Khaleda seeks people's support for her party

SUNDARGANJ (Gaibandha). June 13: Prime Minister Begum Khaleda Zia today said the BNP government was working relentlessly to reach the fruits of independence to every citizen's doorstep and sought the people's support to her party, reports UNB.

a a Star

Begum Zia was addressing a big public meeting at the Majumderhat Pachgachhi Shantiram Model High School ground at Sundarganj thana in Gaibandha district in the afternoon.

Jatiya Party Gaibandha district president Hafizur Rahman Pramanik MP along with six union parishad chairmen formally joined the BNP at the

afternoon.

Writ against ex-CEC's return to SC Hearing continues in **High Court**

A division bench of the High Court vesterday witnessed a legal debate over whether the office of a judge is in the service of the Republic or not, re-

ports UNB. Amirul Islam Bar at-Law, tried to prove that the office of a judge is in the service of the Republic while Additional Attorney General Abdul Wadud Khandaker stood against this contention.

The legal battle ensued over the writ petition challenging the authority under which Justice Abdur Rouf is holding the office of a judge of the Appellate Division of the Supreme Court.

The writ was filed by Convenor of the 'Coordination Council for Lawyers' Advocate Shamsul Huq Chowdhury on June 11 with the HC bench comprising Justice Habibur Rahman Khan and Justice MM Ruhul Amin.

Resuming the hearing on the second day yesterday, the Additional Attorney General told the court that civil post is in the service of the Republic. The office of a judge is a service but not under the service of the Republic, he argued.

He contended that nowhere in the Constitution is it to be found that the office of the Chief Election Commissioner and the office of a judge are in the service of the Republic.

The gazette notification of February 28, 1991, clearly said that Justice Abdur Rouf can resume his office as a judge in the High Court Division from the office of the CEC whenever he wants after holding of the 1991 elections, the government attorney stated.

Relinquishing the office of the CEC. Justice Rouf resumed his old office in the High Court, Khandaker said, adding that the option of coming back to the High Court was kept by Acting President Justice Shahabuddin Ahmed while appointing Justice Rouf as CEC in December 1990.

As the court asked Khandaker to submit the Presidential order for appointing Justice Rouf as a judge in the Appellate Division, the government pleader said he would submit it duly.

A government order is there, so there is no illegality in the appointment, Khan-

daker said. The President

made the appointment in ac-

cordance with law, he added. Refuting the argument of the government lawyer. Amirul Islam said government means both the judiciary and the executive. Governance means governing, both law and administration, and thus both are in the service of the Republic.

According to the Constitution, he said, the posts of the President, Prime Minister ministers, state ministers and deputy ministers are also un der the service of the Republic, but the exception is that they can participate in elec-

This exception provision was kept because all offices are under the service of the Republic and any person who is in the service of the Republic cannot take part in elections.

Citing Article 118(3)(a) of the Constitution, Aminul Islam said there is a constitutional bar on holding the office of a judge whether in the High Court Division or in the Appellate Division after holding the office of the CEC.

Article 118 (3) (a) reads that anyone who acted as a CEC cannot be appointed in the service of the Republic.

He then defined that service of the Republic means any service or post or office in respect of the government of Bangladesh.

Islam pointed out that the government of Bangladesh includes both the executive and the judiciary, being two distinct organs, along with parliament, as part of the State and the State also includes Parliament, government and statutory body.

He said the Constitution further provides for maintaining separation of the judiciary from the executive under Article 22 and 146. The government can sue and can be sued in the name of Bangladesh and Bangladesh has been defined as a Republic under Article 1.

Citing the Constitution Khandaker argued that the judiciary is a different organ of the state and 'government does not mean parliament and judiciary.

The hearing will resume at two this afternoon.

studies, initiated to weigh the

challenges and opportunities

out of the agreement. Then the

government will take requisite

in the Chittagong Port, the

minister said some 7,000

containers were lying in the

port resulting in the crisis. He

blamed the importers for not

taking delivery of their goods

Anis-Ud Dowla complained of a

hostile attitude of the bureau-

cracy towards the private sec-

tor. "The private sector has

been viewed as undesirable

Complaining that foreign

exchange regulations are af-

fecting the export trade, he

said the restrictions on remit-

tances by exporters against

claims of quality, short weight

etc. were 'unjustified' and

contrary to expected export

He also strongly recom

mended that 100 per cent ex-

port-oriented industries be

permitted subject to pre-de-

termined norms to sell locally

up to 10 to 15 per cent to dis-

pose of accumulated rejec-

merce Ministry were also pre-

sent at the meeting.

Senior officials of the Com-

and opportunist," he alleged.

Earlier, MCCI President

On the reported congestion

steps, he said.

on time.

Tree plantation

From page 1. trees have a significant role in economic emancipation, poverty alleviation, employment generation and, above all, in upgrading the environment.

"It is not possible to create a new forest in a densely populated country like ours," she

Later, the Prime Minister planted a mango sapling at Rajarampur village. Several hundred students also planted saplings there simultaneously with her.

Begum Zia also distributed the National Tree Plantation

Award-1993. As many as 27 organisations, institutions and persons have been awarded medals in nine categories for their outstanding contribution in tree plantation campaign.

The gold medal recipients are: The Amgram Government Primary School in Durgapur in Rajshahi, Mongarh Residential High School in Rangamati, Rashahi University, Ruhia Catholic Mission in Atoari in Panchagarh, Balagani thana in Sylhet, Rajshahi City Corporation. Area Headquarters of Chittagong Cantonment and Baimong-U-Marma of Bandar-

Fertiliser crisis Commission begins public hearing

SHERPUR, June 13: A twoday mass hearing on the fertiliser crisis that prevailed in the country some months back began in the district today. reports UNB.

Though the first day's hearing was fixed for the public. none showed any interest in making statements before the judicial commission. led by Justice Badrul Islam Choudhury.

The commission was present for hearing from 10 am to pm, but only a TNO stated his views before it.

Talking to UNB, local people said they were reluctant towards the hearing because they said it would not bring any good for them.

Disclosures of the facts to the commission would only generate enmity in the locality. they apprehended.

District Awami League President Abdus Samad said they had no party decision or any data regarding the fertiliser scandal in the area.

Tomorrow is the last day of the hearing.

AL, JP, Jamaat From page 1

Workers' Party, however, have decided to attend today's meeting at the CEC's office.

When contacted last night leaders of the Gano Forum and Workers' Party told The Daily Star that their representatives would join the meeting.

The leaders for the National Democratic Party (NDP) and Islamic Oikya Jote (10J) which are represented in Parliament, were not available for finding out if they would attend the meeting

US aid From page 1

American voters.

The lower house of the US Congress adopted the Bill after 16 hours of debate by 222-192 vote. The Bill, already approved by the Senate Foreign Relations Committee, has to be passed by the full Senate, the upper house of the Congress, the American law making body.

The Bill then has to be reconciled by a conference of key Senate and House legislators and approved by both chambers before being sent to the President for his assent. The President can veto or sign it Any Bill, passed by both the houses, needs consent of the President to become the law of the United States.

Modern equipment for Ctg Port soon

Container handling capacity to be raised by Oct

From Staff Correspondent

CHITTAGONG, June 13: The government will procure some 20 modern equipment soon to ease container congestion at the Chittagong port

Shipping Minister M K Anwar told this today at a joint meeting of port users and representatives of the trade bodies at the port house here.

The dockyard will be renovated and developed shortly to raise the capacity of containers to 11.500 from the existing 8.500 by October this year. Ship shore gantry crane and yard gantry cranes will be

private parties to gear up cargo and container handling, the minister said. The Shipping Minister said Chittagong port was facing a little congestion due to stock-

provided on lease-basis from

piling of 13.500 containers. half of which are empty. He said private entrepren-

eurs will be encouraged to build berths and inland container depots (ICD) and added process was underway to allow private functioning of an inland container depot of 500 containers to ease the crisis.

Moreover, steps have been taken to allow parties for carrying containers outside the port by depositing Taka 2000 against 20 feet container and Taka 4000 against 40 feet ones which are refundable after returning the containers while earlier huge amount of bank guarantee was required for the same, the minister said.

CPA is working round the clock to provide best services to the port users. "Our economy will be benefited to a great extent if the endeavours are reciprocal," he said.

Redwan Ahmed MP, president. Bangladesh Garments Manufacturers and Exporters

Association (BGMEA) and Waliul Islam, Shipping Secretary among others, spoke.

The Shipping Minister said external trading including export of garments through

Chittagong port have increased

by 25 per cent. Abul Khayer Chowdhury Representative, Ocean Going Ship Owners Association, A F M A Asad, president, Steamer Agents Association, Sarwar Jamal, president, Chittagong Chamber of Commerce and Industries, Chairman, Shippers Council of Bangladesh, Stevedores Association, Samsuddoha, Vice President of FBCCI and some government officials of concerned department took part in the discussion.

The minister also presided over the 154th board meeting of the Bangladesh Shipping Corporation held later on the

Boycotting MPs enjoying perks

can travel free of cost inside has regularly processed and steamer with VIP status. On presentation of the pass Biman issues a ticket for the MP, the bill for which is sent to the JS.

Those who do not receive the travel pass, can draw a sum of Tk 30,000 as travel allowance annually, sources in the JS accounts department

Foreign Office sources said that none of the MPs who have been boycotting the session since March I last year. and who subsequently resigned en masse on December 28. had surrendered their diplomatic passports.

Except Salahuddin Quader Chowdhury of the NDP, the MPs who claim themselves to have "resigned" still occupy their rooms in the MP hostels.

Currently, the ruling Bangladesh Nationalist Party (BNP) has 182 members, the Awami League 93, the Jatiya Party 32, Jamaat 19 while the Workers Party, Gana Forum the NDP and the Islamic Oikya Jote one member each. This unofficial tally includes those MPs who have joined the BNP and the AL from other parties such as the CPB.

As of today, the MPs of all the parties have retained possession of their official telephones at their residences.

The opposition MPs are not getting their salaries and allowances because the Auditor and Comptroller General stopped reimbursing the salaries citing a court case following their resignation.

From page 1

lowed, in addition to private

placement or allotment to for-

eign investors of up to one-

third amount of the initial pub-

lic offering (IPO), provided

that after such placement the

sponsors of the company shall

own at least 25 per cent of the

of capital for such a company

must be accompanied by the

project feasibility report, ap-

proved by the lenders in the of

loan-based projects, and pre-

pared by recognised invest

ment advisors in the case of

100 per cent equity or public

debt-based projects, the

Subscription against IPO by

guidelines say.

An application for sanction

capital at the time of the IPO.

The JS accounts department the country by Biman, train or sent their salary and allowances bills to the AG Office and the Finance Ministry has duly issued no-objection certificates for payment of the salaries.

> An MP is entitled to draw Tk 14,200 a month which includes Tk 6,000 as salary, Tk 4,000 as telephone bill, a Tk 1,500 constituency allowance. Tk 1.500 office allowance, Tk 1.000 entertainment allowance and another Tk 200 for medical bills. But along with other facilities, the actual figure totals Taka 22,000 on an average. The MPs also get TA and DA for attending Parliament sessions and parliamentary committee meetings.

Besides this monthly pay an MP is entitled to a Tk 75,000 contingency allowance for his or her constituency.

The source showed this correspondent a bunch of Bangladesh Biman ticket folios and bills issued for Maulana Matiur Rahman Nizami, Karimuddin Bharsa, Sharif Khasruzzaman. Tabibur Rahman Sarder. Shahiduzzaman, Khan Tipu Sultan, Azharul Islam. Abdul Mukit Khan. Abdur Rouf. Aminul Islam. Suranjit Sengupta. Maksud Ibne Aziz Lama. Gazi Nazrul Islam and Mizanur Rahman Chowdhury.

As many as 286 MPs have so far availed the privilege of importing duty-free cars while 303 members received certificate from the JS secretariat to open letters of credit for importing vehicles.

a greenfield public company

may be payable in installments

in such a way that at least 40

per cent shall be payable on

application, at least 30 per

cent on allotment and the bal-

that the issuer should furnish

to the SEC quarterly state-

ments of financial and physical

progresses of the project

within 15 days of the end of

each quarter so as to enable

the Commission to monitor

lines shall attract penal provi-

sions under the Securities and

Exchange Ordinance, 1969,

(Ordinance No XVII of 1969).

Violation of these guide-

utilisation of such fund.

it further pointed out.

The guidelines further add

ance in one call.

SEC issues guidelines

Since January 1995 21 MPs and ministers have imported tax-free vehicles. Seven of them belong to the opposition parties, one is an independent while 13 belong to the ruling

When contacted over telephone. Suranjit Sengupta who recently joined the Awami League, said the travel pass was issued before his December 28 resignation and, therefore, he can use it until its expiry later this month. "I could have drawn Tk

30,000 instead of taking the pass. This is a privilege I could have enjoyed earlier," he said.

"Since I am no longer member. I would not ask for renewal of the pass in future. he explained. He said the government is

contradicting itself. On the

one hand it says we are still

Members of Parliament while on the other it has advised the Accountant General's office to stop paying the salaries. "Ask them whether they

consider us Members of Parliament or not?" he said. Mizanur Rahman Chowd

hury, acting chairman of the Jatiya Party, categorically denied having used the pass since his resignation. "If the parliamentary

sources give such information you can publish it. I will take my action later." he added. " have not availed any privilege after my resignation," he The other opposition MPs

were unavailable for comment.

Natore college student killed

Chalkpara here today.

as Abdul Aziz, 18, a student of the Natore N S Government College, and his uncle Abdul Gafur, 40.

Police sources said some miscreants of Senbagh Laxmi kol village of Natore Sadar thana attacked them with sharp weapons following an exchange of hot words over husking rice.

his uncle on his way to the Raishahi Medical College Hospi-

From Our Correspondent

NATORE, June 13: A col lege student and his uncle were killed by some miscreants at village Basudevpur The victims were identified

Aziz died on the spot while

Create environment for investors the first budget of the Fifth Five-Year Plan. The govern-

The mix between revenue and development expenditure

is a phenomenon practised in most developing countries. We notice that the increasing participation of domestic resources in the development expenditure is a positive sign, and more private participation can change the scenario altogether.

From page 1

can take place.

DS: What should be the priorities in the next budget? What type of intervention steps should be initiated to tackle poverty? RMK: the priorities of the

next budget should be to create a congenial environment and level playing field for investment, both local and foreign, which would encourage the private sector. Since 85 per cent of the

people live in the villages and are engaged in agriculture. that sector should get due importance and agro-based industries and mechanised cultivation should get priority. This will not only increase food production but also keep the rural folk engaged at work and they would not be required to migrate to the towns and cities for jobs. The budget should also provide opportunities for setting up labour-intensive forms have on the perfor-

small and cottage industries all over the country - engaging large number of people. The unemployed educated youth, with some training, would be able to create self-employment in the micro industries.

DS: What are your views on the on-going economic reform programmes? Do you think the thrust of the reforms is in the right direction? Is the pace of the reforms appropriate?

RMK: To attract investment and expand the export market with a wide range of products the government initiated a reform programme. Under this programme, the government liberalised trade policies and accelerated the privatisation move. But the country so far has not been able to translate its economic success at the macro-level into investments at the micro-level due to inconsistency of policies and obstacles created by vested interest groups.

To keep the pace of reforms on the right track all decisions taken by the gov-

ernment should be absolutely clear and transparent. There should be no scope for abrupt DS: What impact did the remance of the overall economy? Do you have any alternative suggestions?

RMK: The reforms had a positive impact on the overall economy but progress is slow. The global economy is passing through momentous changes For attaining sustainable economic development, Bangladesh needs growth rates of between 6 and 7 per cent by the turn of the century for which the ratio of investment to the GDP needs to be raised to at least 18 per cent from the existing 12 to 13 per cent.

DS: In brief, what, in your opinion, are the specific problems in the agriculture, industrial and financial sectors?

RMK: For maintaining an enabling environment, implementation of the policies must be ensured. With the advent of the World Trade Organisation (WTO) the agricultural, industrial and financial sectors should be reorganised to take the concessions allowed for the least developed countries. DS: What is the short-term

economic outlook? RMK: Businessmen always

sions based on transparent policies articulated by the policy-makers.

expect prompt and fair deci-

The 1995-96 budget will be

long-term perspective plan This plan should have short term and long-term, phase wise targets which should include sector-wise goals and commitment of the government to achieve those goals. DS: What is your opinion

ment is thinking of adopting a

about the current political scenario? What impact did it have on the economy? Any suggestions to improve the political climate?

RMK: A stable political environment is the precondition for economic development. It should be maintained at any cost. There is macro-economic

stability in Bangladesh but this stability cannot bring the desired results unless political stability is maintained. The political parties of the country have failed in fulfilling their responsibilities to the nation. Sometimes, without helping to create a congenial environment for economic growth under a democratic system, they are trying to push the nation towards uncertainty. Dialogue should be continued and all quarters should exercise more tolerance to avoid any confrontational situation.

The Midnight File

13 injured in Azad **Kashmir explosion**

MUZAFFARABAD. Azad Kashmir, June 13: More than 200 shops and houses were damaged here in a powerful explosion which left 1,000 people homeless, the state's senior minister Mohammed Yusuf said today. At least 13 people were injured when the Challa Bandi locality on the outskirts of Muzaffarabad, capital of Pakistani-administered Kashmir was rocked by four successive blasts late Monday, reports AFP.

Hearing of writ resumes

EC can't register voters with retrospective effect, HC told

The Election Commission has no legal authority to register voters with retrospective effect, a High Court Division bench was told vesterday, reports UNB.

if a citizen's age is 18 years he or she is entitled to become a voter. But the EC has said that a citizen whose age will be 18 on January 1, 1995 will be enrolled as voter The order of the EC will deprive some 25 lakh citizens.

The Constitution spells out

that on the date of enrolment

who will be 18 between January 2 and August 31, 1995, of their fundamental rights of enrolment as voter. Advocate A B M Nurul Islam told the court. "This is ultra vires of Article

122 of the Constitution. The EC has no legal authority to register voters with retrospec tive effect," he said.

He was pleading for Advocate Aminul Gani Tito who filed a writ petition on May 29 challenging the legality of fixa tion of January 1, 1995 for becoming eligible as a voter and the place of registration of a

The hearing resumed yesterday before a new bench comprising Justice Habibur Rahman Khan and Justice M M Ruhul Amin after the bench comprising Justice Ismail Uddin Sarkar and Justice Abu Saved Ahmed was dissolved

Speaker From page 1

joved by the Opposition mem bers will be taken into account while considering the point of absence, he said. "When a matter is decided, all relevant matters may come up for consideration. When his attention was

drawn to the Opposition claim that the present Parliament had become illegal following their resignation, the Speaker rejected the contention outright. "Parliament is absolutely legal from the point of law and legality."

In support of his point, Razzak Ali said a parliament cannot be illegal so long as a political party with majority members remains in the House. It cannot be called illegal due to the deliberate absence of the opposition.

"The Speaker can go ahead with his job in the House with only 66 members, required for quorum."

He was asked whether he would give any advice to the Prime Minister in this peculiar situation of the present parliament.

"The Speaker cannot give any advice to anybody. His only business is to run the House as per rules," Razzak Ali said. Asked for his comments on

the present situation, the

Speaker put his finger on his forehead and said: "Democracy is in jeopardy, undoubtedly ... this is quite clear. Razzak Ali said democratic norms and culture so badly needed for institutionalising

democracy in a country were not, unfortunately, being practised. Referring to the lingering political impasse, the Speaker said it is a political crisis which the political leadership

would have to resolve. "A political consensus is the only way, and that is the way which is followed to solve a problem in all democratic countries," he observed.

Asked if he was planning any new initiative, the Speaker said "At the moment. I have no such intentions."

Ershad

From page 1 election still retains his seat as a member of parliament,

Jail authorities till yesterday were not informed about the decision to produce Ershad in a court in Chittagong on Thursday.

The former president has recently been co-accused in the alleged murder of Major General Abul Manzur and summoned to appear before the Chittagong CMM's court The decision to produce Ershad, which includes security measures is expected to be taken by the Home Ministry.

BNP meet

From page 1 He said it is an overdue meeting delayed basically because of tight official schedule of the party chairperson.

in reply to a question he said he has no knowledge about any announcement the Prime Minister is going to make on the opening day of Parliament

following the elevation of Justice Sarkar to the Appellate Division on June 8.

Citing Rule 7 of the Electoral Roll Ordinance, which requires the EC to issue identity cards to all voters. Advocate Islam said the EC has given a press release saying that it will not be possible to issue ID cards because of a lack of adequate time.

He described this statement of the EC as "illegal" because the EC has no legal authority to change, alter or amend a specific provision of

Rule 4 of the ordinance has given option to a voter to indicate where he wants to cast his vote in elections for parliament/union parishad/pourashava/city cor-

manent or temporary resi-But, Islam said on May 28, the EC issued a press release saying that a citizen must be enrolled as a voter from the

place where he wants to cast

his vote. He argued that this is

absolutely illegal and violative

poration after being registered

as a voter either from his per-

of specific provisions of law. Referring to a few other mandatory provisions made in the enrolment, he said the EC has made it mandatory to record identification marks of a voter, no matter whether a

person has any such mark.

He questioned under what law the EC had devised such a form, totally different from earlier ones.

The hearing resumes today.

Baul festival

From page 1 of the festival, will deliver the welcome address

A series of seminars on baul philosophy will also be held during the festival. Three main papers on various topics will be presented.

The seminars will be presided over by Dr Ashraf Siddigi, Dr Abul Ahsan Chowdhury and Dr Mohammad Muniruzzaman.

Noted baul singers will participate in musical sessions.

Luxury buses

From page 1

Meanwhile, several thousand passengers are facing serious problems following the suspension of the luxury coach service from Sunday.

ing their vehicles following the removal of their 'unauthorised' bus stand at Fakirerpool in the city Sunday morning. The luxury coaches may operate from tomorrow, the committee member said adding a terminal for these buses

could have been constructed

on a temporary basis some-

The transport agencies,

mostly operating the luxury

coach service on the Dhaka-

Chittagong route, stopped ply-

where between Kamlapur and Pir Jangi Mazar Road. The owners of these transport agencies were negotiating with the authorities till yester-

The owners suggested the Kamlapur BRTC bus depot as a new terminal for the luxury coaches of the Dhaka-Chittagong route. The BRTC employees pro-

More than 15 thousand passengers usually use luxurious airconditioned and chair

coaches every day, transport

tested the demand

agency owners added.

Budget From page 1 Works Minister Rafiqul Islam Miah and Agriculture Minister

Majed ul Huq attended the meeting. The Finance Minister, who is not a member of the 15member advisory committee. was invited to the meeting since the committee discussed matters relating particularly to the budget session.

Transport strike From page 1

the Chittagong Road Transport

Owners' Association enforced the strike to press its 10-point demand The demands include refixation of fuel price in line

with the international market price, reduction in the prices of spare parts, tire tubes and reconditioned engines, free import of lubricant oil and action against unauthorised lubricant oil factories

Companies Act outdated the Commerce Ministry has From page 1 opened a cell to coordinate the outcome of various expert

set the economic interest of the country as the 'number one' objective of all its policies. including the foreign policy.

The process of economic

deregulation would continue

and reach a logical conclusion,

he said. "Let there be no confusion about it." On problems of the export sector, Islam announced that a committee headed by the Commerce Secretary would examine those problems. Corrective measures will be taken at the earliest if the problems

are found genuine, he said. To MCCI's proposal for allowing exporters' greater access to foreign exchange, the minister said his ministry would recommend to Bangladesh Bank for enhancement of retention limits by phases. Currently the limit is only 20 per cent.

The minister also said that the Commerce Ministry would request the central bank to review the Foreign Exchange regulation allowing investments abroad which would help find new market. He assured due considera-

tion to another proposal for

removing clauses in the Insur-

ance Ordinance 1994 that discriminated between the private and public sectors. Sharing concern with the MCCI on the impact of the GATT agreement, Islam said

Editor: Mahfuz Anam

tions.

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and workers of different political parties and student organisations joined the BNP today. They met with BNP Chair-

person Prime Minister Begum

Khaleda Zia and announced

their joining the ruling party

at a meeting at the Dinajpur

Lokbhaban auditorium in the

Another report from Dina-

He was the sixth JP MP to

cross floor into the ruling

party after the Opposition res-

ignation from Parliament over

the staggering dispute regard-

ing a caretaker government.

tpur adds: About 1,500 leaders