

## A Failed Gamble

It was always dubbed as an election of form (to meet a constitutional obligation) and never one of substance. In yesterday's poll even that form stood totally shattered. The question of voter turn-out notwithstanding, the minimum legal requirements of a free and fair election seem to have been absent from yesterday's polls. We are not referring to the centres where election could not be held due to violence or other reasons. We are talking about polling centres where voting took place peacefully, but did so without much regard for the rules laid down by the Election Commission.

Basing our conclusion on 30 polling centres in the city, and from the reports of our district correspondents throughout the country, it can be said that in most polling centres there were no polling agents of any candidate other than that of the ruling party. The usual practice that a voter's identity is checked by agents of each contestant before he or she is given a ballot paper by the official concerned was not followed in most cases. In numerous polling centres in the city ballot papers were found outside the centres. Cases of multiple casting of votes, and voters without indelible ink mark were numerous. Eyewitness accounts of many polling officers being under physical duress and forced to allow miscreants to stuff ballot boxes have cast a serious doubt on this 'one party' election.

On the question of turn-out the initial reports from all over the country indicate a level that no self respecting political party can take as a measure of public will. Vote-cast rises to respectable levels only in areas where there were absolute control of the ruling party. Even there, only the party enthusiasts turned up, and not the general voters.

It was known all along that this election will achieve nothing except fulfilling a legal requirement. However, from the initial reports of the way it was finally held, we are forced to conclude that even the argument of legality stands terribly tainted. A clearer picture of the overall voter turn-out will emerge in the next day or two. If it reinforces the initial trend of extreme low voter involvement, then immediate thoughts will have to be focused on the next steps. We ardently hope that the ruling party will get the political message, and have the moral courage to face the fact that its gamble did not pay off.

## Contamination of Water

Routine monitoring by the Directorate of Environment reveals that at least 50 per cent sample water collected from ground reservoirs of two areas in Dhaka outside the WASA supplied areas contain harmful bacteria. WASA who supplies water in the city, also do not have a very satisfactory record in its account. Past reports show an unacceptably high level of coliform bacillus in water of many areas. This time the report has not been very detail about the nature of contamination of water collected from Jigatola and Hajaribagh. Yet we assume that the problem of contamination is more or less representative of the city itself.

What is important is how WASA can help plug the loopholes to rectify those problems. One ready excuse often put forward is that most of the water-supplying pipes are very old and in some places sewerage lines and water pipes overlap causing a mix-up over the years. It is exactly at this point the question of maintenance and repair arises. In the absence of regular cleaning both the overhead tanks and pipes have become a home to all kinds of fungi. Have we ever given a serious thought to this endemic problem?

Little do we realise that an infrastructure of WASA size calls for more and more budgetary allocation with every passing year for its upkeep. This is apart from the yearly extension work required. Most of the time the focus is on the quantity of water, not its quality.

Contamination of the water supply must be located with seriousness and needs an immediate and effective attention, for water is the most precious substance on earth.

## Home Made One Taka

Shopkeepers in Thakurgaon have to make their own arrangement in the face of severe shortage of one-taka and two-taka notes and one-taka coin. A report carried in this daily calls it circulation of their own currencies. In a way it is so, and therefore illegal too. The traders too are not unaware of it. But what else they can do when notes and coins of the smallest denominations are extremely short in supply?

The problem relating to the shortage of such notes has been persisting for long and throughout the country. The introduction of coin did not tick. On top of that one-taka notes were withdrawn. So there was a large vacuum and the authority has preferred to turn a blind eye to the fact instead of facing it squarely. Now some people are contributing to accentuate the crisis. In Thakurgaon bank people are allegedly demanding charges for changes in notes of small denomination.

Retailers need changes in a great quantity and most of the time they turn to banks for the purpose. If both the authorities concerned and the banks fail to appreciate their problem, the shopkeepers have to look for alternative arrangement. Their necessity is so great that they cannot comply with the laws. Let the banks refusing to hand over changes clearly instructed to do their job. Non-compliance must be met with dire consequences. At the same time, measures should be adopted soon to ensure sufficient circulation of small-note currencies.

**N**OBODY is more aware of security angle in the Hawala than Prime Minister Narasimha Rao. It was early 1991 when the first case involving militant groups in Kashmir came to light. The arrested reportedly admitted a series of foreign-financed steps to disturb Jammu and Kashmir. Still Rao has not taken the nation into confidence. Nor has parliament been told anything.

Understandably, the focus had to be on cases of corruption against ministers and others. But little has been heard about the militants whose confessions had led to the seizure of diaries and notebooks, listing the recipients of illegal money from London. In the wake of people's horror over the disclosures, the motive of those who sent money and those who received it has got pushed into the background.

One Ishfaq Hussain Lone of Srinagar, deputy chief of intelligence of the Hizbul Mujahideen, a militant group in Kashmir, was trapped in Delhi on March 25, 1991 after police was tipped off. Twenty-three bank drafts drawn in favour of 22 persons — payable at the Jammu and Kashmir bank branches — and cash, all totalling Rs 16 lakh, was recovered from him. The startling information was that he turned out to be a conduit for money to various militant organisations. The three letters found from him revealed plans to increase militancy in Kashmir.

Two days later, on March 27, one Shahbuddin Ghauri, a student of the Jawaharlal Nehru University, at one time parading as a human rights activist, was arrested. He would collect money and give

**What did the confessions say? Which was the hand that fed militants and politicians at the same time? Why did government try to hush up the whole thing? The Solicitor General has admitted that 'unfortunately' there was a gap in the investigations**

it to Ishfaq Hussain for distribution among militants. Investigations showed that money was collected from Shambhu Dayal Sharma, a dealer in Bombay, who received large amounts through the Hawala channels. The person in London who transmitted money was Dr Mohammed Ayub. He was the patron of Islamic Jamaat-i-Tulba (JIT) when he was living in Shopian, near Srinagar, some years ago.

Sharma's arrest led to the custody of four more persons: Moolchand Sampatraj Shah, Mohammed Shahid, Rala Anwar and Nand Kishore. The Central Bureau of Investigations (CBI), which had by this time taken charge of the case, opposed the bail of all the five. Yet the court let them off. The government detained them under TADA.

They are the ones who blurred out the information, which led to the raids of the premises of Surinder Jain, his cousin and his manager, Janender Jain. Two diaries and two notebooks were seized from one place. Those documents have turned out to be most disparaging.

The entries in the diaries relate to the accounts maintained in the regular course of business. And the accounts show that between April 1988 and March 1991, nearly Rs 50 crore were brought by the frontmen of militants to India through Hawala channels and paid to various important people, as many as 151, including ministers and leaders of political parties.

Probably, it was too hot a brick to hold. The government closed the investigation in March 1991 after filing a chargesheet against Ishfaq Hussain Lone and Shahbuddin Ghauri. The others were shown as absconders. There was no mention of diaries and notebooks in the chargesheet.

Ram Jethmalani, a lawyer and a member of the Rajya Sabha, wrote to the Prime Minister on August 28, 1993, and Finance Minister Man-

moth Singh on August 30, drawing their attention to the financing of militants in Kashmir and urging the two to disclose what was it all about. He did not receive any reply from either of them. Four days later, he held a press conference in Delhi where he demanded a thorough probe. The government still did not react. However, on October 4, 1993, a writ petition was filed in the Supreme Court, thanks to the relentless pressure by two journalists.

After four years of wrangling in the Supreme Court, some cases have been filed and those too because the three-judge bench took the CBI to task many a time. One

turn, reportedly told the prime minister's office that it could not delay the filing of cases any further. Congress party spokesman V N Gadgil has admitted that the government was 'forced'. Who should be charged first was Rao's own decision and it is he who selected the three ministers and seven politicians.

Everyone is surprised how the name of V C Shukla came to be included because he is among the most loyal persons to Rao. This was probably done to counter the charge that Rao had not initiated action against his own men. While implementing the Kamraj plan for cleansing politics in 1962, Jawaharlal

Nehru changed most cabinet ministers and chief ministers. He also dropped his favourite, Lal Bahadur Shastri, to give the impression that he was making no distinction.

It is clear that those who passed on money to the Indian politicians were financing militants in Kashmir as well. This suggests some sort of link. It provides the nation with sufficient evidence that the funding of militants and the leading politicians was from the same source. This has serious ramifications. The very thought is disturbing. Since all those who made confessions are behind bars under TADA, any further information is not possible.

What did the confessions say? Which was the hand that fed militants and politicians at the same time? Why did government try to hush up the whole thing? The Solicitor General has admitted that 'unfortunately' there was a gap in the investigations between June 1991 and February 1993.

Those and many other questions are valid. The government must answer them. The nation is extremely perturbed that its elected representatives have been found receiving illegal money from abroad. Still more disturbing is the fact that the money meant for militants was reaching politicians. Could there be a nexus between the two?

It is the militants' connection that has made foreign money coming to politicians tainted. Otherwise, they

have been accepting funds from foreign sources for a long time. The flow increases before the polls. The CBI has held in the past an inquiry into the 'nature and extent of foreign money received'. It has found that many countries provide funds to political parties through 'overt and covert' channels.

The Home Ministry, too, examined the report. Its conclusion was that 'several countries have been providing financial assistance for diverse activities.' What was particularly noticed was that 'financial assistance from Russian and American sources has been more sustained and much larger as compared to such assistance from other countries.'

Some people fear lest the allegations against top politicians should weaken people's faith in the system. In fact, the effect is opposite. There is an added confidence in the system, which although reeking with corruption, has come to acquire a mechanism, which public spirited persons, journalists and others can activate to cleanse the stable.

The Prime Minister may have tried to make political capital out of corruption. But he is hoisted on his own petard. He has sacrificed Congress party and its men to cover up his own acts of omission and commission. The uproar against him is understandable.

It is too early to say what will be the historians' verdict on him and his regime, which is replete with the examples of scandals and scams. However, the disconcerting part is that while trying to hide corruption, he has been covering up the security lapses as well.

# Hawala Reveals Security Lapse

## BETWEEN THE LINES

Kuldip Nayar writes from New Delhi

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## Thoughts on Constitution of Bangladesh — VIII

### Constitutional Guidance to the Government on Healthy Economy and Responsible Governance

by Mustafizur Rahman

#### Economic Planning Agency

The Parliament may establish an independent economic planning agency headed by the Prime Minister and in his absence, by the president.

No franchise, certificate, or any other form of authorization for the operation of public utility shall be granted except to citizens of the Bangladesh or to corporations or associations organized under the laws of the Republic at least sixty per centum of whose capital is owned by such citizens, nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than 20 years.

Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or repeal by the Parliament when the common good so requires. The State shall encourage equity participation in public utilities by the general public. The participation of foreign investors in the governing body of any public utility enterprise shall be limited to their proportionate share in its capital, and all the executive and managing officers of such corporation or association must be citizens of the Bangladesh.

The practice of all professions in the Republic shall be limited to Bangladesh citizens, save in cases prescribed by law.

The ownership of and right to all land, real-estate in the Republic, shall be with citizens of Bangladesh, but the state can lease to any foreign government a reasonable size of plot on reciprocal basis and for diplomatic mission purpose only.

The ownership shall promote the preferential use of Bangladesh labor, domestic materials and locally produced goods, and adopt measures that help make them competitive.

The state shall pursue a trade and investment policy that serves the general welfare and utilizes all forms and arrangements of exchange on the basis of equality and reciprocity.

The ownership of and right to all land, real-estate in the Republic, shall be with citizens of Bangladesh, but the state can lease to any foreign government a reasonable size of plot on reciprocal basis and for diplomatic mission purpose only.

No foreign loan shall however be taken for any purpose other than productive investment in industries, agricultural development, technological development, research, education, training of manpower, foreign-exchange earning transport and other service industries, equipment, public health-care, and emergency food supply. At any time the government shall take utmost care not to put the nation under debts beyond its capacity to repay.

The state can take special loans or grants for defense equipment, grains or other essential commodities during war or emergency endangering national security, or after natural calamity which may lead to crisis.

The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets. However, the State shall protect Bangladesh enterprises against unfair foreign competition and trade practices.

The exploration, development, and utilization of natural resources shall be under the full control and supervision of the State. The State may directly undertake such activities or it may enter into co-production, joint venture, or production-sharing agreements with Bangladesh citizens, or corporations or associations at

least sixty per centum of whose capital is owned by such citizens. Such agreements may be for a period not exceeding 30 years, renewable for not more than 10 years, and under such terms and conditions as may be provided by law.

The State shall protect the nation's marine and other wealth in its territorial waters, and sea and exclusive economic zone, and reserve its use and enjoyment exclusively to Bangladesh citizens.

The Parliament may, by law, allow small-scale utilization of natural resources by Bangladesh citizens, as well as cooperative fish farming, with priority to subsistence fishermen and fish-workers in rivers, lakes, bays, and lagoons.

The government on the recommendation of the cabinet may enter into agreements with foreign-owned corporations involving either technical or financial assistance for large-scale exploration, development, and utilization of minerals, petroleum, and other mineral oils according to the general terms and conditions provided by law, based on real contributions to the economic growth and general welfare of the country. In such agreements, the State shall promote the development and use of local scientific and technical resources.

The President/Prime Minister shall notify the Parliament of every contract entered into in accordance with the provision, within thirty days from its execution.

The parliament shall regulate or prohibit monopolies in commercial mass-media, advertising, communication, utility supply, and transport when public interest requires. No combinations in restraint of trade or unfair competition therein shall be allowed.

The ownership and management of mass-media shall be limited to citizens of the Republic or to Corporation, Cooperative or associations wholly-owned and managed by such citizens.

In the grant of rights, privileges, and concessions covering the national economy, patrimony, the state shall give preference to qualified Bangladeshis.

The state shall promote the preferential use of Bangladesh labor, domestic materials and locally produced goods, and adopt measures that help make them competitive.

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#### Self-reliant Economic Development Policy

Though some state policy guidelines and some obligations are already mentioned in Part II of the constitution, there is a necessity of defining some specific goal for the sake of continuity and consistency in the government activities for national development and public welfare.

For economic, scientific and technological development, there should be some constitutional provisions so that any good government finds it easy to pursue such policies and any bad government finds it difficult to avoid them.

Many countries around the world are now at the point of bankruptcy because of unrestrained borrowing. Many countries are realizing the necessity of putting constitutional restriction on foreign borrowing beyond a limit. We must work out suitable provision before it is too late.

So it is proposed that the following articles be incorporated in relevant places in the constitution.

The state shall develop a self-reliant and independent national economy effectively controlled by Bangladeshis.

The state shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption.

The foreign loans may only be incurred in accordance with provisions of law. Information on foreign loans, obtained or guaranteed by the government shall be made available to the public, and the terms of the loan shall be subject to approval by parliament or any independent body authorized by it from time to time.

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#### To the Editor...

##### WASA Water: A Clarification

Sir, My attention is drawn to news item published in your esteemed daily on 12.2.96 captioned "50 pc of WASA water has harmful germ". In this respect, I may point out that, there is no such contamination in the source of water produced and supplied by WASA.

WASA senior Engineers have visited the spots mentioned in the news item immediately and found that the samples of water collected are from the ground reservoirs maintained by the owners of the said community centre and hotel/restaurant and not from the WASA supply source. This news has created confusion and misunderstanding in the minds of the water users.

The news is not based on facts. Water produced and supplied by WASA are safe for human consumption. Samples are everyday collected from the source before delivery in the pipeline and tested in WASA laboratory to maintain standard of purification. I don't disagree that there is possibility of contamination in the pipeline temporarily through leakages and such leakages are repaired immediately on being detected.

AFM Ziauddin Ahmed  
Chairman,  
Dhaka WASA.

##### Bangabazar fire

Sir, We were all spell bound and shocked by the second devastating fire which

ravaged Bangabazar on January 29, 1996 soon after rebuilding the market and reopening it on January 15, 1996 following a first inferno on November 27, 1995.

We strongly feel that the recurrence of the fire at Bangabazar within a short period of two months which gutted all the 2500 shops on the first occasion and more than 150 newly constructed shops for the second time might have been due to sabotage, conspiracy or enmity of some disgruntled quarters who do not like the existence of the market to cater to the variety of needs of the middle and lower middle class people.

We demand of the Ministry of Home Affairs to kindly make a CID investigation into the matter and find out the actual culprits.

O H Kabir  
Dhaka-1203

##### Merrill's initiatives

Sir, Days back, I encountered one of the Daily Star's esteemed reader's explicitly intra-cellular antagonism, concerning Washington's Dhaka assigned ambassador Mr. David N. Merrill's positively catalytic involvement in honestly resolving the gridlocked Bangladesh's political crisis, which is coherently existing between the ruling government and the opposition alliance. Although the seemingly prudent reader coined the American envoy's so-called involvement in our state politics as interference; but to me especially, his dy-

namically high-spirited drive does not at least sound anything of that sort. Virtually, I did not smell any odour of dollar-diplomacy in Mr. Merrill's spontaneously dedicated initiatives to settle down our indigenous political ambiguity, which is dreadfully stamping a deep-rooted impact on our national economic growth, flourishing, productivity and infrastructural stability as well. And unfortunately during the 22-month-old impasse, that has been pretty patiently witnessed by the peace-loving people of this country. The government and the opposition parties have repeatedly failed to maneuver any significant change in order to germinate the renaissance-essence of a mutually negotiated solution, which could have healthily and reasonably eliminated their skyhigh hardline dogmatic political differences.

Monitoring point-blank, all these sarcastically deteriorating trend of the stranded political diversity of Bangladesh, even if the US ambassador could genuinely fustionize the deadlock and thus, if he is turned capable to help the nation, currently submerged in massive distress, to evaporate our potentially patentless crisis — hence, does not Mr. Ambassador's euphoric efforts, optimistically displays custom-made Pax-Americana generosity? I wish to urge my fellow valued reader's to freeze their roving visual field towards Bosnia-Herzegovina.

Citizens of the global community of nations must not capriciously forget the

nakedly crude reality that, when the mammoth European Community finally transformed practically imbecile to stop the brutal atrocities and indiscriminate gang-rapes, carried-out routinely against the Bosnian Muslim women in the geo-physical arena of the former Yugoslav republic; finally it was again the US-engineered diplomatic drive that eventually brought about and stimulated the cosmic ray of hope and optimism among the war-ravaged and mentally pulverised psyche of our Bosnian Muslim brothers and sisters. Dayton peace agreement among the three major players of the conflict was signed in the US state of Ohio — but not in the fictional world of surrealism.

So, the bottomline is: It's no harm at all to our national security, sovereignty and integrity, if a dignified personality like Mr Merrill could mobilise and bolster a bit of non-lethal dose of effectively spell-bound momentum in the long-sought pacific settlement of our unusually prolonged and uniquely-strange political gridlock.

After all, we are not paying the distinguished American ambassador any service charges, as did we, to intravenously support the recklessly extravagant hospitality expenses, billed directly to the national exchequer, during the Commonwealth special envoy's stillborn diplomatic mission in Dhaka.

Is not it, a point ponder?

Space-walker  
Dhaka

## Art Buchwald's COLUMN

### Anonymous

**W**ASHINGTON has many worries. The one that is causing us tremendous anxiety at the moment is who wrote the book "Primary Colors," which is supposedly based on the lives of the occupants of the White House. While critics tell us that it is not exactly "War and Peace," that is not the issue. The fact is that Washington now has a secret almost in the same class as "Deep Throat," and residents inside the Capital Beltway can't stand the idea that some "Anonymous" person is hiding something from them.

It's ironic that the suspects who may or may not have written the book are not exactly household names. Here are just a few of the people who have been mentioned: Joe Klein of Newsweek, Chris Buckley of The New Yorker, Mandy Grunwald of Clinton's staff, speechwriter Bob Shrum and John Buckley of the Federal National Mortgage Association.

Now everyone knows that you would have to go to the Missing Persons Bureau to find any of these people. This is one of the things that makes Washington such an exciting place to be. Here we not only worship famous people but also ones that nobody has ever heard of.

Give us a puzzle and we go ballistic. Keep us out of the loop with the word "anonymous" and we'll drop everything to expose a publisher's lousy secret. We do however lose interest the moment the fox is brought to ground. Let's say for example, we discover that Mike Rovchik is "Anonymous." Up until this moment the book has been a best-seller, but once the name of the author is known, nobody in his right mind is going to buy it.

From a literary point of view it is fascinating to see that many people who have never written a book are being given credit for writing "Primary Colors." On the basis of just being mentioned as a suspect, the writers on the list have been able to triple their literary advances.

I'm positive I know who wrote it based on the style and fingerprints. You don't have to look any farther than the White House. First daughter Chelsea is the author. She knows more about her parents than anyone else, and like most teenagers she's ready to talk.

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