Valuable time, huge money being wasted in JS: Hafiz

The Jatiya Sangsad resumed its sitting at 3-21 pm Sunday with the Speaker, Abdur Rahman Biswas, in the chair, reports BSS.

After recitation from the holy Quran, the Speaker disposed of the call attention notices given by different mem-

M Abdus Sahid

When the Speaker wanted to take up the day's proceedings, M Abdus Sahid (AL-Moulvibazar) wanted to know why the Chhaatak Pulp Mill with a production capacity of 60 metric tons per day had remained closed for the last 17 days.

The Speaker told him that since the Industries Minister was not present in the House, the question could be raised later and the Minister could make a statement.

Salahuddin Yusuf

Salahuddin Yusuf (AL-Khulna), a member of the Select Committee, then took the floor and told the House that the bill introduced on July 18 seeking amendment of Articles 95,98,109,115 and 116 of the Constitution to ensure independence of the judiciary from the executive had been sent to a Select Committee giving it three days time to present a report. He said the committee met on Thursday last and could not complete the task. He requested the chair to extend the time limit by another four days. Yusuf introduced the bill himself and was chosen a member of the Select Committee.

Law and Justice Minister Mirza Gholam Hafiz, the Chairman of the Select Committee, supported Yusuf's proposal. The Speaker then al lowed four more days to the Select Committee to report back to the House.

The Speaker then invited Salahuddin Yusuf (AL-Khulna) discuss the 12th Constitution Amendment Bill

Initiating the discussion, Yusuf recalled the participation of Awami League in different movements in the past against military rules and autocratic governments, and remembered the names of those who had sacrificed their lives in those movements.

Giving tribute to the Acting President Justice Shahabuddin Ahmed for his contribution in holding the parliamentary elections impartially, Yusuf said "we want that he should go back to his post

Referring to the transition from the presidential to the parliamentary form of government according to the commitment of the three alliances, he said the provision for keeping one-tenth technocrat members in the cabinet as proposed in the amendment was undemocratic. He suggested that a provision should be made in the Constitution for having the technocrats elected to Parliament within six months of their joining the

He also criticised the proposed amendment according to which an MP will lose his seat if he takes part in internal grouping of the party in Parliament and opt for a new leadership. He said this provision was undemocratic and should not be included in the Constitution.

He pointed out that in parliamentary democracy, leader ship of a party may be changed but the power of the party does not change. He said participation in internal grouping is the fundamental right of a member and suggested deletion of the undemocratic

Yusul said with a view to stopping the politics of killing coup and terrorism once for all, the indemnity law prohibit ing the trial of the killers of Bangabandhu should be repealed. He said this law was made through an ordinance and was quite different from the 12th Amendment of the Constitution. He said the amendment bill placed by Awami League Chief Whip Mohammad Nasim to repeal the law should be introduced in the House.

He pointed out that some of the alleged killers of Sheikh Mujibur Rahman were given diplomatic assignments and said the killers, whoever they are, should be punished to stop the politics of killing.

Referring to the provision of referendum, required for basic changes in the Constitution, he said this provision was illegal as it was not done by an elected Parliament. He said this was made by the martial law government and should not be kept in a democratic Constitution. He said support of the two-thirds of the members of the House should be final for constitutional amendments.

Rashed Khan Menon

Speaking next, Rashed Khan Menon (Workers' Party-

He said, while discussing the bill in the Select Committee, political considerations got preference over legal considerations. He added, the country and democracy received the upper hand than other points during the deliberations in the Select

He said the Constitution. which was achieved after a liberation war had lost its original form and entity and was undergoing too many amend-

He said it could have been still better if an accord could be reached on the question of repeal of the provisions contrary to the fundamental rights and all repressive measures.

Referring to the appointment of technocrat ministers in the cabinet, he said it would be fitting to have them elected to the Sangsad within six months of their becoming ministers.

About the holding of referendum under Article 142 of the Constitution, he said there was no need for a provision of referendum in the Constitution which got its birth during a

But, Menon disagreed to the suggestion that the sovereignty of the Sangsad would be tarnished if a referendum was held seeking people's mandate on any vital is-

Menon said the method of lection of the President should be through secret ballots in place of the present one, i.e. through open election. He said it would be a reflection on the weakness of a particular party if it could not take its members into confidence.

Referring to the Indemnity Bill, he said this bill should receive due consideration in the House. He said this issue had kept a phase of the country's history under darkness. He said with the passage of

this bill, history could be made clear to the people bringing forth the incidents behind the incidents and also the heroes behind the incidents.

Pointing to a newspaper report about the possible partic-

The following is the remaining

part of Saturday's JS pro-

Suranjit Sengupta

Suranjit Sengupta took excep-

tion to a report appearing in

the Indian newspaper "The

Statesman' on terrorism in

Bangladesh and described it

as derogatory. He said democ-

Bangladesh did not believe in

terrorism. This type of report

was unwelcome, he said

adding we wanted to build

cordial relationship with India.

loving people of

Ganotantree Party leader

ceedings:

of the deposed President Ershad in the proceedings of the House, Menon said the appearance of the man involved in the killing of democracy in the House would darken the sacred process of transition to parliamentary democracy.

Satish Chandra Roy

The next participant, Satish Chandra Roy (AL-Dinajpur). thanked the members of the Select Committee for performing an uphill task by making their recommendations on the 12th Constitutional Amendment Bill.

He said the provision of technocrat ministers in the Constitution should be reduced to five per cent from the proposed 10 per cent. He also disagreed with the provision of the referendum in the Constitution.

Suranjit Sengupta

Rising on a point of order, Suranjit Sengupta said under rules 79,80,81 and 82, a member of the Select Committee could not defend the bill at this stage.

He said Rashed Khan Menon did the same and he felt what Menon said was not

Intervening, the Speaker reminded Sengupta that what he had said was not also exactly relevant to the rules he quoted because what he pointed out would be relevant at a later stage.

Nazmul Huda Taking the floor, State Minister for Food Nazmul Huda deplored the tendency on the part of some members to waste the valuable time of the House on this or that pretext.

He referred to Sengupta's point of order and said the member had once wasted much time of the House on an issue of "assent" by the President and himself had later realised that he was on slippery grounds.

Huda said Sengupta was enthusiastic in pointing out that what Menon said was without any substance but he himself

was oblivious of the fact that what he said was totally without any substance.

At this stage, Law Minister Mirza Gholam Hafiz took the floor and said he was sad to see a propensity among a section of members to waste the time of the House without any valid reason.

"It is unfortunate that some members tended to take the floor on point of order, point of information etc although only very seldom they spoke something meaningful," he

The Law Minister said that the expenditure in running the parliament was enormous and none should forget that the money came from the people.

Hence, he added, one must be careful about taking time particularly at this stage when the House was busy with an important issue.

The Law Minister also excused himself for saying all these since this could also be "construed as waste of time".

Monirul Huq Chowdhury Montrul Hug Chowdhury (JP-Comilia) was next to take part in the discussions on the

Constitution Amendment Bill. Chowdhury admitted that his party found it little complicated in taking part on this issue since the form of govern ment of his party was presidential. But, he said the Jattya Party was keen to involve itself in the current important

Chowdhury said that an impression was being given as if the Parliamentary system of government was such a tough stone for the nation that milk and honey would flow once the system of government was changed to the parliamentary

given when it was told earlier that the condition of the peohappened".

Chowdhury said too much of

the system of government without turning eyes to the real problems of the people.

He said it was not a matter of the long past when there were scores of processions in the streets of the capital when Bangabandhu Sheikh Mujibur Rahman introduced the oneparty rule abolishing multiparty system.

The Awami League had introduced the Presidential form of government, the BNP had retained and nurtured it and we also followed the suite, he

Chowdhury demanded that their party chairman HM Ershad be released to take part in this important discussion so that the Jatiya Party was involved in such an occa-

He criticised Workers Party member Rashed Khan Menon for opposing the release of Ershad even in parole and remarked "Menon is the only member from his Five-Party alliance in this House but Ershad alone was elected from five seats"

The Jatiya Party member said the Prime Minister did not invite his party for discussions on eliminating terrorism from the campus since his party had no role in terrorism. He called for national unanimity on important issues.

The House adjourned for Asr prayer.

Matiur Rahman Nizami After the Asr prayer, Speaker Abdur Rahman Biswas gave the floor to Moulana

Matiur Rahman Nizami (Jamaat-Pabna) to participate in the discussion on the 12th Constitution Amendment Bill. Initiating the discussion,

Nizami thanked both the leaders of the House and the opposition. The bill, he said, had been introduced under certain circumstances and on the demand of the opposition. He said the select commit-

tee after 38 sittings reported to this House, its unanimity on the bill. He expressed his respect to the Law and Justice Minister, the chairman of the select committee and its

members. He thanked Deputy Leader of Opposition Abdus Samad Azad for his historic speech after the submission of the report.

The Jamaat leader welcomed the bill initiating the reversion to the Parliamentary. system after 16 years of the Presidential form. He said we have come from different political parties and have our own views but that would not hinder the passage of the bill. At the initial stage there was some concern which was eased later on, he added.

Nizami called for restraint at this critical juncture so that the hopes and aspiration of people could be turned into reality. Otherwise, he said people would not forgive us.

Terming this House as an unique one, Nizami said likewise the bill was also an extraordinary one. The election conducted by a caretaker government was held in the best atmosphere of neutrality. He said the nation's opinion had been reflected through this election and anything passed by this House would also be unique and through an under-

Nizami said those who gave birth to the Presidential system could not enjoy its benefit, but two parties later took care of it for seven and nine years respectively. Nevertheless, he said, we all have come together now for changing the

Maulana Matiur Rahman Nizamí said as a member of the Select Committee he should not say anything against its report but as an elected member of the House he was commit ted to the people of his constituency. He said it would be better if provisions for separation of the judiciary from the executive, repeal of repressive and anti-fundamental right laws were incorporated in the bill. He said Salahuddin Yusuf of Awami League had already introduced a bill seeking sep aration of the judiciary from the executive.

Defending the referendum provision of the bill, Nizami

should seek people's mandate

within six months of their ap-

pointment. Besides, he said

the persons who were rejected

by the voters in the elections

said it was not an anti-democratic provision. Article seven of our Constitution clearly stated that all power lies with the people of the republic. He said the referendum clause was essential so that none could amend the Constitution, which is being changed after long 16 years with two-thirds

majority. Referring to the floor crossing provision of the 12th Constitution Amendment Bill. Maulana Nizami said in India one-third members of a party can form a group. "But we have seen what crisis India had to face in recent years. We have also seen how martial laws were promulgated during the Pakistan period on various pretexts." Recalling the movements during the sixties, Nizami said these movements culminated in the independence of the country.

Nizami said in parliamentary democracy, splits in the political parties are to be checked for ensuring stability. He said that at times personal ambition not only hindered stability but also jeopardised the very existence of democ-

The Jamaat leader said: "We believe in the ideals of Islam, which is also the state religion and we cannot talk against the state religion, according to the Islamic principles," he said Every religion had its independence and every citizen had the right to follow his or her own religion, he added.

Referring to secularism. Nizami said there was no freedom of religion where the secularism existed.

He said days would come when the basic source of all activities of this House would be the Al-Quran.

The Jamaat leader said they do not like to see the use of religion for political ends. He said practising Islam and using religion for political purposes were not the same thing. Establishing the Islamic system did not mean this use of religion for political purposes. he asserted.

Maulana Mattur Rahman

sider the bill of his party

leader Matiur Rahman Nizami

The Jamaat member men-

tioned the situation prevailing

in the country and said there

Nizami said doing politics in the name of religion is one thing and doing politics in the name of Islam was another. He said Bangladesh is the

second biggest Muslim country in the world in terms of population. This country could give leadership to the Muslim world if we followed the tenets of Islam and built a society based on the Islamic ideals. In fact, there was no alternative to the Islamic system to rid the society of rampant corruption, solve the pressing problem of unemployment of the youth and to take the country on the road to prosperity, he stressed.

Maulana Nizami said the world was now heading towards a new era. The socialist world was in shambles and man-made doctrines have totally failed to deliver the good. The world was now witnessing the re-awakening of Islam, he

He stressed the need for implementing the principles and ideals of Islam for the salvation of the world humanity and emancipation of the poor and the oppressed. He appealed to all to follow the tenets of Islam while facing economic, political, educational problems for the good of

Incomplete

MPs urged to pass bills

Dr lajuddin Ahmed, former adviser to the interim government, and Professor M Shareeful Islam, President and Secretary General respectively of National Federation of Teachers' Association of Bangladesh, have expressed concern over the unnecessary controversy regarding the 11th and 12th Constitutional Amendment Bills, reports BSS.

They made a fervent appeal to all concerned in the Jatiya Sangsad to pass the bills without any precondition for switching over to parliamentary form of government.

In a joint statement issued to the press Sunday, the federation leaders said the Select Committee of the Parliament after prolonged discussions submitted its consensus report to the Jatiya Sangsad and the efforts of the committee in this regard were lauded by cross section of the people including the teachers community and other professional

They further said that the aspirations of nine years' struggles against autocracy were reflected in these two

The federation leaders opined that no impediments should be created by democratic people towards safe passage of these bills.

The federation leaders said that untold sufferings and sac-

After his statement, Sheikh Fazlul Karim Selim (AL Gopalgani) said it would be unconstitutional unless the elections take place in the Madaripur-One constituency within 90 days of vacancy.

The Deputy Speaker said it was a decision of the Election Commission and one could go to the court if one felt that the elections were not lawful.

Salahuddin Quader Salahuddin Quader

Chowdhury wanted a ruling from the chair on the issue since the election in Madaripur -One would not be held within the scheduled 90

The chair said he would consider a ruling on this but no time and date could be given for that.

Muzahar Hossain

Muzahar Hossain (CPB-Panchagarh) said the House should discuss and accept many other amendment bills for fairplay of democracy in Bangladesh. The nation no longer wanted to go back to terrorism and anarchy.

Stressing the need for the establishment of Rule of Law, the CPB member said even during the dark age of over one thousand years ago a Kazi could penalise a Badshah for his wrong doings. If a Badshah could not escape the provision of laws in the dark age then why the killers of Russel could not be tried in this civilised and modern age, he asked.

As Hossain concluded his speech, the Deputy Speaker adjourned the House at 9-10

'President a symbol of unity even in parliamentary form' to be inducted in the cabinet He urged the House to con-

in this regard.

should not be appointed as minister as doing so would be showing disregard to people's verdict, he added. He further said, it was also not wise to spend Taka 20 crore on referendum as the

people had given mandate to

this House and the bills to be

passed here would enjoy their

Sharfuddin Speaking next, Sharfuddin Khasru UP-Sylhet opined that today's Parliament owed much to the Jattya Party Chairman Hussain Muhammad Ershad because his steps in December last facilitated the formation of this House.

The Jatiya Party member said in the erstwhile Pakistan Ayub Khan in 1969 handed over power to General Yahya Khan, who had declared Martial law in the country. But Ershad did not do anything like that, he added. Pleading for the release of

his party Chairman H M Ershad, Khasru said he should be released because he had been elected from five constituencies. "We also demand the release of other Jativa Party leaders who have won the election but are now behind bars," he said.

Referring to the constitutional amendments in the past, the Jatiya Party member said comparatively it was the Awami League government that initiated most of the amendments. But, he observed, the Awami League members were oblivious of this fact when they spoke of the constitutiona amendments. It was the Awami League which had given birth to the presidential system in this country, he added.

Shakawat Hossain

Jessore) praised the Select Committee for preparing the report on the details of the Constitution Amendment Bill for switching over to parliamentary form of government.

Shakawat Hossain (Jamaat-

He advocated acceptance of the report in the greater national interest without raising much controversy. If there were still flaws in the report, these could be taken care of later, he said.

The Jamaat member pleaded for change in the Constitution so that even the President could not pardon a killer unless pardoned by the descendants. The present provision of clemency by the President went against the Quranic spirit, he said.

seemed to be an all-round decay in the national life. It is necessary to follow the Islamic teachings to improve the morality of the people, he said.

the Rules of Procedure.

As the chair gave him per-

mission, he made the state-

ment on the by-elections in

Madaripur-One constituency

and ten other constituencies

where the by-elections are

to the information from the

Election Commission, the

schedule for the elections to

these vacant seats of the House

Sheikh Selim

would be given within a week.

The minister said according

B Chowdhury After his speech, Dr Badruddoza Chowdhury drew the attention of the chair and said he wanted to make a statement under rule 300 of

rifices of the people including martyrs for ousting the autocracy would go in vain and the country fall in chaos and confusion again if the representatives of the people in the Parliament failed to discharge their responsibilities honouring the sentiments of the people.

Parties urged to expel terrorists

By Staff Correspondent Secretary General of Islami

Chhatra Shibir AZM Obaidullah has said the conspiracy of Awami League and the failure of the government were responsible for terrorism in the educational institutions.

He was speaking at a rally at Baitul Mukarram organised by the Shibir on Sunday to observe 'education environment

The Shibir leader called upon the government and all political parties to expel terrorists from their respective

AL Japan

A 9-member committee of the Japan Branch of Awami League was formed recently at a meeting of the party supporters in Tokyo, reports BSS on Sunday.

the Convener while Syed Shamsul Alam Mahmud and Sheikh Farid Ahmed became the Joint Conveners.

Aslam Moon, SAS Motaleb Meah and Ashraful Ahmed The committee decided to

niversary of Bangabandhu Sheikh Mujibur Rahman on August 16 with due respect.

Turning to the 12th Constitution Amendment Bill, tory to the concept of Gupta said this Parliament sovereign Parliament and accame into existence through a countable government. In this long drawn struggle against autocracy. All MPs belonging to

either side were aware of their responsibility to the people and the nation, and the challenge lay before the reversion to the parliamentary system of government. There has been a consensus from all sides on

this issue, he added. He said "the less we discuss it outside the Sangsad the better." He urged all not to create any suspicion by discussing this issue outside the Gupta said Saturday there

was no alternative to parliamentary system of government in the country. But discussions must be held in the House while passing this bill. The Select Committee on the Constitution Amendment Bills has submitted its report to the House for wider discussions on the bills by its 330 members,

Narrating the constitutional history of our country, the Ganotantree Party leader said as many as ten amendments were made to the Constitution. He particularly referred to the 8th Amendment to the Constitution and said the basic structure of the Constitution was broken by it. The Supreme Court, however, had declared void a part of the 8th Amendment passed by the unconstitutional and illegal Parliament of the former President Ershad. He said the other part of the 8th Amendment to the Constitution still remaining as a part of the Constitution was inconsistent with the outline of the joint declaration of the three alliances announced on November 19 last year.

To drive his point home, Suranjit Sengupta said the people of this country had embarked on the Liberation War as Bangalee and not as Muslim, Hindu, Buddhist or Christian. If this entity of the Bangalee was denied Muslim, Hindu, **Buddhist and Christian citizens** of this country would be differentiated. Such a difference among the citizens of different religious communities was incompatible with the parlia-

mentary democracy and sovereign parliament, he

He was also critical of the provision of referendum saying that this had curtailed the power of the Sangsad. Defending the Supremacy of the Parliament, he said

nowhere in the world the people had accepted things imposed on the Constitution ei ther by Martial Law promulgations or through extra constitutional power. Gupta also opposed the inclusion of non-elected members in the cabinet, whatever its size saying it was contradic-

connection, he referred to Article 7 of the Constitution and said the non-elected members would remain accountable to the Prime Minister and not to the Parliament. The House reassembled

Deputy Speaker Shetkh Razzak Ali in the chair. Sheikh Razzak Ali gave the floor to Ganotantree member Suranjit Sengupta to finish his

after Magreb prayers with

incomplete speech. Referring to the 1972 Constitution, Sengupta said the provision barring floor crossing in that Constitution was sufficient. He said this provision of the 1972 Constitution was our contribution to the world. Anything more would be too harsh, he said adding that the proposed restriction on members for floor crossing

would like curbing the fundamental rights. Citing examples Sengupta said one of the greatest statesmen of the world Winston Churchill had crossed floor four times. But the members of the present British Parliament could not think of it, he added. He also cited Indian constitutional crisis after the fall of the V P Singh

government. Sengupta said the President was a symbol of national unity even in parliamentary democracy. He should be given some executive power for maintaining check and balance. He said adding that the President, however, should exercise his power in consultation with the Prime Minister.

Referring to the election of the President, Sengupta said separate provisions had to be made in the Constitution for his election.

Sengupta was critical on the deletion of the post of Deputy Prime Minister in the proposed Amendment Bill. He said a time may come when the post of Deputy Prime Minister might become essential if the Prime Minister became inactive for some rea-Referring to the deferment

of bye-elections in the ten va-

phase of finding out a durable system of government.

Similar impression was ple would change manifold if the Jatiya Party were not in power, he said adding, "nothing

expectation was attributed to

cant seats by a resolution of this House, Sengupta said it was not proper and in accordance with the constitutional

provision. He called upon the government not to curb the privilege of individual members through legislation which may create

an autocrat Prime Minister. Fazle Rabbi

Speaking next, Dr T I M Fazle Rabbi (JP-Gaibandha) expressed his reservation about the proposed amendment to Clause 4 of Article 55 of the Constitution which stipulated the powers of the Prime Minister and the cabinet. He said it was not proper that although the executive power of the Republic will be exercised by or on the authority of the Prime Minister, all these executive actions of the government shall be expressed to

be taken in the name of the President He said there should be a definite decision on the category of the people to be appointed in the cabinet under Article 56 of the Constitution. He said it should be clearly stated whether they will be

technocrats or bureaucrats. Rabbi said Clause 3 of Article 56 and Clause 2 of Article 57 of the Constitution proposed in the form of amendments to the Twelfth Constitutional Amendment Bill were contradictory to each

He said the presidential form was not introduced by the Jatiya Party. Awami League introduced the presidential form of government. The BNP nursed and nurtured it and the Jatiya Party only carried it for-

ward, he said. He said we did not have any responsibility for it, we only inherited it. Rabbi said the Acting

President had said that he

wanted to quit but there was

no way for him to take leave of

the office. He said Saturday's newspaper reports said that the Acting President wanted to quit. But, he said, even if the Acting President wanted to resign on his own, there was no way out for him.

He said the leader of the House and the leader of the Opposition were attending the Sangsad sittings. The acting parliamentary party leader of the Jatiya Party was also here. He requested the chair to see to it that the Leader of the Jatiya Party, the country's former President, could participate in the proceedings of the House, at least on parole.

this regard." The Jatiya Party member said in a span of only 18

Rabbi said any system of

government could turn out to

be autocratic. He said "we all

must be clear to our hearts in

months, India experienced change of governments four times and that Chandra Shekhar became Indian Prime Minister with only 58 members in the 544-member

Indian Parliament. Maulana Obaidul Huq

Taking the floor Alhaj Maulana Obaidul Haq (Sylhet) said the 1972 Constitution was adopted to establish parliamentary form of government which, however, was abruptly changed in 1975 through switching over to the presidential form which continued for the last 17 years.

He said, at the request of

three alliances. Justice Shahabuddin Ahmed had taken over the charge of the Presidency. He congratulated the Acting President for holding a free and fair election. He said, we have to take necessary action for the return of Justice Shahabuddin to his former position. Maulana Obaidul Haq said,

by mere establishing parliamentary democracy "we could not bring emancipation of the people unless we could stop terrorism." Pointing out to the recent large-scale vandalism happening every day in the country's educational arena, he said: "It is unfortunate that we are yet to get an opportunity to discuss this vital national issue

in this House." He said autocracy could be built up in both the presidential and the parliamentary systems. "If we can stop campus violence, we can establish a democratic system which would last till the final day of

judgement (Qiyamat)." Maulana Haq said, "We have to bear in our minds that impartial elections could be held only under an impartial

Election Commission." Azizur Rahman

Taking the floor Azizur Rahman (AL-Sylhet) termed Amendment Bill a historic one. The scope of amending the Constitution does not come frequently in the life of a nation, he said adding "we are lucky to get such an opportu-

He said, most of the

Constitution were made under

the coverage of martial law. He

to

said, the fame of our 1972 Constitution had reached world-wide. Mr Rahman suggested a number of amendment proposals to make the 12th Amendment Bill more fruitful

Referring to the unfettered

amendments

and pro-people.

powers given to the Prime Minister under the Amendment Bill, he suggested inclusion of provisions for some check and balance in it. He said, the provision of taking 10 per cent non-MPs in

election system and said electhe cabinet should be more tions should always be held specific. He said technocrats under an interim government.

Hossain referred to the

pm until 3 pm Sunday.

organisations.

unit formed

Kazi Mafjul Haq Lal became

The other members of the committee include Ahmed Kamal, Salah Mohammad Arif, Abul Mansur Chowdhury, MA

observe the 16th death an-

Bakerganf) said he was very happy to be chosen a member of the Select Committee.