

# 'Intrusion of BSF violates norms'

The Jatiya Sangsad resumed its sitting at 2.10 pm Sunday after a break of nine days with Speaker Abdul Rahman Biswas in the chair, reports BSS.

After Tilwat-e-Quran, the Speaker extended his Eid greetings to the Members. Akhtaruzzaman Chowdhury (AL-Chittagong) in turn also extended Eid greetings to the Speaker. Chowdhury drew the attention of the chair to the timing of the sitting at 2 pm and pleaded that it should be shifted to 3 pm so that Members could comfortably attend the proceedings of the House after lunch.

The speaker said the matter needed consensus in the house.

At this time Jatiya Party Member Advocate Fazle Rabbi tried to take the floor on a point of order but the Speaker did not allow him to do so saying that there could be no point of order before the end of one-hour question-answer session.

## Nizamuddin Khan

Nizamuddin Khan (BNP-Mantiganj) took the floor and displayed a copy of a booklet distributed by the Sangsad Secretariat and said how such a booklet containing "Nutan Bangladesh Garbol Mora", could be circulated in the House.

The Speaker then took up the question-answer session as per the order of the day and gave the floor to Nurul Islam (Ind-Barguna) to raise his starred question.

## Fazle Rabbi

As the question and answer session was over, Advocate Fazle Rabbi (JP) sought to raise the issue of the arrest of former Prime Minister Mizanur Rahman Chowdhury. He said, Chowdhury, a former Leader of the House and seven times Member of Parliament was taken into custody Saturday and the matter should be discussed in the House.

The Speaker wanted to know under which rules of procedure the member wanted to raise the issue.

Rabbi's explanation appeared unconvincing to the Speaker, who took up the issue of adjournment notices given by the members on different issues of public importance.

When the Jatiya Party member sought to raise the arrest of Mizanur Rahman Chowdhury, all other members belonging to the JP made an orchestrated appeal to discuss the matter but the Speaker as unmoved.

The Speaker said he had received 16 adjournment notices on matters of public importance and nine of them were on the issue of the killing of four Bangladesh nationals including Bangladesh Rifles men by the Indian Border Security Force recently along Kushtia border.



## Salauddin Quader

The Speaker said he would like to ask Salauddin Quader Chowdhury (NDP) to introduce the adjournment motion on behalf of the other members who served notices on the same subject.

Chowdhury said the intrusion of the Indian border guards in the Bangladesh territory violating international norms and behaviour and killing of the Bangladesh nationals including BDR personnel had caused a deep commotion among the entire people of the country. He said normal proceedings of the House be adjourned to discuss the issue of such crucial importance.

The Chair ruled that the subject would be included in the order of the day Monday.

Deputy Leader of the House Dr Badruddoza Chowdhury, taking the floor, said there was no difference of opinion on the concern caused by the killing of Bangladesh nationals by Indian BSF men.

Since this House reflected the will of the people, this matter needed to be discussed in the Sangsad, he said.

The Speaker said of the 16 adjournment notices received, three were on the outbreak of diarrhoea in some parts of the country and he had admitted one of them. But this could not be introduced since only one adjournment notice could be introduced in the House on a single day, he added.

The Speaker said he had also admitted a notice given by Rahmat Ali (AL) on the supply of necessary equipment to the farmers to boost agricultural

production. This brought several opposition members rise to their feet, wanting to know the fate of their notices.



## Sheikh Hasina

Taking the floor, Leader of the Opposition Sheikh Hasina said her party member Mohammad Nasim had given a notice on the killing of a student leader recently in the Polytechnic Institute.

The General Secretary of the students union of the institute was killed in broad daylight but none was arrested so far although several days had elapsed after the murder, she said. Sheikh Hasina wanted a statement on the issue.

The Leader of the Opposition said the student leader was killed by the supporters of the ruling BNP. One of the accused of the murder had left the country for the United States and she wanted to know who had arranged the visa for his departure.

The Treasury Bench members protested Sheikh Hasina's observations.

The Leader of the Opposition said these issues must be discussed in the Sangsad.

The Speaker said he had admitted notices on subjects of greater importance.

## Moudud Ahmed

Rising on a point of order, Moudud Ahmed (JP) who attended the Session of the newly elected Jatiya Sangsad for the first time after being released on bail recently, said it was upto the chair to allow anything of public importance for discussion in the House. He, however, said the Speaker should also honour the sentiment of the House in this regard.

Moudud Ahmed strongly demanded repeal of the Special Powers Act and this made break the House into laughter.

The Speaker asked Moudud Ahmed to take his seat as, according to the Chair, he was not making his "point of order" on which he rose to speaker.

As the Speaker gave the floor to Nurul Islam (Ind), the members belonging to the Jatiya Party walked out of the House.

Nurul Islam said newspapers were publishing reports on deaths caused by diarrhoea, everyday. He said many people were dying of diarrhoea which has broken out in epidemic form practically everywhere in the country. He said diarrhoea was not confined in southern Bangladesh only, rather it had spread to other parts of the country assuming an alarming dimension.

Nurul Islam also read out a cutting from a newspaper in support of his statement.

Moni demanded a statement from the Health Minister on the matter.

At this stage, Education Minister Prof. Badruddoza Chowdhury taking the floor told the House that as the Health Minister was not in the House Sunday, a statement on the subject would be made Monday.

## ASM Firoze

ASM Firoze (Pataakhali) said if any effective step was not taken immediately, the number of deaths from diarrhoea in Barisal district would continue to mount. He also demanded an immediate statement on this matter of urgent public importance.

Intervening, the Speaker said, Education Minister Prof. B. Chowdhury had already stated that the government would make its statement Monday.

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Tofael Ahmed rose from his seat and said although the Health Minister was absent in the House, the Prime Minister or the Deputy Leader of the House should say something about the matter Sunday, since the matter was very urgent.

## Badruddoza Chowdhury

Prof. B. Chowdhury took the floor again and said he would have been happy to say something on the matter but as he was not adequately prepared, he could not say anything on it.

He said the Health Minister was in the affected area for the last three days. He said adequate quantity of medicines had been sent and a medical team comprising doctors from the ICDDR,B had been sent there.

He reiterated his earlier position that a statement on the matter would be given Monday when the Health Minister returned from the diarrhoea-hit areas.

## Rashed Khan Menon

Referring to sections 222 and 223 of the rules of procedure, Rashed Khan Menon (Workers' Party) drew the attention of the Chair for the formation of the committee on private members' bills and resolutions.

He said he had demanded formation of the committees before the recess for the Eid-ul-Fitr.

He said the committee should be formed now for facilitating discussions on matters relating to the amendments to the constitution.

Section 222 of the rules of procedure provides for the constitution of the committee on the private members' bills and resolutions and Section 223 envisions the functions of the committee.

The Speaker assured the member that the committee would soon be formed for the smooth functioning of the House on related matters.

## Tariqul Islam

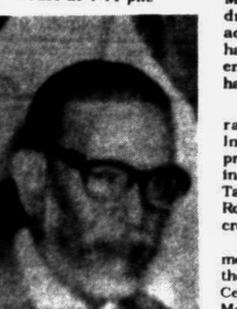
When the House took up the day's legislative business, State Minister for Social Welfare and Women's Affairs Tariqul Islam sought the Speaker's permission to introduce the Jatiya Mahila Sangstha Bill 1991 and introduced the bill in the House.



## Suranjit Sengupta

But as Suranjit Sengupta (Ganotanree Party) opposed the introduction of the bill on principle immediately, but the Speaker told him that he had already accorded the permission and it had been introduced. He told Sengupta that he could have raised the objection before the permission was given.

As a debate began on the admissibility of the bill, Jatiya Party members who earlier had staged a walk-out returned to the House at 4-11 pm.



## Mirza Golam Hafiz

Intervening in the debate, Law and Justice Minister Mirza Golam Hafiz said, the Opposition has a right to oppose any bill at the stage of its introduction but that right is very limited. The Speaker, he said, could allow an Opposition member to hold a brief discussion at the stage of introduction referring to Rule 78 of the rules of procedures in this connection.

Hafiz requested the experienced Members of the Opposition not to waste time of the House by raising Points of Order information unnecessarily saying that the new Members of the Sangsad had many things to learn from them.

Rising on a Point of Order, Suranjit Sengupta said the bill in question originated in the period of Mamata Wahab (Sister of the former First Lady Begum Raushan Ershad), op-

posing the introduction of the bill.

He said, it is against the spirit of democracy and the recent mass movement. There is no provision of election in the bill, he said adding, all appointments at different levels in the Sangstha seek to be filled up by nominations.

He said the Minister who introduced the bill had not scrutinised it thoroughly. The bill, which earlier came in the form of an ordinance during the autocratic regime of ex-President Ershad should be withdrawn and brought before the House again with necessary amendments, he suggested.

When the Speaker sought the opinion of Tariqul Islam, he pleaded for the introduction of the bill stating that necessary amendments could be brought at a later stage.

He assured the House that the considered opinions of the Opposition Members would be accepted.

The Speaker then put the Question of Introduction of the bill for vote and the House gave its approval.

The Speaker then gave the floor to the Industries Minister who sought leave of the House to introduce the sugar (Road Development Cess) (Amendment) Bill, 1991.



## Rashed Khan Menon

But the Workers' Party member, Rashed Khan Menon (Barisal), objected to the introduction of the bill saying that the bill was designed to turn an ordinance promulgated by the Ershad regime into a law.

Menon said that the ordinance was promulgated on September 29 in 1990 when the entire nation was engaged in the anti-autocracy movement.

Referring to the plights of the sugarcane growers, Menon said in the past none could ensure fair prices for their produce. Now the BNP government wants to introduce the bill for enhancing the Road Development Cess upto 25 per cent.

He pointed out that Road Cess in the sugar cane growing areas was supposed to be spent for the development of roads to the sugar mills so that the farmers could carry their produce to the mill gate. But in fact, he said, the revenue from the Road Cess was being used for the repair of the roads near the residences of the ministers.

Menon urged the government to stop smuggling of Indian sugar into the country and lootings in the sugar sector first.

Drawing the attention of the Leader of the House and Prime Minister, Begum Khaleda Zia, Menon requested her to withdraw the bill. Otherwise, he added, "we would think we have not been able to bring an end to the autocratic rule but have only ousted an autocrat."

Replying to the objections raised by Menon, the Industries Minister said the price of sugar cane had been increased to Taka 37 from Taka 3 per maund but the Road Cess had not yet been increased.

He pointed out the amendment to the bill was brought in the House to enhance the Road Cess by paisha 12 per maund. Moreover, this enhancement rate would be effective next year.

Regarding smuggling of sugar from India, the minister said the sugar sector was facing a special problem for such smuggling. He referred to the government's anti-smuggling measures and said that it was the BNP government which had prevented the import of sugar by Beximco, a multi-national firm.

Khan said the proposed enhancement of the Road Cess had been fixed in consultation with the sugarcane growers and pleaded that the House should allow him to introduce the bill.

The objection to the introduction of the bill was rejected by the House by voice vote and the minister introduced the bill.

The Speaker then gave the floor to Finance Minister Sattur Rahman to seek leave for the introduction of Bank Company Bill-1991.

## Asaduzzaman

But Mohamad Asaduzzaman (AL-Magura) raising objection to the introduction of the bill wanted to know as to whose interest the government had brought this amendment bill.

He pointed out that the bill was designed to give retrospective effect from January 24, 1991, and said there was no provision for giving such retrospective effect to any bill.

He said under the proposed amendments to the bill, provisions were to be made to allow industrial loans without deposits.

Asaduzzaman said the government had brought this bill to give legal coverage to those who had already taken such loans amounting to a total Taka 12,000 crore. This amount still remained unrealised.

The Awami League member requested the concerned minister to withdraw the bill and bring a fresh one for running the banking sector properly and investing the public money viably.

Replying to the objections, the Finance Minister said the bill was aimed at controlling the banking sector and proper utilisation of public money.

The Finance Minister said the banking sector remained the worst affected sector during the nine-year autocratic rule of the last regime.

He pointed out that there had been no comprehensive guideline and rules in the banking sector since 1972, following the nationalisation of banks. Since then the country's banking sector had been running as per presidential orders.

The bill was introduced after the objections against its introduction was rejected by the House.

Next, the Speaker gave the floor to the Communications Minister Col (Retd) Oli Ahmed to seek leave of the House for introducing the Motor Vehicles (Amendment) Bill, 1991.

But opposing the introduction of the bill in principle, Awami League member Tofael Ahmed (Bhola) said this bill was brought to the House to give legal coverage to an ordinance promulgated by the Ershad government due to the pressure exerted by the Transport Owners' Association.

Saying that there was no security of the people on the roads and streets, he requested the minister to withdraw the bill.

Replying to the objections, the Communications Minister said the bill was aimed at maintaining the continuity of the government activities in the motor vehicles sector.

The House rejected Tofael Ahmed's objections to the bill and it was introduced.

The Speaker then adjourned the House at 5.56 pm for 20 minutes for the Asr prayer.

## Sheikh Razzak Ali

After the break for the Asr prayer the House resumed its sitting with Deputy Speaker Sheikh Razzak Ali in the Chair.

He gave his ruling on a special privilege notice tabled by Akhtaruzzaman Chowdhury (AL-Chittagong) regarding news items published by two newspapers. He said the concerned member did not take any effort to substantiate that the news items published anything untrue.

The Chair ruled that a member's privilege was not hampered if anything was published about him in newspapers.

The Deputy Speaker then gave the floor to Law and Justice Minister Mirza Golam Hafiz who moved the Supreme Court Judges (Remuneration and Privileges) Amendment Bill, 1991.

He said a 10 per cent Additional Dearness Allowance was given to all employees of government, semi-government and autonomous body to face inflation. The Judges of the Supreme Court were the only exceptions.

Mirza Hafiz said the interim government had allowed the judges the additional 10 per cent Dearness Allowance through an Ordinance whose duration would expire on May 5. He called upon the members of the House to retain this facility to the judges as a recognition of their contribution to the democratic movement.

He said their benefits and privileges should be improved further for upholding their prestige.

The minister said the government was considering to enhance the facilities of other employees serving in the Judiciary. He urged the members to pass the Bill unanimously.

## Mizanur Rahman Manu

Moving his amendment to the bill, Mizanur Rahman Manu (AL-Dinajpur) considered the bill as a negation to democratic values, particularly at a time when democracy had tri-

umphed over autocracy. This is a black law and it would do more harm than good if passed by the House, he said.

## Latifur Rahman

Latifur Rahman (Jamaat-Nawabganj) speaking next, said the bill was fraught with inaccuracies and this also sought to maul the image of the people's representatives.

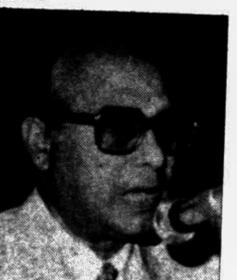
He urged the House to exercise caution in passing the bill.

Salahuddin Yusuf (AL-Khulna) said this bill was redundant now since it had lost the relevance of usefulness. Besides, he contended, the bill relevant two months ago could not be held valid in today's circumstances.

Yusuf pleaded that the bill be sent for eliciting public opinion.

Sheikh Harun Ur Rashid Mian (AL-Khulna) opined that the bill would invariably affect the image of the Union Parishad representatives since it would be used for serving the goals of the ruling party.

Such a bill could not be passed by the House, he said and urged the House to send to the bill for eliciting public opinion.



## Salam Talukder

The Deputy Speaker then requested Barrister Abdus Salam Talukder, Minister for Local Government, Rural Development and Cooperatives, to consider the Union Parishad and Municipality (Special Responsibility) Bill, 1991 and invited Mr Nurul Islam Moni (Ind-Barguna) to take the floor.

Mr Moni criticised the Bill and said it resorted to tarnish the image of the people's representatives. He said a government order asking the Chairman of a Union Parishad or a municipality to discharge his responsibilities was enough to make him work with honesty.

Continuing he said that a Chairman, being a people's representative would feel insulted if the Bill was passed. He demanded of the Speaker to circulate the Bill for eliciting public opinion.

## Rashed Mosharrar

Next participant Haji Rashed Mosharrar said the passing of the Bill would lower the dignity of the people's representatives. He said that their prestige and dignity should not be questioned by passing such a Bill.

He said the special responsibility on the Union Parishad Chairman and Municipality Chairman was too big a task to be accomplished by them. He said they were subjected to threat if they wanted to find out the criminals in their respective areas.

Haji Mosharrar described the Bill as a black law and demanded that the bill be circulated by May 9, 1991, to elicit public opinions.

## Salahuddin Yusuf

Participating in the discussion on the amendments moved by Nurul Islam Moni (Ind-Barguna), Mr. Salahuddin Yusuf (AL-Khulna) and Col (retd) Shaukat Ali (AL-Shariatpur) said the judges were the custodians of law and the constitution.

Considering the importance of their job, the judges should be given more facilities, they said adding, more judges should be appointed so that the accumulated cases could be disposed off quickly.

They demanded of the government to bring a bill to separate the Judiciary from the Executive and publish the National Pay Commission Report immediately so that all wage earners including the judges could lead an honourable life.

The members withdrew their amendments following the assurance from the Law Minister that their proposals would be looked after.

## Abu Lais Mohammad

After the Maghreb prayer Jatiya Party member Abu Lais Mohammad Mubin Chowdhury (Habiganj) took the floor to move his amendment said that the dearness allowance of the

Supreme Court judges should be fixed on the basis of their present basic salary.

Participating next, Khan Tipu Sultan (AL-Jessore) said that the dearness allowance be increased from 10 per cent to 30 per cent. He also demanded that the judiciary be separated from the executive and all courts in upazilas be brought back to the district headquarters.

When the Deputy Speaker requested the members to withdraw their amendments, they obliged except Mr. Abu Lais Mubin Chowdhury. The Supreme Court Judges (Remuneration and Privileges) (Amendment) Bill 1991, was then passed unanimously by the House amidst applause.

## Abdul Matin Khasru

Pleading for circulating the Bill for eliciting public opinion, Abdul Matin Khasru (AL-Comilla) said if the bill was passed it would be deemed as an undemocratic and black law.

## Nazrul Islam

Principal M M Nazrul Islam (AL-Mymensingh) said fundamental rights of the Union and Pourashabha Chirmen and members of these bodies would be curbed if the bill was passed. In this connection, he pointed out that the Chairman and the Union Parishad members of his area could do nothing when his own House was raised by the miscreants on February 14.

Shah Haduzzaman (AL-Jessore) and Advocate Md Mostafizur Rahman (AL-Dinajpur) also spoke in the same vein and called for withdrawing the bill in the interest of the people.

Speaking on the bill, the Leader of the Opposition Sheikh Hasina said it was a bill with a difference. If the bill was passed in its present form, the political party in power would abuse it by forcing the Chairmen and members of Union Parishads and Poursabhas to its line and pursue its policy, she said.

She further said with the enactment of the bill, the Chairmen and members of these local bodies would devote more time in serving the interests of the people in power losing their neutral character. Consequently they would not be able to play their due role for the benefit of the people, she thought.

Sheikh Hasina called upon the government to withdraw the bill in order to respect democracy. "Today you are in the Treasury Bench, but in future you may have to sit in the opposition bench", she said addressing the ruling party members.

Awami League leader Tofael Ahmed wanted to speak on the bill on behalf of Shudhangshu Shekhar Halder, an Awami League MP who was absent in the House, but the Deputy Speaker refused him permission since Halder had not authorised Tofael through a letter to the Speaker.

## Opposition pleas rejected

The mover of the Bill, LGRD and Cooperatives Minister Barrister Abdus Salam Talukder, said that on the basis of the request of opposition members he wanted to withdraw the Bill, his announcement followed thumping of the table by the opposition members.

Barrister Talukder however rejected some of the contentions of the opposition members opposing the bill.

He said that the objectives of the Bill was very clear. During the last Jatiya Sangsad elections, the members and commissioners and chairmen of Union Parishads and Pourashabhas had played an important role in holding the polls in a free and fair atmosphere. "We want to see all future polls in the country free and fair and that was why the Bill was brought to the House".

Since the opposition members, the LGRD and Cooperatives Minister said, wanted to find a black shade in this white Bill, we are withdrawing it.

But, he cautioned the House it might be necessary to bring a similar Bill in the House.

The Deputy Speaker, then, said that the Bill was withdrawn as per Rule 93 of the Rules of Procedure.

## Prof. M. A. Mannan

The Deputy Speaker then gave the floor to the Minister of State for Religious Affairs, Prof. M. A. Mannan, who moved the Hindu Religious Welfare Trust (Amendment) Bill, 1991, for immediate consideration by the House.

Inviting the opposition members to participate in the discussion on the Bill, the Speaker requested them to discuss proposals for amendments and the proposals for sending the Bill to the Select Committee together.

Though the Deputy Speaker gave the floor to Nurul Islam Moni for discussion on the Bill,

Mr Moni did not participate in the discussion saying that Mr Suranjit Sen Gupta would be able to discuss the Bill more appropriately.

Intiating the discussion, Awami League member Salahuddin Yusuf (Khulna) said that the Bill was aimed at enhancing the capital of the Hindu Religious Welfare Trust to Taka three crore from Taka two crore. "But it is my misfortune, that the Bill is designed to materialise the commitment of the Ershad government", he said. This Bill was brought to the House just to perform the responsibility of the ousted Ershad government, he added.

Participating next, Suranjit Sengupta said that the Bill was aimed at enhancing the capital fund for the Hindu Religious Welfare Trust to Taka three crore from Taka two crore.

Criticising the Bill, Sengupta said that none had thought to discuss in the House such a Bill in an independent Bangladesh so far Pakistan had once been created on the basis of the two-nation theory.

He referred to the Article 28 of the constitution and said it was clearly stated there that the state shall not discriminate any citizen on ground of religion, race, caste, sex or place of birth. He also pointed out that the basic fundamental state principles of the state also guaranteed equal rights to all citizens irrespective of religions.

Sengupta, however, appreciated the Bill but asked as to why this Bill was brought for the welfare of a particular community.

He pleaded for providing similar facilities to the members of other communities like Muslims, Buddhists and Christians.

Sengupta regretted that there was no recruitment in the defence forces since the change over of 1975.

## Oli Ahmed

At this stage, the Communications Minister Col (Retd) Oli Ahmed took the floor on point of order and refuted Sengupta's contention and said there were many members of the Hindu community serving in the defence force of the country. Giving a specific example, he said Major Rakkhal Chandra Sarkar who was serving in the GRP has been enrolled in the army after 1975.

As soon as he resumed his seat, another Treasury Bench member took the floor and criticised the statement of Sengupta saying that Sengupta was spreading communal feelings in the House.