

Consumer Rights

So the consumers, who felt being perpetually at the receiving end of woes, have at last a piece of news to comfort themselves with. A new law — envisioned to be more comprehensive than the existing one — is in the making to protect their rights. The commerce ministry has assigned the drafting job to a committee specially formed for the purpose. The other good news is that the deadline for submitting the draft law has been set on May 31. This shows the seriousness of the government in pursuing the issue.

There are people who will discover in the government urgency a political motive. Perhaps an attempt to pacify the voters. Be that what it may, we are, however, interested to see that something tangibly positive happens in safeguarding the consumers' interests. The way things are going out of control we needed some extra efforts to ensure quality of consumer goods and their fair prices. We already have the Essential Commodities Control Act of 1956, the Pure Food Act of 1959 and the Iodised Salt Act of 1989 along with some other laws. As their titles suggest, if they were implemented in right earnest, the rampant adulteration of food stuffs and edible items that we see all around us would not have posed as serious a threat to public health as it is doing today.

The government inaction in routine monitoring and thereby ensuring quality of consumer goods has largely been responsible for widespread malpractice. In this column we have commented on the adulteration of edible oil with even machine oil, use of urea for puffing rice and also DDT as a preservative for dried fish. Such senseless and illegal practices — on top of other types of cheating — can be allowed only to the nation's peril. The existing laws were not quite adequate to deal with such devilish activity except the fact that the prescribed penalties were too small to act as deterrents. And the system has not really grown to implement them. Both preventive and punitive aspects should be taken into account. Not all traders and companies resort to dishonest business practices. But still the products must be routinely tested to determine their standard. The ones passing the tests creditably can be rewarded but those failing to conform to the specifications will be severely punished. This will act as an effective deterrent against commercial and manufacturing malpractices while at the same time breeding free-market-oriented competition to please customers with quality products at affordable prices.

For Action, Prompt and Sharp

A so-called moulana led a 300-strong mob to set to fire a circus pandal near Cox's Bazar Tuesday. A Royal Bengal and two bears and a number of birds and a popular-with-the-crowd goat perished in the fire. About 50 workers and artistes of the New Star Circus Company, including woman performers, were beaten up by the mob.

This is totally unacceptable. The government must further make it convincingly clear that they are not going to tolerate anymore such eruption of lawlessness and violence on a massive scale. Their reaction must be sharp and prompt driving home into the hearts of the culprits that not one would be spared punishment. Punishment such as would be commensurate with the mortal fear and suffering inflicted upon the circus people by the blaze and the beat-up. The action should come pat as an opening salvo of pressing into operation an effective deterrent against mob crime, specially of pseudo-religious origin.

This is a friendly counsel to the government, made in national interest. The Government has hedged about taking as much as a stand — any stand — against crimes committed by fascist groups. These crimes are not only against the rights of individuals to life and the freedoms that make it worth living but also tend very seriously to compromise this nation's claim to independence and sovereignty. The government openly showed, time and again, over the whole of its tenure that it lacks the guts to take on conspiratorial subterfuges or even violent challenges to law and authority, whenever the culprits invoked the patently false pretext of religion. This abject failure to muster the moral courage to call a stop to such double-edged crime as blackening the face of religion as something cruel, intolerant and irrational and at the same time very plainly violating the life and property and basic rights of the citizen, has brought the national situation to a pass where the Cox's Bazar style carnage is possible.

The government's further failure to act decisively in the matter would not only prove expensive in electoral terms but could also push the nation into the throes of obscurantism of a type that Pakistan and Algeria are finding themselves hard-put to grapple with.

The Health of our Rivers

Dolphins are the mirrors of a river's health, so said an Indian zoologist — and so aptly. And the scientist, now on a project to survey dolphin population in the eastern subcontinental river systems, hurried to say that hundreds of thousands of these man-friendly water mammals have disappeared over the recent past. What does this speak of the health of our rivers?

Ravindra Sinha is working on the great Ganges and Brahmaputra rivers and he says barely 3500 of this river species of the dolphins, — possibly he meant porpoises — are now alive. Could this figure include the porpoise population in our part of the Ganges and the Brahmaputra? Possibly not. Even so our porpoise population has been depleted very decidedly and visibly not to allow any complacency on the point. And there is no gainsaying that our Buriganga is as polluted as the Ganges at Benares, if not worse.

Dolphins or porpoises are historically accepted by man to be kindred souls. We must feel truly sad over the way they are perishing. But it will be quite in order too to shed some tears thinking of what will become of us, the sons and daughters of the Ganges and the Brahmaputra? How shall we turn from this precipice and get our rivers back to their life-giving role? When our nation will be taken with this all important question that does not brook even a day's delay?

WHERE there is smoke there is bound to be a fire and since Third World-ers are great conspiracy theorists, they tend to believe that smoke is meant only as a camouflage for the perpetrators of the fire.

In Karachi this fire is burning fiercely in the streets. For those who have lived in hope that somehow they will be passed by there is bad news, the spreading conflagration is cutting a wide swath across class and creed, sect and ethnicity, etc.

There is no convenient fire-escape from this developing inferno, by their benign inaction the Federal Government is seen to be a part of the problem rather than a 'fire brigade' dedicated to the rescue of the city's hapless inhabitants.

Instead of addressing the core issues that have brought Karachi to the verge of absolute anarchy, Ms Benazir seems to skirt the major problems. The general public perception is that there are no solutions on offer because the logical ones tend to threaten PPP's electoral power base in Sindh.

When faced with such Hobson's choice, Government of Pakistan (GOP) invariably tends to take the easy route of rhetoric, contributing to the PM's rapidly declining credibility. Hard to believe that this is the same South-Asian vintage Joan of Arc of the 80s, decade, holding forth the torch of democracy for the people of Pakistan. Regrettably, the PM is giving the world 'obfuscation' due legitimacy much beyond what is generally attributed to bureaucracy.

Karachi (and Sindh) needs strong decisions in the immediate future by the elected leader of Pakistan, some of which may not be palatable to her. Karachi's problems will not go conveniently away everytime the PM goes on a foreign tour, albeit for purposes of encouragement of investment and not purely as an accidental tourist. One of those decisions must be to immediately impose Governor's rule in the Province and put a Lieutenant Governor or Chief Commissioner or whatever you may like to call him (or her), as a 'SUPREMO' in charge of all the various administrative agencies in Karachi. This should include Karachi Municipal Corporation (KMC), Karachi Development Authority (KDA), Karachi Electric Supply Corporation (KESC), Karachi Water and Sewerage Board (KWSB), Karachi Police, Sindh Rangers, Karachi Port Trust (KPT), Port Qasim Authority (PQA) and any Federal, Provincial, intelligence, administrative or other entity working within Karachi city's parameters and meant for Karachi e.g. Income tax, Customs and Excise, etc. Let everybody except those directly working for Federal and Provincial Governments where their work does not pertain to Karachi.

We must hold Local Bodies elections immediately in Karachi, followed by National and Provincial Assembly elections in Sindh. This will fill the leadership vacuum at the grassroots level. Unless leaders elected by the people are made responsible and accountable for their welfare and contentment, there will continue to be a void which will be increasingly filled by the drug mafia, mobsters, terrorists, etc. While the city's people must have a voice in Islamabad and the provincial Assembly must function, we should keep Karachi's special status in limbo till peace is fully restored. The appointed Administrator gradually handing over power to a directly elected Mayor.

Declare a general amnesty for all politically motivated crimes provided the perpetrators own up to the crime within a specified period of time. If any such crime remains unsolved after the period for availing general amnesty is over and evidence points to elements that have not owned up to them, they should be prosecuted.

The amnesty may give relief to the accused but the price they must pay is that exposure would make the public aware of the criminals in our society, it is a gamble we must force on them. Make Karachi a weapons-free city. Only uniformed police on very limited VIP duties or

engaged in administrative and personnel matters, and perhaps nobody is in the field to prepare voters' list and issue identity cards. We do not know how the District Election Officers will be fitted in this scheme and what would be their job description. These are old posts, coming down from pre-independence period and the number of which has been multiplied in the post-independence days with upgradation of posts, etc.

Much trumpeted Tongi Municipal Model Election could not as much raise the image of Election Commission. Instead, some criticisms have been hurled at the Commission for, says, its inaction to implement its own rules, inability to issue the identity cards to all the voters, for which a good number would not be able to exercise their right of franchise. Anyway, this is an election to a local government body. But, it is surely indicative of the technical efficiency and moral fibre of the Election Commission.

There are conjectures about the date. By rejecting the resignation letters of 147 opposition MPs, the Speaker has kept the parliament technically alive and averted the impending by-election or dissolution of the parliament. The opposition leaders and MPs have not accepted the decision of the Speaker, termed it partisan and refused to attend the parliament session. So the 19th session summoned 24 April '95 would be without the Opposition and in that case Article 67 (1) (b) will be operative, i.e. "(1) A member of parliament shall vacate his seat... (b) if he is absent from parliament, without the leave of parliament, for ninety consecutive sitting days." The opposition MPs have boycotted the parliament session since 1 March, 1994, and tendered the resignation on 28 December, 1994 under Article 67 (2) of the Constitution.

It is not known how the

Karachi: The Streets of Fire

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ing tax disincentives, not to open another front in violence as the immigrants fight deportation while opening a new avenue for corruption to the law enforcement agencies.

The Citizen-Police Liaison Committee (CPLC) has functioned quite effectively in bringing large number of kidnappers to book. In particular, its present Chief Nazim Haji as well as former Chief Jameel Yousuf have repeatedly risked their lives (and in some instances their families) in this voluntary work, an outstanding example of citizen participation in the solving urban crime. CPLC could become a Citizen Liaison Committee (CLC) and enlarged to increase its crime-combating effectiveness, at least in in-

vestigative work if not in actual operations.

The use of loudspeakers in mosques for purposes other than Azaan must be stopped forthwith. Mosques, which should be havens of peace, are being increasingly used to disseminate vicious sectarian propaganda. Religious moderation must be enforced by the toughest means at our disposal as it erodes Muslim unity and is increasingly being exploited by third parties by their attacks on mosques to try and ignite sectarian tensions. This end has to be confronted not by rhetoric but by positive action.

Something has to be done about MQM (Haqqanis). This Quisling group was formed around a breakaway faction of the MQM. No doubt they may have had genuine grievances against their former compatriots and were thus used by the ISI as a Trojan Horse play in the early stages of Operation Clean Up. They are now part of

the problem that bedevils this city. Without any support among the masses and benefit of ISI backing since Gen Waheed's takeover as COAS, they now seem to enjoy a love-hate relationship with some government agencies, part probably a carryover from ISI connections but mostly the Intelligence Bureau (IB) which seems to be using them to counter MQM (Alah).

There is an increasing suspicion that the powers that be may be trying to break-up the MQM by focussing on the Shia-Sunni divide. In effect, the Haqqanis have become mercenaries for hire in a desperate bid for survival. The Haqqanis must be taken carte blanche from Karachi and settled elsewhere as they (and their families) may face retribution from an MQM revival in this city. While one would hope that the MQM would rise above vengeance for the sake of this city, too much blood has flowed through the streets of fire for this platonic possibility.

Most important of all, GOP should restrict various intelligence agencies in Karachi from becoming a State within a State by being answerable to the city's SUPREMO. However, the criticism must not be one-sided because within the limitations and parameters assigned to them they have given valuable information and analysis while working under adverse conditions. It is only when they have been misused for personal vendetta or career aspirations that they have gone wrong, on the other hand they must be felling frustrated at seeing those persons walk about scot-free against whom they have incontrovertible evidence.

Responsible leaders must always remember that intelligence operatives have no loyalties except to their own organisation or themselves. Those who profess deep devotion at the cost of their conscience are quite capable of cheerfully becoming hangmen for those

whom they serve so loyally today. We need the agencies to tell the PM bluntly what he would not like to hear e.g. the involvement of former Al Zulfikar terrorists along with Jeay-Sindh activists devoted to the secession of Sindh acting as willing tools of foreign powers.

Perhaps it is also time to take heed of the masses at the grassroots level. The last week or so has witnessed hectic activity in Karachi as neighbourhood committees have been formed to discuss ways and means to counter the spreading anarchy. In this women have been in the vocal forefront. Even dedicated political and social workers of known integrity and honesty like Mairaj Muhammad Khan, Akhtar Hanif Khan etc have come out of their self imposed silences. It is no use singling out any one political party for re-cremations, everyone has contributed in varying degree to Karachi's rapid slide to apocalypse.

The road to peace and tranquility is blocked by the massive obstacle called the quota system. This is the major reason for frustration among the youth of Karachi as they feel that their merit is negated by partially because of the accident of birth.

While there may be good reason to protect the rights of the people of some backward areas, enough years have been given for their due adjustment. We must now do away with the quota system, if not completely, at most not more than 10% or less of the whole, whether in education slots or job opportunities, etc. There are many other initiatives to take, particularly in the socio-economic sector to kickstart the economy but nothing can move while the streets are on fire and the environment is not conducive for commercial and/or industrial activity. While the present elected government retains the initiative they must carry out the basic reforms afore-mentioned as immediate fire-break measures. What one fears in that, given bad advice from unelected officials, GOP might try a reverse fire. That would be a gamble which would endanger the whole population to a larger conflagration in the nation than what we are witness to in the streets of fire in this city.

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AS I SEE IT

Ikram Sehgal writes from Karachi

dreaming (which may turn into a nightmare if implemented) if it thinks it can send 150,000 Iranians, 150,000 Afghans, 50,000 immigrants of Burmese Muslim origin, and other illegal immigrants from other Muslim country etc (including a continuous stream from India of about 30-40,000 annually), to their respective homes without further complicating socio-economic issues in the city besides irretrievably damaging relations with Bangladesh, Afghanistan, Iran, Burma, etc.

A scheme should be initiated for insisting that illegal aliens should be registered by a cut-off date with the proviso that those found unregistered would be heavily fined and deported. For registered aliens, employees should pay taxes to the city government (not less than Rs 300 per person per month) while those self-employed must pay their own due share.

The idea is to discourage immigration to Karachi by lev-

ing tax disincentives, not to open another front in violence as the immigrants fight deportation while opening a new avenue for corruption to the law enforcement agencies.

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On-coming Election: Extent of Preparation?

by Muhammad Quamrul Islam

The voters are now waiting to see their names in the electoral rolls, printed properly and correctly, and get their identity cards in time. When the Election Commission will be in the field? Will the voters be able to cast their votes or deprived of their rights? Will the EC go for patchwork to hold the election, instead of preparing the new electoral roll and issuing the identity cards?

Speaker will react this time, on the expiry of ninety consecutive sitting days. On the other hand, the tenure of the 5th parliament will end on 4 April, 1996, and under Article 123(3)(a), a general election of members of parliament will have to be held "within the period of ninety days preceding such dissolution." But, it is hardly possible that the BNP government will be able to elongate the time to that extent. By now, BNP has done enough and succeeded to prolong the life of the parliament, than expected. Because Article 72(3) states: "Unless sooner dissolved by the President, parliament shall stand dissolved on the expiration of the period of five years from the date of its first meeting." There is also no scope to hold by-election to the vacant seats, caused by absence for ninety consecutive days, in view of the above tight time schedule.

It is, therefore, inferred that the general election may be held in the first week of November, 1995, after considering the dilly-dally tactics applied so far. That is also nearer to the BNP's proclaimed determination to complete the tenure. But, it is an irony of fate that unprecedented political stalemate is aggravating. Mainstream opposition parties and Left Democratic Front have just observed hartal from 9 April to 11 April 1995 in support of their demand for caretaker government, and solution of other crises i.e. food, fertilizer, paper etc, which emerged thereafter. Much has been said to obviate the political impasse. Nobody in the authority deems it worth listening to, apparently.

Be that as it may, it is the responsibility of Election Commission to remain ready at all times as per Constitution to hold elections. But that did not happen. Why? There may be variety of reasons. Seemingly, government is an obstacle. But then, the Election Commission is to fight, as done in India or

elsewhere, to uphold free and fair election. Just now two big responsibilities are on the shoulder of Election Commission. First, registration and issuance of identity cards to six crore voters. Second, to delimit the constituencies. It is found on record that fourth electoral roll was prepared in 1989 and constituencies were delimited in 1984. It was not possible to prepare new voters' list or delimit the constituencies afresh in 1991. At the time of election in 1991, the incongruities in voters' list were vividly seen and reported by the political parties and international observers. After the census, 1991, the preparation of new electoral rolls and delimitation of constituencies have fallen due. Strangely, these have not been done. The Election Commission rather went on fighting to increase the number of District Election Officers and add new setup for Thana Election Office. In July, 1994, the Election Commission took up the pending issue of delimitation of constituencies. But, for reasons unknown, no progress has been reported thereafter. In February, 1995, the Election Commission published the draft list of constituencies, against which 342 objections and recommendations were made. These are now in the process of finalisation, which could have been done before in a routine way. During the last 10 years, various changes have occurred in the demarcation of Districts, Thanas and other administrative areas. So, according to Delimitation Ordinance 76, it was overdue to ensure fair representation. What stopped Election Commission to do that earlier is shrouded with darkness.

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be able to cast their votes or deprived of their rights? Will the EC go for patchwork to hold the election, instead of preparing the new electoral roll and issuing the identity cards? These are the questions before us. Meanwhile, opposition leaders have apprehended that there may be manipulation in preparing the electoral rolls, if party people are appointed for registration work, in the name of giving employ-

ment to the unemployed. There may or may not be valid point in their apprehension; but it may not be totally baseless. It is a very short-term work and can obviously be handled by the existing teachers and government staff, as usual, in the different places of the country. The Election Commission need not wait for the signature of the caretaker government issue or with any other excuse. Can't they work on their own, as usual, and constitutionally? In the eyes of the voters, technical efficiency and moral courage of the Election Commission, of its bureaucracy and staff, are as much necessary as, say, the political support!

The writer is an Economist and Advocate, Bangladesh Supreme Court.

To the Editor...

Bangladesh-Kuwait brotherhood

Sir, Following the jubilant visit to Bangladesh of Crown Prince and Prime Minister of Kuwait Sheikh Saad Al-Abdullah al-Salem al-Sabah, bonds of friendship and brotherhood between our two countries have been further strengthened.

It may be recalled that Kuwait is among the first of the Gulf countries which recognised Bangladesh after our independence. The Amir

of Kuwait Sheikh Jaber Al-Ahmed Al-Sabah visited Bangladesh in 1980. Bangladesh stood by the side of Kuwait at the time of her trial i.e. Iraqi invasion of Kuwait in 1990.

Today more than 1,10,000 Bangladeshi expatriates are working in Kuwait. Moreover, 6,000 Bangladeshi army personnel are participating in the rehabilitation work of the oil-rich country.

With radiant faces of our tiny tots welcoming and seeing off the Kuwaiti Crown Prince

with bouquets, we are confident that the love and affection between the present and future generations of Bangladesh and Kuwait would be ever blooming.

O H Kabir Dhaka-1203.

IPSA

Sir, This has reference to one of my previous letters recently published under the title — 'Save IPSA'.

It is heartening to learn that the Government has taken appropriate measures for solving the problems of the Institute of Postgraduate Studies in Agriculture (IPSA). The Chancellor of IPSA and Prime Minister of Bangladesh has been pleased to appoint Dr Abdul Halim, Professor, Dept of Agril. Extension, Bangladesh Agricultural University as the Rector of IPSA.

It is sincerely expected that IPSA will continue to function as an ideal seat of higher agricultural education under the dynamic leadership of the new Rector. M Zahidul Haque Asst Prof. BAI, Dhaka.

Art Buchwald's COLUMN

Crime and Punishment

IT was 1999, and the O.J Simpson trial had reached the halfway mark. The prediction was that by the year 2000 the defense would call its first witness.

Judge Ito had been appointed to the US Supreme Court and had withdrawn from the case. He was replaced by Judge Gerardo Rivera, who had earned a law degree in 1986 and had been appointed to the bench by Gov. Sonny Bono.

By this time there was only one juror left. Everyone else had been eliminated for one reason or another. Some had had nervous breakdowns, six had been shot by marshals when they rioted over the quality of the food, two had been discovered trying to get JO to autograph their footballs and one juror was caught kicking Marcia Clark in the shins.

The final juror was Larry Siggel, who had managed to survive by never talking to the other jurors and sticking cotton in his ears during the trial in the courtroom.

Ordinarily, the judge would have preferred 12 jurors, as would the defense and prosecution, but neither side wanted a mistrial, and so they agreed to try the case with only Larry.

Siegel was disappointed with their decision, particularly since his wife had stopped coming to the hotel for conjugal visits, claiming that the thrill was gone. He was also tired of the case itself. During the five years of the trial he had been permitted to hear only 15 minutes of evidence. The rest of the time he was sequestered while the lawyers argued their cases before the judge.

There were some advantages to Larry being the solitary juror. He had the entire hotel floor set aside for the Simpson jury all to himself. His first request had been for a table tennis paddle so he could play Ping-Pong against the wall.

Another advantage was that, even though he was alone, the hotel continued to send up 12 meals to the suite so he had big choice of desserts.

Every so often a marshal would report to the judge that Larry was talking to himself and kept asking to see president Clinton. Nobody was permitted to tell Larry that Clinton was no longer President and had been replaced by Steven Spielberg.

Finally, it was Larry's birthday. His mother baked him a beautiful key lime pie with a single candle on it.

She also put a hacksaw blade at the bottom.

That evening Larry sawed his way out of the hotel bedroom window and, with sheets tied together, climbed down to the street. He ran into the first bar he saw and asked them to turn on Court TV so that he could watch its team of experts.

After an hour he knew that he was compromised and the judge had to throw him off the jury. Thus on April-30, 1999, with a complete lack of a jury, Judge Rivera was forced to call a mistrial, and everyone involved in the most famous trial of our time had to start all over again.

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