

# Parliamentary system

From Page 1 Col. 2  
The bills were put to vote on Tuesday after five days of intensive discussion on their general principles and clause-wise amendments. A total of 700 amendments of the bills were proposed by MPs. Three amendments to the 12th Amendment Bill and one amendment to the 11th Amendment Bill were accepted. The rest of the amendments were rejected by voice votes.

The Constitution 12th Amendment Bill proposes to bring about the following basic changes:

1. President, to be titular head of state, will be elected by Parliament;
2. The Prime Minister will be the Chief Executive;
3. The Cabinet will be collectively responsible to the parliament;
4. MPs defying the leader of their party in parliament will lose membership;
5. President will act on the advice of the Prime Minister;
6. Written advice will be required in respect of calling, proroguing sessions and dissolution of the Parliament. However, before dissolving a Parliament the President will have liberty to determine if anybody else enjoys support of a majority of the MPs to become Prime Minister;
7. Referendum will be required to amend the Preamble, Articles 8 and 48 of the Constitution;
8. Gaps between sessions of Parliament shall not exceed 60 days;
9. Treaty connected with national security shall be laid in a secret session of the Parliament, and
10. One-tenth of ministers can be appointed from amongst non-MPs.

The amendments moved by MPs mainly stood for making provisions for election of President by secret ballot, instead of keeping the constitution vague on the point, guard against appointment of non-MPs as ministers, ensuring that members of the cabinet were responsible to the Parliament not only individually but also collectively, and for vesting the executive power of the republic in the President who is to exercise such power on the advice of the Prime Minister in accordance with the constitution; and to restrict the President's prerogative of mercy to the extent that sentences against murderers cannot be reviewed without the consent of heirs of murdered persons.

Jamaat MPs also moved an amendment calling for establishment for caretaker government.

ernments for elections of Parliament.

Law Minister Mirza Gohar Hossain who piloted the bills in the House defended the provision for appointment of non-MPs as ministers citing examples in United Kingdom which, he said, was the model of parliamentary democracy. He said that provision of referendum was there in many constitutions including those of Australia, South Korea and Turkey. He argued that this was not against sovereignty of parliament which was the possessor of legal sovereignty. The popular and political sovereignty lay with the people who can change parliaments. He told the Parliament that the cabinet of Winston Churchill of UK was wiped away by the British people after the second world war.

He said that provisions against floor crossing was needed to ensure stability and continuity of government. The Law Minister felt that it would not be good to tough the President's prerogative of mercy.

Mirza Gohar Hossain said that there could be no constitution which is free from defects. Again a foreign model cannot

## Indemnity Bill

From Page 1 Col. 8  
The Indemnity Ordinance promulgated in September 1975 and later ratified through the Fifth Constitution Amendment provided immunity from trial by any court of those responsible for the killing of President Sheikh Mujibur Rahman in a military coup and four other national leaders in the Dhaka Central Jail.

Opposition Chief Whip Mohammad Nasim, who submitted the Bill early last month, congratulated the Deputy Speaker and the Law Minister for their cooperation in bringing the bill in the House.

## Mischievous

From Page 1 Col. 8  
again had made it clear that he would go back to his previous position of Chief Justice after handing over power under constitutional provisions.

The report which further stated that some Awami League leaders had communicated their party's intention in this regard to the Acting President on Monday last is mischievous, false and baseless.

The Acting President has absolutely no intention to be a presidential candidate either under parliamentary system or presidential system.

be blindly stimulated. A constitution has to be tailored to the socio-economic situation, geographical location of the country, political situation, the time and the ingenuity of the people.

The present bills were of great national importance, he said adding these would lead to political stability and widen the path to economic self-reliance, help establish rule of law and peace improve the administration, and accelerate the process of development. Passage of the bills would automatically lead to solution to many problems. Terrorism would go, he hoped.

The Law Minister congratulated all MPs for discussing the bills with great interest. The bills would create the basis for further amendments to bring about more improvements to the Constitution, he said.

Awami League Chief Sheikh Hasina said that her party was accepting the bills despite the fact that these contained some problems with the hope that further improvements could be brought about in future.

Deputy Speaker Sheikh Razzak Ali in his concluding remarks said that the JS had paved the way for establishment of parliamentary democracy at the cost of blood of martyrs of democratic movement. Paying rich tributes to them, and praying for their salvation; the Deputy Speaker thanked all who made the democratic movement a success. He also thanked the MPs for passing the two Constitution Amendment Bills. The clock struck 12:40 am when the House was adjourned till 7:30 pm today (Wednesday).

## Rabindranath

From Page 1 Col. 5  
Various socio-cultural organisations have chalked out elaborate programmes in observance of the death anniversary.

The Bangla Academy will hold a discussion, followed by a musical soiree, at 5 pm today in the academy premises.

Bangladesh Shilpakala Academy has arranged a dance entitled "Kushume kushume charan chinha" and a cultural function at the academy auditorium at 7 pm today celebrated dancers and artistes will take part in the function.



Prime Minister Begum Khaleda Zia addressing the annual general meeting of Bangladesh Employers' Association Tuesday. From Left: Minister of State for Labour & Manpower, Rafiqul Islam Mia, outgoing President of BEA Latifur Rahman, new President M Anis Ud Dola and Secretary, Ministry of Labour Manzurul Karim.

## Constitution 11th Amendment Bill

From Page 1 Col. 5

and parties made an ardent call to the Chief Justice of Bangladesh. Mr Justice Shahabuddin Ahmed, to take the reins of a neutral and impartial government as its head, and the then President appointed Chief Justice Shahabuddin Ahmed as Vice-President in the vacancy caused by the resignation of the then Vice-President (Barrister Moudud Ahmed) and tendered his resignation to him, the preamble said.

With the noble purpose of restoring democracy, the preamble said, the Chief Justice assumed the onerous responsibility of running an impartial government as the Acting President on December 6, 1990, "upon a positive assurance of the three main political alliances and parties" of the country to the effect that after having run the government "temporarily" till the establishment of an elected democratic government through a free, fair and impartial election to parliament he would be eligible to return to the office of the Chief Justice of Bangladesh.

## Seen From the Gallery

From Page 1 Col. 2

It was a rare and heart-warming sight to see them literally walking towards making constitutional history. What they had worked for together over the years with the masses, they were now giving legal shape to with the support of their respective elected members in the House.

The spectators, violating the Rules of Procedure of the House burst into spontaneous applause as they saw their two leaders converge on the narrow passage between the galleries on their way to the voting lobby. As they moved closer one could see the gentle nudge of Sajeda Chowdhury and Matia Chowdhury trying to bring them even closer as they walked. TV cameras and the official photographers jostling with one another in their attempts to capture these historic scenes for posterity.

The man of the hour was however the Law Minister Mirza Gohar Hafiz. His popularity and respect became evident at the very moment he rose to speak as he discussed the nearly two hundred amendments, all of which he rejected save three (two by the Opposition Whip Md. Nasim and one by Shahjahan Straj), and the House broke into spontaneous applause, joined in by all

the members of Parliament regardless of the parties they belonged to. As he spoke it soon became evident why he enjoyed the stature that he did. His falling health and advanced age paled in the face of his indomitable spirit and commitment to see the bill through. As he defended the 11th and 12th Amendment Bills, the House stood in respectful silence in face of his wit, clear logic, but far above everything else, his humility. He was definitely the wise man of the House, guiding everybody else into the charmed world of parliamentary democracy.

The Leader of the Opposition, in a speech, reminded the House just before they went for voting on the 12th Amendment Bill, about the contribution of her party and of herself in realising the pledge they had made to the people. She was correct in her speech but by no means warm. A few more courteous and friendly words for the Leader of the House from her would have suited well with the overall spirit of amity and co-operation that was so pervasive.

The other man to emerge with a towering reputation from this session of the House is the Deputy Speaker Sheikh Razzak Ali.

# The Midnight File

## Japan won't rebuild military power, vows Kaifu

HIROSHIMA, Aug 6: Prime Minister Toshiki Kaifu in a solemn ceremony today marking Hiroshima's devastation by an atomic bomb in 1945, vowed the country would never seek to rebuild the military power that led it to war 50 years ago, reports Reuter.

## Tamil rebels flee battlefield

COLOMBO, Aug 6: Hundreds of Tamil rebels have been seen fleeing the battlefield where they suffered their biggest defeat in eight years, a Sri Lankan military spokesman said today. "The fighting is over. All the terrorists can do now is to resort to guerrilla tactics," the spokesman said, reports Reuter.

# Hasina thanks PM, Select Committee

By Staff Correspondent

Leader of the Opposition and Awami League chief Sheikh Hasina thanked the Leader of the House and the members of the Select Committee who worked hard to reach a consensus on the move to parliamentary democracy.

Taking the floor after a Clause by Clause Division Vote on the Constitution Eleventh Amendment Bill, the Leader of the Opposition said that they had been struggling to achieve democracy for the last 15 years.

She said that although her party wanted some more amendments to the proposed bill by the Select Committee for more democratisation of the parliamentary system yet it would vote for the bill to consolidate the victory of the democracy loving people.

She recalled the past nine-year struggle against the autocratic government and said that on November 6, 1990 she first gave a call from a public meeting held at Panthapath that the caretaker Ershad could handover power to the caretaker government headed by a neutral Acting President.

Just after one month on December 6 the demands materialised with the installation of the caretaker Acting President.

She said this was another date, the 6th of August, that the nation was going to regain democracy.

She said that through transition to a parliamentary democracy politics of the buy-

onset would come to an end and the nation would not have to experience the change of power through the bullet. "Ballot, not bayonet, will be the source of changing power," she added.

She said that her party was ready to fulfil the hopes and aspirations of the nation on the basis of the Declaration of the three alliances which also stated the repeal of all black laws and a stop to the politics of coup, killing and conspiracy.

She said that the repeal of the indemnity Ordinance of 1975 would pave the way to stop politics of killing and conspiracy. She called upon the Leader of the House to pass the Indemnity (repeal) Bill. She also hoped that the private members bill on the separation of the judiciary from the executive would come in the order of the day in due time.

She also thanked the leaders of both the Treasury and the Opposition benches who worked relentlessly to get the bills through in the House.

Meanwhile, Awami League leader Matia Chowdhury in a clarification earlier on a point of order restated her Monday's statement in Parliament.

She said that she did not blame the armed forces for the killing of Sheikh Mujibur Rahman as had been reported in a section of dailies including The Daily Star.

She added that she had said on Monday that some dismissed officers did it.

She said that the army owed its explanation about it as it does not own the killing.

## BCCI depositors

From Page 1 Col. 8

On the first day, 31 depositors participated in the hunger strike in the verandah of Jibon Bima Bhaban where one of the four branches of the Bank is located. The number of participants would increase day by day, organisers said.

Convener of the depositors Association Kaiser Md Quayum told The Daily Star that under the present circumstances only the Prime Minister could help to resolve the crisis. He sought her intervention in the issue.

## Turning point

From Page 1 Col. 8

eration, seemingly signalling an end to the days of autocracy in this country. By this act, our politicians showed respect to the martyrs who made supreme sacrifice for establishing democracy.

The Bangladesh Constitution was adopted on December 16, 1972 and since then it has been changed 12 times. The most radical change was effected in 1975 through the Fourth Amendment which introduced a presidential system and one-party rule.

The Fifth Amendment, passed in 1979, changed the basic state principles of secularism and socialism and barred the trial of the killers of Sheikh Mujibur Rahman.

The latest change reverting to parliamentary democracy comes in the backdrop of a long struggle against the autocratic rule of ousted President Ershad. The people fought for a system where the rulers will be accountable to them and there would be transparency in the administration. The unity showed by the politicians in the Jatiya Sangsad on Tuesday raise the hope that the nation may achieve the desired goal.

But that can be achieved only through the democratic culture of dialogue and tolerance. The change of system will mean nothing if we do not practice democracy in all spheres of our national life — in administration, in decision making and in handling moot national problems.

The administration under the new system will no doubt confront lot of problems which will need a concerted effort to tackle them. The terrorism in the educational institution remains a vexing problem and the politicians should demonstrate the same unity of purpose to cleanse the campus and to steer the national economy towards self-reliance.

# Limited powers make DU authorities helpless

From Page 1 Col. 4  
backed Chhatra League (S-A) led to the split of the APSU on May 18.

Since then, activists of the pro-BNP Jatiyatabadi Chhatra Dal (JCD), JSD (Innu)-supported Chhatra League (N-S) and Chhatra League (S-A) remained locked in armed clashes in which one student was shot dead and dozens of others were wounded.

Besides, vehicles were burnt and damaged and offices ransacked in protest against police actions including search for terrorists and arrest of armed youths.

Another act of violence other than clashes between rival student groups was the assault on Jamaat leader Maulana Matur Rahman Nizami.

Agitated students assaulted Nizami while protesting the presence of anti-liberation elements on DU campus May 27.

Following is a brief account of the major acts of violence and other untoward incidents as well as the steps taken by the DU authorities to resolve the crisis during the last three months.

May 15: One student received bullet injuries in clashes between the JCD and the BCL (S-A).

May 16: JCD and BCL (S-A) exchanged gunfire, BCL (S-A) burnt vehicles.

May 18: APSU, DUCSU leaders met the hall provosts, pledged on arms-free campus and non-provision of shelter to terrorists in their respective organisations.

May 22: Tension gripped the campus following rallies over the JCD-BCL (S-A) dispute on sheltering of the alleged killers of Dr Milon in the BCL (S-A).

May 25: APSU split over row on BCL's sheltering the killers.

May 26: Fresh violence vitiated the campus atmosphere over the 'sheltering' issue. Efforts to establish supremacy on the campus started ahead of the scheduled DUCSU and hall unions polls.

May 27: Nizami was assaulted by agitated students, the VC's office ransacked and JCD and BCL (S-A) revived their old rivalry which worsened the campus situation.

June 1: Tension gripped the campus again as JCD and BCL exchanged gunfire.

June 2: BCL (S-A) activists set fire to eight vehicles and damaged several others protesting arrest of its two workers.

June 4: A joint meeting of student leaders and the DU VC

convened to initiate peace was foiled due to the increase in the rivalry between the JCD and the BCL (S-A).

June 10: The DU Education Atmosphere Council (DUEAC) was revived at a joint of the DU authorities and the student bodies. The meeting reached a consensus that no student organisation would shelter terrorists or raise protest against any action by the authorities or the law enforcing personnel against trouble-mongers.

June 13: Four students, were wounded in a midnight gun-battle between the activists of the BCL (S-A) and the BCL (N-S) at the Jagannath Hall.

June 15: A DUEAC meeting decided to vacate the halls during the Eid vacation (June 22 to June 30) and asked the residents to produce identity cards at the hall gates on the day of the reopening of the halls, and banned rallies and processions on campus without prior permission of the Proctor.

June 20: BCL (N-S) leader and History Department student Mahbubur Rahman was shot dead in an hour-long gun-battle between the activists of the BCL (S-A) and the BCL (N-S).

June 21: The DU Syndicate formed a committee to prepare an administrative report on the previous day's incidents in which Mahbub was killed. The meeting viewed the campus crisis could only be resolved through a consensus by the national leaders. It also sought help of law enforcing agencies.

June 27: Syndicate deferred the reopening of the DU halls from June 29 to July 5 as it deemed the situation had not improved. It also decided that the VC would find out ways to defuse tension through talks with various quarters including the student bodies.

July 3: Leaders of the BCL (S-A) and the BCL (N-S) called on the Vice-Chancellor to sink their rivalry.

July 4: A DUEAC meeting banned rallies and processions for first seven days of resumption of classes on July 6 without the Proctor's permission.

Police arrested six persons belonging to the BCL (N-S) from DU campus and recovered arms on their confession from outside the campus.

July 6: An eight-member DU syndicate delegation led by the Vice-Chancellor called on the Acting President who is also the Chancellor of the Universities to apprise him of the fierce rivalry between the

student groups.

The delegation urged the Chancellor to take immediate measures to free the campus from arms and convene a grand rally of political parties to obtain a pledge from them against arming their student fronts.

July 7: A 10-member Syndicate team led by the VC met the Prime Minister and discussed with her the campus situation. The Prime Minister told them that the issue would be discussed in Parliament and with all relevant quarters.

July 15: BCL (S-A) burnt five vehicles on the campus protesting police raid on the killers of Dr Milon.

July 17: Police guarding the campus were stoned by the BCL (N-S) for their inaction and SM Hall Provost's office was raided, Proctor's son was beaten up and Provosts of SM Hall and Jahurul Haq Hall were threatened by BCL (S-A) workers.

tried to nab the alleged killers of Milon who reportedly took refuge in the hall.

July 30: The Syndicate closed the university sine die and ordered students to vacate halls by 8 am the following day after a three-hour fierce gun-battle between the JCD and the BCL (S-A).

July 31: Students abandoned the residential halls. However, some students stayed in the halls defying the authorities' directives. They later left the halls following assurances by the VC that steps would be taken to reopen the halls within the shortest possible time.

DU administrative powers regarding law and order and discipline on campus as per the 1973 University Ordinance are as follows:

According to the Chapter VIII of the 1973 Ordinance, the Proctor shall be responsible to the Vice-Chancellor, the chief executive, for the discipline and conduct of students within the university campus outside the halls and the Chapter IX of Ordinance states that the Provosts shall be responsible for discipline and students' conduct within the hall compound.

Section 5 (ii) of the Chapter VIII of the Proctorial Powers provides that the Proctor shall have power to impose on a student a fine of up to Taka 25.00 at a time for a breach of discipline or misconduct in the University outside the halls.

If he is of the opinion that a fine of Taka 25.00 is not sufficient he shall have power to expel a student from the University for a period not exceeding six months to be counted from the date of the order.

If, however, he is of the opinion that the case requires expulsion for more than six months he shall refer the case to the Vice-Chancellor for such actions as he may deem fit.

Section 5 (iii) of the Chapter says that the Assistant Proctors shall have powers to impose on a student a fine not exceeding Taka 5.00 at a time, for breach of discipline or misconduct and report his or her action to the Proctor and to the Provosts concerned who will report such cases to the Vice-Chancellor.

Section 5 (iv) of the Chapter provides, that no clubs or societies or student organisations other than recognised unions or associations shall be allowed to be formed.

No parties or entertainments shall be held within the premises of the University nor

# Financial discipline

From Page 1 Col. 7

Minister noted that a large number of industrial units had turned sick and unprofitable because of malpractices, corruption and serious economic mismanagement under long nine years of autocratic rule. The overall economic and financial discipline was seriously violated by the vested interests tied up with the authoritarian regime, she said.

Begum Zia reminded the leaders of trade and industry that it was their responsibility to extend a helping hand to the elected government to enforce discipline, and infuse new vigour and dynamism into the economy under a democratic environment. "We are committed to a competitive free market economy and will expect you to respond to our programmes for economic rejuvenation," she said.

Assuring total support to the private sector, she sought constructive suggestions from it to break the fetters of economic stagnation and backwardness to attain the governments basic objective of self-reliance in national life. The new industrial policy aimed at industrialisation within the shortest possible time she said and recalled the 'politics of production' that had been coined by late President Ziaur Rahman to this end.

Begum Zia noted that the democratically elected government did not believe in cheap slogans. "The government will strictly adhere to the dictates and principles of economic discipline, and follow the rules and procedures," she said.

She noted that the government would not aim at gaining cheap popularity. In this context, she criticised the indiscriminate nationalisation of industries after the independence and termed it as "a severe blow to our industrialisation."

The Prime Minister however said, the Bangladesh Nationalist Party (BNP) believed in healthy trade union-