

This cannot Go on

So Nuban Ahmed could not be saved by this nation's state of medical knowledge and skill. A grievously wounded person, surviving for long nine days and more allures one to hope that he would come out all right in the end, in whatever shape. Shall we say Nuban had no luck - our capability in the healing sciences is limited? How can we be sure that had he been in New York or London or even New Delhi, he would succumb to his injuries all the same? But before coming to form any unflattering idea of the nations medical capabilities, we must know for certain if the utmost of our medical prowess was pressed into service in his case. Perhaps the best attention did not materialise for him. Why?

The young Dhaka University teacher was stabbed on December 17 and brought to DMCH. Reports say muggers mauled him. But the nature of his injuries strongly suggests other possibilities. One eye was all but gouged out leading to serious head injury. The Bengali print media attributed the attack to terrorists which is neither here nor there if not altogether misleading. Before any agency has gone deep into the thing, this can safely be said that this was a case of organised premeditated murder. And if university teachers do count for anything in the national life, the police have by their strange inaction, bought for themselves awesome wrath.

With Nuban's death police image will plummet further. What has police done in Mughra Diba's case of kidnap and murder? And Diba's is but one case in a series of similar murders. Police has responded to all of these with the same wouldn't-care-less attitude.

These murders, perhaps specially Nuban's and Diba's, are a test for Bangladesh's legal system. And some quarter must bear the responsibility of letting Bangladesh down so abominably and abysmally. This cannot simply go on.

Our sincerest condolences to Nuban's bereaved family.

A Narrow Save

Begum Shamsunnahar Mahmud has been awarded the newly-instituted Rokeya Award by the government. The choice is undoubtedly beyond reproach. Perhaps more than one hall of residence for university women students bear the name of Shamsunnahar and that is enough to prove the award on its take off has landed on a true celebrity.

Begum Shamsunnahar is dead 32 years. The choice obliquely says all these three decades nobody has carried Rokeya's mantle in any recognisable manner. This is simply not true. Women's participation in education, literature and overall social awakening, not to say of women's liberation, has undergone both quantitative and qualitative change for the good - and this has happened not for nothing. Ignoring this reality has been made possible by an attempt to avoid recognising a host of activists in the line of Rokeya, led, of course, by Begum Sufia Kamal whose literary, social and cultural contributions can be compared only with Begum Rokeya's and none else among Bengali Muslim women.

There are three parties to an award of this nature. The giver, the getter and the person in whose name it is offered. Integrity of the first and the qualification of the second join to become a fitting celebration of the great one the award is named after. Both Independence Day and Ekushey awards have been seriously undermined by the shameful unfittingness of many receivers of these national awards.

Lapse in Governance

Three incidents of abduction in just a week have once again struck terror into the minds of the inhabitants of the port city of Chittagong. A constant fear of abduction - whether of children, young men or businessmen - certainly hampers the city life beyond measure. Not everything is, however, seen through the naked eye but the destabilisation gradually takes its toll. Abduction in Chittagong is hardly a consequence of political vendetta. Young men and businessmen are taken hostage for ransom. Illegal toll collection and ransom-taking have become a regular activity for anti-social elements.

After the much-publicised Fakhri abduction case, there was a slight lull in kidnapping. This is quite interesting. A reputed businessman Fakhri was released unharmed but not before the police had stepped up their drive. This shows that the police are jarred into action after each case has received enough media and public attention. The other implication is that if they are serious, the police can really make the anti-social goons to take to their heels. A general sloth on the part of the law enforcers is a good enough encouragement for the abductors and toll collectors.

Chittagong has not been the only city to suffer at the hands of these social parasites. The capital city has had its share. In a country with fledgling trades and commerce the rise of mafia-style bullying can simply spell disaster for its all-round development. The World Bank has expressed their dismay over the musculerism. Negative developments such as this reflect on the state of inefficient governance. In a free-market economy the theory of less intervention must not be extended up to the area of law and order. The government certainly does not want businessmen, industrialists and others to raise their own private army of security. This is a serious challenge before the government and any administration that shirks this responsibility rules itself out of governance.

Five Miles to Midnight

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PAKISTAN is today standing at a critical economic and political crossroads. As the year draws to an end there is a feeling of despondency throughout the country as never before in our history. There is definite pessimism among the populace about whether we shall survive as a geographical entity in the comity of nations. All this is rather strange because even though the physical evidence points to deep malaise and even the portents of future disaster, it certainly does not signal immediate apocalypse.

We are in deep economic straits, brought about by inept management by a group of individuals who do not blend into a team. The major economic barometer is the stock market and while it has rebounded from the November low to gain a 100 or so odd points, it is being artificially buoyed by injecting (and promise of) money by public institutional sources. How long this can be sustained is a matter of conjecture. Needless to say we shall probably be witness to the same course in depletion of funds that has been routine in the wiping out of a large percentage of small investors. As far as the foreign exchange reserves are concerned, if the US \$ 892 million due to PTC (Pakistan Telecommunication Corp), privatisation had not been much available as well as allowing rupee loans against individual foreign currency accounts (thus deterring the balance 30 per cent from joining the 70 per cent that had already flown the coop due to ill-fated rumours), we would have had a negative balance.

At it is, despite the fact that IMF has come up with the first tranche of \$ 200 million of an approximate \$ 600 million stand-by facility, we will be hard put to meet our debt servicing obligations what to talk about minimum import requirements to keep the economy from going into a free fall. To add to our woes, the finest financial brain of our times, Commerce Minister Ahmad Mukhtar, has informed us that government cheques will not bounce because the government "has the machinery, to print notes." If you could not believe your ears then you would have been astounded that the PM, who should know better being a class above the likes of Mukhtar, repeated this as a fact. Such is the level of our financial credibility that it is hardly surprising that such disinformation finds such fertile ground to compound our dire economic straits. Mr V A Jafarey is a respectable old man but far out of his depth in the handling of the economic crisis, particularly given the colleagues and subordinates he must work with to take us out of the crisis. Even he has agreed reluctantly that we are far removed from the spurt of ads from the public sector that proclaimed our economic "emancipation" in October/November this year.

However, we note that even knowledgeable economists do not talk about the obvious problem with our economy, deep-rooted corruption. Since the money delivered in briefcases can hardly be kept in a bank in Pakistan, it is converted into foreign exchange and shifted to foreign banks all over the world. What Third World economy can survive the flight of a \$ 1 billion plus from the currency system, even given that some of the money is being brought back to purchase banks, DFIs, manufacturing units, service industries etc. in order to make a new economic elite? Above all, one must ensure accountability. It is no use having to get evidence about how a person acquired wealth but make it incumbent upon a person to explain how he (or she) acquired wealth. There are a number of methods to ensure this, if a person has declared income and wealth tax as a salaried person, it is impossible to explain the construction of a home without loans.

While you cannot target a person by evidencing the siphoning of secret funds for such a purpose, why cannot the individual explain how he acquired that wealth? While we wait desperately for the bumper cotton crop to start paying dividends by end February 1996, we will be hard put to survive economically.

However, that will only be a temporary respite at the most, the economic management team has to be overhauled by the PM, if not changed altogether. Regretfully (and respectfully) if she chooses to be loyal to them in preference to the economic interests of the nation, then it is time for her to also go.

Politically, we have made a hash of things. Gen. Babar has been spectacularly successful in dealing with terrorists. While one may decry his methods, the end justifies the means. In a few short months, after the banning of cellular phones that was the main means of their communication, urban terrorists in Karachi have taken several resounding body blows that may have virtually eradicated 27 or so of the 35 groups operating. However, no one has moved against the terrorists.

There has to be dialogue with the MQM, it is better that the PPP enters into serious dialogue but if it cannot get their act together than it is time to try a national government to do the needful. The first step is to hold local bodies election so that leadership at the grassroots cannot be ignored any longer and if it is, it will be to the detriment of the integrity of Pakistan. What started as an exercise against the MQM has degenerated into targeted victimisation of the Mohajir community in urban Sindh, it has deeply alienated this community as a whole from the political mainstream of Pakistan. If it were confined to simply frustration among the youth, it would be deplorable but since it cuts across all segments, even the intelligentsia, the result is an unmitigated disaster.

Obviously the Mohajirs cannot feel enraged in isolation, there is bound to be a reaction from the other ethnic communities to their anger. The result is that deep polarisation is setting in the same manner that schism was created between West and East Pakistan. There is a growing realisation among all Pakistanis that come what may the Ms Bhutto government is not ready to risk its Sindh constituency base and as such is willing to gamble on national integrity than talk seriously with the MQM. How much patience will the powers that be show, till the country is well on the road to terminal destruction? The fabric of a national society is based on mutual trust and respect, not the threat of or the use of brute majority or force. How much longer till

aster must be laid at their doorstep, or more particularly at those individuals responsible for policy formulation and implementation. However, the redeeming feature is that after the changing of the guard, ad-hoc, insensible policies seem to have been replaced by a much more nature and well-thought out approach, this has certainly resulted in some change for the better, one hopes this will continue. Instead of projection of a single personality as the main aim, we now seem to have more of a team effort in coping with the Kashmir crisis. Over the past 2 years, our Kashmir initiatives remained in shambles as the whole policy was geared to show up the performance of OAC individual, who from time to time gave the impression of impending crisis - and then later contrived to solve the "problem" himself, to loud accolade by his paid hacks!

From a national cause of great concern to all Pakistanis, Kashmir degenerated into a self-promotion exercise. Not satisfied with what was happening in Indian-held Kashmir, even the much respected AJK PM, Sardar Abdul Qayyum Khan, was targeted as a possible victim. However, Sardar Sahib is made of sterner stuff and this blackmail got short shrift at his hands, the despicable rascal a stiff kick in his teeth. The tragedy is that Ms Bhutto feel to such machinations when she should have known better than to be waylaid by the ambitions of such a manipulator. The net result is that in Ms Bhutto's strong suit, foreign policy, we are now in a decided disadvantage.

About the end of the year, destiny has evened the balance somewhat. First was the appointment of the COAS on pure merit, a triumph of good over evil, present in abundance in one of the "Certain" alternates. Other than the Army which knew its priorities and preferences; The strange thing was the knowledgeable positive reaction from all over the

We are in a foreign policy mess, particularly in the region. Afghanistan was being directly handled by an intelligence agency, whatever dis-

ists belonging to other political parties, particularly that of MQM (H), PPP and its allies, the religious extremists, etc. While the focus may have been right it is time to become even-handed about going after every known terrorist whatever may be his colour and creed.

At the same time, the people of Karachi cannot be denied their democratic rights any longer, the vacuum of leadership at the grassroots cannot be ignored any longer and if it is, it will be to the detriment of the integrity of Pakistan. What started as an exercise against the MQM has degenerated into targeted victimisation of the Mohajir community in urban Sindh, it has deeply alienated this community as a whole from the political mainstream of Pakistan. If it were confined to simply frustration among the youth, it would be deplorable but since it cuts across all segments, even the intelligentsia, the result is an unmitigated disaster.

There are a number of areas where public servants' conduct and discipline deserve to be improved, and made more effective, in order to maintain high moral and ethical standards in the government in a rapidly changing situation. It is my aim here to suggest ways of

improvements mentioned earlier, the government should be able to delete, amend and add to the existing provisions in the light of objective conditions and our democratic norms and values. Several examples may be provided to illustrate this point. Allowing acceptance of gifts from foreigners of value upto Taka 500 only and the necessity to take permission to sell assets worth more than Taka 15,000 appear highly unrealistic given that inflation has rendered these amounts ridiculously low. The same comment is applicable for restricting members of a government servants' family to engage in business activities

judges and officials of the Customs, Forest, Roads and Highways, Works and Registration Departments, or it should be altogether deleted. Similarly, it is difficult to segregate speculative investments from non-speculative ones in the shares and securities market and hence the provision on investment should be suitably modified. Perhaps the provision requiring amendment on a top priority basis is the procedure followed for prosecuting officials under the Discipline and Appeals Rules, since it is rather long drawn and time consuming.

Thus, involvement of the Public Service Commission in this process is quite unnecessary, since there is adequate provision for redress in the administrative courts. Similarly, the provision for appeal to higher administrative authorities also needs to be examined carefully. If it is a mere motion to be undergone, then we may as well dispense with it. In that case, the entire attention of the government should be focused on strengthening the working of the administrative courts, so that there is a swift but judicious review of the punishments meted out by the government on account of misconduct and indiscipline.

Fourth, it is urgently required to introduce a few new items to the existing conduct code for government servants. Let us provide some concrete suggestions. Given that times have changed and women are being encouraged to participate in the public services on an increasing scale, it is also imperative to have provisions for punishing sexual harassment in the Conduct and Discipline Rules. Sexual harassment is now a serious problem, and should be faced squarely. Otherwise, the whole objective of women's emancipation may be defeated. Similarly, the legal activities that service associations can pursue should be more stringently defined so that trade union actions and postures particularly by service associations of officers may be more severely dealt with. It is necessary to spell out the do's and don'ts regarding consultancy work undertaken by government servants. There is also a strong case to impose a two-year ban on commercial employment after retirement. This provision is already there in the Bangladesh Ser-

vice Rules. What is required now is to make it a part of the Conduct Rules in order to safeguard public services and individual officers from the suspicion of impropriety.

Fifth, without higher personal examples set at the level of Secretaries, Departmental heads and Corporation chiefs, Public Servant Conduct and Discipline Rules cannot be genuinely implemented. Take the example of office attendance. Yes, under the existing Ordinances, summary action may be taken against offenders for unauthorized absence. However, if none other than the PM has to make surprise inspections to ensure the punctual attendance of office by the top officials, what can be expected of the low-level employees, despite the legal provisions? There may be some justification for allowing flexible office timings to the top officials on the ground that they leave office rather late and have to work often on public holidays. In that case, this should be spelled out in writing, otherwise it becomes morally indefensible to apply the rules on unauthorized absence across the board.

Finally, the policy planners wishing to improve the existing code of conduct and discipline should be encouraged to opt for an approach that consists of minimum content but maximum implementation rather than the present situation which tends to be all-inclusive as far as content is concerned but quite lax in implementation. Indeed, those who are powerful easily get away with all kinds of gross violation of the conduct and discipline code, whereas there are many instances of victimisation and settling of scores under the same code on flimsy grounds which could have been easily overlooked. In other words, we should have as few provisions as possible in the Conduct and Discipline Rules but ensure their fullest implementation across the board. At the same time, we should avoid vagueness, red tape and impracticability in deciding on the various provisions of rules. It would, therefore, seem that there is a lot of hard work to be done in the exercise to improve the content and effectiveness of the existing code of conduct and discipline for government servants. It is high time that the Secretaries Committee got on with this job in right earnest.

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Government Servants' Code of Conduct and Discipline

THERE are six sets of rules/ordinances relevant to the regulation of conduct and discipline among civil servants in Bangladesh. These are (a) The Government Servants (Conduct) Rules, 1979; (b) The Government Servants (Discipline and Appeal) Rules, 1985; (c) The Public Servants (Dismissal on Conviction) Ordinance, 1985; (d) The Government Servants (Special Provisions) Ordinance, 1982; (e) The Public Employees Discipline (Punctual Attendance) Ordinance, 1982; and (f) The Administrative Tribunal Rules, 1982. There are some references to public servants' conduct and discipline in the Bangladesh Service Rules (BSR), which is an amalgam of the East Pakistan Service Rules, the Fundamental Rules and the Civil Servants' Regulations. Finally, certain administrative circulars have also been issued on this subject.

The first set of rules deals with government servants' conduct regarding a host of activities such as the acceptance of presents and foreign awards, public receptions in honour of officers, the collection of subscriptions for public work, taking loans, the sale of assets, the construction of houses, the furnishing of property statements, in-

volvement in business and investments and purchase of shares, participation in public affairs including politics and media work, the disclosure of official secrets, criticising the government, depositions in public hearings, the propagation of communal views, nepotism, joining of service associations, self-defence against defamation in the discharge of official duty, soliciting favours from foreign missions and aid agencies, exercising political influence, etc. The Discipline and Appeal Rules delineate (a) the various administrative offenses (such as inefficiency, misconduct, desertion and corruption) and their punishments i.e. censure, stoppage of promotion and pay increment, recovery of losses caused through fines, demotion to a lower scale or post, compulsory retirement, removal and dismissal from service; and (b) the in-house review and appeal available against such punishment. The Public Servants Dismissal on Conviction Ordinance lays down that a public servant convicted on a criminal offence will automatically stand dismissed from service. The Special Provisions and Punctual Attendance Ordinances provide the government with summary powers to take action against unau-

thorized absence and trade union picketing and other acts of indiscipline. Finally, the Administrative Tribunal Rules spell out the working of the Administrative Tribunal dealing with appeals against various government actions including punishment meted out to officials under the Rules and Ordinances mentioned above.

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Making Government Work

By Analyst

doing so. First, there should be an automatic process to review existing administrative rules/regulations, including those on public servants' conduct and discipline, after every five years. Obviously, the Secretaries' Committee should be the prime mover in this regard. Perhaps a sub-committee set up by the Secretaries Committee could do the main spadework, and then after consideration by the main committee, the recommendations could be submitted for decision making. During the deliberations of the sub-committee, wide consultation with officials and informed segments of the society would be of utmost importance.

Second, after the specific improvements (which we shall discuss below) have been accepted, the six sets of rules, the BSR provisions and pertinent administrative circulars on public servants' conduct and discipline should be amalgamated to produce a single legal document. Based on this document, the government should bring out a booklet in Bangla in ordinary non-legal language for wide distribution among officials, particularly the fresh entrants. At present, many officers, even at the mid-level, are quite oblivious of these rules, and are bothered to find out about them only when they get into trouble. One important reason for this is the haphazard and scattered existence of these rules and orders.

Third, in effecting im-

provements mentioned earlier, the government should be able to delete, amend and add to the existing provisions in the light of objective conditions and our democratic norms and values. Several examples may be provided to illustrate this point. Allowing acceptance of gifts from foreigners of value upto Taka 500 only and the necessity to take permission to sell assets worth more than Taka 15,000 appear highly unrealistic given that inflation has rendered these amounts ridiculously low. The same comment is applicable for restricting members of a government servants' family to engage in business activities

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To the Editor...

Campus violence

Sir, I would like to draw the kind attention of our esteemed politicians to the alarming situation prevailing in most of our universities and colleges. In the recent days the campuses have been turned into battle-fields and places for demonstrating muscle powers. Many colleges and universities have been closed sine-die following clashes and violence among rival group of students. The latest campus violence have taken place on the campus of Bangladesh Agricultural University which claimed three students' lives. May I most solemnly request our political leaders within and outside the government to form an all-party-commission for reviewing the existing situation and to chalk-out joint action plan for containing and eradicating violence from our educational institutions, and thereby restore order and discipline on the campus.

Ball and court

Sir, The ball may be in the BNP's court (On the Record, December 18), but it was not necessary for the ball to appear in the court, at the time it did, before the tenure of five years was completed by the duly-elected government. Why try to play a game when it is not the time to play? There is no novelty in such political tricks and verbal illusions, leading to the reality of phony hartals based on coercion. Time to replace the political advisors in both the main camps. A Husain Dhaka

This should be done urgently for the sake of protecting our education system in particular and the country in general from absolute ruin.

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