Indian authorities to stop border killing, the situation has not improved. Such behaviour by BSF is unacceptable. Many high-level discussions have been held between the two countries, but with no results. We are seriously concerned about the security of our people. It is high time we sought the intervention of the UN to stop border killing once and for all.

Foyсал Mahmud, University of Dhaka



C R ABRAR

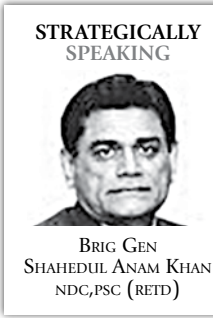
THIS has happened for the first time in Bangladesh's history. Last week, a group of conscientious citizens called on the President of the Republic to form the Supreme Judicial Council (SJC) to investigate allegations of graft and other misdeeds committed by the incumbent Election Commission (EC). An eight page memo was attached to the appeal, detailing the alleged gross irregularities committed by the chief election commissioner (CEC) and other members and high officials of the Commission.

Article 96 of Bangladesh's Constitution provides for the formation of the SJC, comprising of the chief justice and two other senior-most judges of the Appellate Division of the Supreme Court, to probe allegations against Supreme Court judges, the Election Commission and other constitutional bodies, and recommend removal of individuals involved in the allegations. The concerned citizens were firm in their conviction that "the allegations against the present EC will be found true in the probe".

At a press briefing after releasing the contents of the appeal, the signatories stated that "the current EC has broken the record of corruption, irregularities and misconduct compared to that of previous ECs". They went on to claim that through its conduct, "the EC has betrayed the blood of the Father of the Nation and freedom fighters and let down democracy". The Commission members and the chair were called upon to voluntarily refrain from conducting their activities pending the investigation.

The members of civil society alleged that the EC spent Tk 2 crore for delivering speeches as "special speakers" and Tk 4.08 crore in recruiting staffers for the Commission. Gross misconduct and irregularities were also committed in the purchase and use of electronic voting machines, and holding the 11th parliamentary elections, and also elections to Dhaka North and South city corporations and Khulna, Gazipur, Sylhet, Barishal and Rajshahi city corporations. The allegations were firmly shored up with evidence.

The petitioners noted that with the current EC at the helm, the country is in a deep crisis. They felt at this critical juncture, the nation looks up to its



BRIG GEN SHAHEDUL ANAM KHAN
NDC, PSC (RETD)

THE Department of Social Welfare (DSW) vide their letter of December 14, 2020, "temporarily dismissed" the Executive Committee (EC) of the Retired Armed Forces Officers' Welfare Association (RAWOA) and replaced it with a five member committee consisting of two serving army officers—a Brigadier and Major respectively, a retired member of RAWOA of the rank of Major, and two civil cadre officers of the rank of Deputy Secretary. RAWOA is registered with the DSW. There is yet another letter from the Ministry of Defense (MoD), on which we shall also dwell.

Needless to say, this was an unprecedented, unforeseen, and, for most of the members of the community of retired officers, an unexpected step. I am constrained to articulate my feelings on the matter, aggrieved by the arbitrary action of the DSW not only as a member of RAWOA for the last 20 years, but also because of my concern as an ordinary citizen of Bangladesh at the abrupt action of the DSW. The DSW has thousands of associations and organisations under it. Is this the normal procedure for dealing with alleged procedural flaws? It does not need repeating that RAWOA is an association whose membership includes retired armed forces officers. Highly decorated Freedom Fighters and war veterans are members of this association. RAWOA is graced by officers who had offered their lives for the independence of this country and to its service.

My anguish is at the manner of "dismissing" a body duly elected by retired members of the armed forces of Bangladesh, which numbers more than 4,000 members. Was dismissal of the EC the only option open to the DSW? It was an elected committee by members of a private association. It is answerable for its operation to the DSW, run as per its guidelines and as per rules and procedures deemed appropriate, formulated by it and adopted by its members, conforming to the law of the land in the conduct of its activities.

Citizens' petition on the Election Commission

Accountability strengthens democracy

guardian to act as s/he enjoys immense moral and legal authority. They felt that the list of alleged wrongdoings of the EC only reveals that it was not a single act of omission or indiscretion, but a series of misconducts and other irregularities that the EC resorted to since taking office. Thus, finding no other recourse, the group appealed to the President.

The petitioners did not merely express apprehension of the EC's misconduct and irregularities; they furnished documentation to substantiate their claim. Included among those are excerpts from statements of the CEC and other commissioners, secretary of the Commission, facts and figures provided by the EC on the 2018 elections in response to a petition filed under the right to information act by Citizens for Good Governance (SHUIJAN), and reports

to *Bangladesh Protidin*. Thus, examples of such irregularities have convinced the petitioners that an investigation by the SJC on the allegations would lead to the impeachment of the election commissioners.

The petitioners pointed out to the President that the EC failed to take action for breach of election code in pre-election periods and during election violence and gross irregularities. It also failed to provide any explanation about the inconsistencies in vote counts, including 100 percent casting of vote in as many as 213 centres during the 2018 elections. No less significant was the data released by the EC that in 590 centres, all votes were cast in favour of a single candidate. The EC's inability to clarify was palpable in the mismatch of number of votes between those signed by the Returning Officers on



PHOTO: REUTERS/MOHAMMAD PONIR HOSSAIN

A woman displays her inked thumb after casting her vote at the 2018 general elections, which the petitioners allege were marred with irregularities.

carried by credible media establishments that were not contested or challenged by the EC. The appeal was not premised on a normative ground but was on robust pillars of the Constitution, the supreme law of the land.

Anyone with rudimentary knowledge in state matters knows that receiving money in exchange for anything other than salary and allowances while holding constitutional positions is a clear violation of Article 147(3) of the Constitution. Appropriation of more than Taka two crore without delivering lectures surely constitutes gross misconduct.

One of the commissioners had alleged that in November 2019, the CEC committed irregularities amounting to Taka four crore in appointing employees of the Commission. Likewise, using a vehicle in addition to the two allotted, some commissioners squandered state resources, according

the polling day and the centre-wise data that was made available subsequently. In 32 constituencies, there was a rise in the number of votes (45,596) and in 19 other constituencies, there was a drop in votes by 5,820. There was a staggering 30 percent difference in voter attendance between those centres where electronic voting machines were used and those where ballot papers were used. In the final segment of their plea, a range of irregularities in holding city corporation polls of Dhaka (north and south), Khulna, Gazipur, Sylhet, Barishal and Rashahi were cited. The petitioners felt all these constitute grave misconduct by the EC.

The citizens' plea has received widespread coverage in print, electronic and social media, triggering a range of responses. Many found it as a much-needed civic assertion against rampant wrongdoings by state institutions. They felt it may mark the beginning of non-

A sad day for RAWOA

The Association was formed in March 1982 by a handful of retired military officers that comprised of persons of the ranks of three star generals as well as captains and of all ranks in between. It is a voluntary association, and as the name suggests, dedicated to the welfare of retired armed forces officers. The association is run, like other similar private organisations, by an executive committee headed by a chairman, a senior vice-chairman, a vice chairman and other

My anguish is at the manner of "dismissing" a body duly elected by retired members of the armed forces of Bangladesh, which numbers more than 4,000 members. Was dismissal of the EC the only option open to the DSW?

office bearers, elected annually by its members through free and fair elections, a process that has never been questioned for its transparency and fairness in the 38 years of its history. The Association is run under a constitution passed by the general members, and approved by the DSW. It is amended as necessary from time to time in similar manner. Officers like General Wasiuddin, Jabbar, and Khalil etc, had graced the post of Chairman.

Three reasons cited for the step taken are, "Not approving the Executive Committee, not sending the yearly report regularly, and, not communicating for a long period with the registration authority."

I believe as a RAWOA member, I am within my remit to ask if the reasons cited in the said DSW letter merit the extraordinary action that it has taken. Did those necessitate the dismissal of the entire EC at the stroke of a pen, a body that was duly elected by members?

Admittedly, the DSW has all the authority to take actions that it deems necessary for any act of commission or omission of the EC. But, is dismissal the very first action that is adopted by a government department in dealing with alleged lapses by agencies or associations under it? Were all the due processes employed before such a precipitate action was taken? Didn't an association like RAWOA deserve a modicum of deference? May I ask, if it was necessary to dismiss the EC at all, were there no other retired officers amongst the 4,000 members of the association, to fill the five posts of the ad-hoc committee?

Would I be remiss in asking if the EC was given a show cause notice about the three points mentioned in the referred letter of DSW? As far as I have learnt, nothing of the kind was done. If "not approving the Executive Committee, or not sending annual report" are acts of omissions, how long has that been going on for? And how many times had the DSW reminded the EC of the omission before sacking it? After all, it is as much the responsibility of the supervising authority to warn an organisation registered with it for non-compliance or violation of rules or regulations as much as it is the duty of that association to comply with those. Was that done? As far as "not communicating for a long period with the registration authority", I believe the latest communication between RAWOA and the DSW was through a RAWOA letter of November 25, 2020. What, may one ask, is the DSW definition of "long period"?

But this is not where the RAWOA saga ends. There is a letter from the MoD to the DSW on December 10. What is surprising are the directives contained therein, directing the amendment of the RAWOA constitution to include—firstly, the provision for nomination, not by direct vote, to the EC posts of Chairman, Secretary General and Member Beverage. The three would be nominated from the "willing" members of the association. Secondly, the other posts would be filled by direct vote. Thirdly, the post of the Chairman can be filled only by members of the rank of brigadiers and above. Fourthly, reformulating the articles of the constitution to lay out qualifications for participating in the election, and last but not the least, making provisions for cancelling the membership of officers declared persona non-grata (PNG) on disciplinary grounds.

violent resistance by the effectively disenfranchised common citizens. Unfortunately, some ruling party leaders have viewed it otherwise. The citizens' group was branded as belonging to the Bangladesh Nationalist Party (BNP) *gharana* (school) and it was asserted that many of them are known for their "anti-government" leanings. It has been claimed that what the group has suggested essentially reflects the BNP position.

The response is not surprising. The spectrum of the legion that signed the petition adequately reflects their diversity of ideological moorings and political orientations. Included among them are self declared Awami League sympathisers, freedom fighters, retired senior civil servants and professionals with impeccable credentials, eminent jurists, rights workers, corruption crusaders and development practitioners. If they had anything in common, it was their concern about the gradual emasculation of the constitutional bodies such as the EC and the erosion of civil and political rights, including the right to franchise.

The EC is an independent body. The 42 citizens have alleged wrongdoings against the persons currently staffing this important state institution. As conscientious citizens, they have exercised their right to express their opinion and communicated their concern to the head of the state.

The EC is not an organ of the government and therefore, the government has no reason to defend the EC. There is no scope to make this an issue between the government and the opposition or the government and dissenting intellectuals. Those in government need to understand that even if the SJC finds the EC guilty as alleged, results of their actions, including that of holding questionable elections, cannot be undone. Therefore, it will be good for the democratic journey of Bangladesh if the executive refrains from intervening in a matter pertaining to private citizens and the President.

The petition of the 42 concerned citizens has opened a new vista in Bangladesh's political history. For the first time active citizens, the real upholders of democracy, have implored the head of the state to trigger Article 96 of the Constitution to protect a vital state institution. One hopes that the President sees the merit of the petition and carries his pledge to honour and protect the Constitution.

.....

C R Abrar is an academic with interest in migration and human rights. He is a signatory to the petition sent to the President on December 14, 2020.

I fail to understand the rationale of the directives. Why the nomination and that too, to the three posts only? Would persons so nominated be answerable to the association or to the authority that has nominated him/her? And what if there are no "volunteers" for the three nominated posts? Why should the general members be deprived of their fundamental right to have the person of their own choice hold these posts instead of having somebody imposed on them? Can an administrative fiat abridge the fundamental right of the general members, which the country's constitution guarantees? The third directive is even worse. Barring anyone below the rank of brigadier or equivalent will create a class, a situation that does not make for a harmonious environment. It will create the "Ashraf" and "Atrafs" in the association. Even more, that would deprive everyone below the rank of brigadier of his or her fundamental and constitutional rights to participate in elections as a candidate.

If captains and lieutenant colonels can become MPs and hold cabinet posts, and there are a few examples of this in the present government, why can they not contest in the post of Chairman of RAWOA? Rank has no correlation with competence or efficiency. Higher rank does not automatically induce higher levels of skill or ability to deliver. Many officers retire early for various reasons and not necessarily because of incompetence. This organisation was once headed by a retired Flying Officer. As for the PNG, the less said the better, and I shall venture on this issue separately later. Suffice to say that the provision of PNG should be well defined, since every government has used it as a political tool. There are several retired military officers who were declared PNG during the rule of different governments and had been members of parliament also. Should they lose their membership of RAWOA?

I firmly believe that RAWOA, being a private association, should be allowed to operate according to the existing general law of the land. And it should be left to the general body to decide how that should be done within those parameters. Nominated bodies or dictated constitutions cannot help the development of the association. Some may well feel that the directives lack *locus standi*. I feel the dismissal order should be rescinded immediately.

.....

Brig Gen Shahedul Anam Khan, ndc, psc (Retd), is a former Associate Editor of *The Daily Star*.