

Opening Gambit

The prime reason why foreign corporate investors have fought shy of investing in our power sector has been the pathetic lack of a winsome policy package. As if that bankruptcy was not enough, all we could sport by way of trying to draw their attention was a set of highly generalised investment incentives that got very nearly cancelled out by laws otherwise restricting foreigners in this sector.

It is this back-tracking that will help us fully appreciate the draft Private Power Generation Policy which has just received the approval of the cabinet. The policy looks liberal enough with tax holiday for 15 years including exemption of excise duty and VAT on import of equipment and raw materials, corporate tax for foreign investors and tax on the interest of foreign loans and facilities for repatriation of profits.

To our mind, where the draft policy package really sparkles is the fillip it envisages to the processes of negotiations with investors. As for the operational specifics, the formulation of the Standard Implementation Agreement, Power Purchase Agreement, and Fuel Supply Agreement will be quickened by virtue of the clear-cut policy directives available now.

It is the tariff structure that is of pivotal concern to us and must be as well for the investors who would be keen on the viability of their projects. But we would like the two concerns to be prudently blended: those of profitability and social welfare.

In addition, let's promote local entrepreneurs waiting perhaps in the wings to set up micro-power stations enthused by occasional success stories in this line.

Dealing with Extremists

A fierce gun battle between two extremist groups in a village close to Jessore town has left six people dead and 10 wounded. Some of the victims happen to be relatives of the gun-toters, one or two were simply caught in the cross-fire. The incident occurred at daytime like several others did over the past years.

The underground organisations have been active across a wide swathe of the country's west since pre-liberation time. Governments have come and gone but the threat posed by these outlawed terrorist bands has never really received the attention it should have. The armed groups are so strong now that they can throw an open challenge not only to their rivals but also to the civil administration of the region.

The rise of the extremist groups was possible because they enjoyed sympathy and support from people when politics was mostly devoted to shaking off the yoke of alien rulers, Pakistanis that is. Today those groups, devoid of ideals, are mostly engaged in terrorist activities and thereby they have made themselves quite unpopular among people.

When law and order is consistently undermined or held in contempt by organised gangs, society's growth is seriously hampered. We hope the administration is aware of the problem in the country's west. The challenge should be met once and for all before it becomes big enough to give a horrendous time to the administration.

A Relieving Clarification

Malaysian Deputy Prime Minister Datuk Seri Anwar Ibrahim has shown his integrity by being critical of his own countrymen instead of foreign nationals — both legal or illegal immigrants — for most of the crimes committed in his country. In support of his contention the Deputy Prime Minister has put forward figures of serious crimes that took place last year and till August this year. Of the 10,623 and 7,933 incidents reported during the two separate periods, foreign nationals were involved in 628 and 388 cases respectively. There is no mention of any Bangladeshis' involvement in last year's crime incidents but four are said to have been accused this year.

Judging by the Malaysian Deputy Premier's statement, we find that our nationals working in his country have maintained a fairly appreciable record of character. So any notion that Bangladeshis might have been responsible for a negative decision on welcoming foreign workers, including Bangladeshi immigrants, to Malaysia is absolutely wrong. The Deputy Prime Minister assures that foreigners will be hired for the massive development work now going on in his country but in a controlled manner.

The Malaysian government will decide its own immigration policy and we have nothing to say on that or to complain about. What we would, however, like to point out is the reported mistreatment of our nationals in that country. The Malaysian Deputy Premier has uttered the truth regarding crimes, we now call upon him to look into the reported incidents of harassment, brutality etc. meted out to our nationals. Considering the existing friendly relations between Bangladesh and Malaysia, small irritants like these can easily be sorted out through negotiations.

People's Participation in National Water Planning

by Dr Saleemul Huq

The good thing, though, is that by now quite a number of water sector projects have started to do people's participation... What is needed now is to gather the experience gained through these projects to see what worked and what didn't so that the right lessons can be learned for the future National Water Plan.

RECENTLY there has been much interest in water issues including the Round Table on National Water Planning organised by The Daily Star and Bangladesh Unnayan Parishad. The Minister for Water Resources stated that a National Water Plan is currently under preparation and will be taking a comprehensive view of all the issues involved. The organisational form of the national Water Plan has been resolved with the merging of the Flood Plan Coordination Organization (FPCO) into the Water Resources Planning Organization (WARPO). This has also resolved to a large extent the controversies that had been raised under the Flood Action Plan (FAP) which was run by FPCO.

Flood Action Plan: Among the issues of contention in the FAP were (i) planning for floods alone or for year round water management issues, (ii) environmental concerns regarding flood control structures such as embankments and (iii) need for genuine people's participation in planning. After much debate and discussion it is heartening to note that most of these contentious issues have been resolved satisfactorily and the new phase of preparing the National Water Plan will indeed take a year-round approach as well as giving environmental concerns due consideration. In

the case of people's participation the principle has indeed been accepted and the Water Resources Ministry has brought out its own Guidelines for People's Participation (GPP) for water sector projects and have even started to practice them in some projects. However, it still remains a moot point whether it is being done in a manner that truly assures, the voice of the poorest is heard and respected. A sub-set of the issue of ensuring people's participation is the role of NGOs which has also been accepted in principle but there still much needs to be done in order to operationalise it satisfactorily.

People's Participation: The Guidelines for People's Participation produced and being used by the Water Resources Ministry are a laudable attempt to ensure the participation of the affected people but they still leave a great deal to be desired. The primary criticism of the Guidelines is that having been prepared by consultants they are extremely mechanical and formulaic. They lay excessive emphasis on the mechanical steps that need to be undertaken rather than on the objectives.

Thus it would be entirely possible for project proponents to carry out the entire exercise as per the Guidelines without ensuring genuine people's participation. This is not to criticise the intent behind the Guidelines, which are to be appreciated, but to point out that ensuring a sound methodology is not easy and that there are no ready-made answers to be had, even by hiring so-called people's participation experts from abroad. Rather the whole concept is one 'learning by doing' and any such Guidelines, in order to be useful must be a process rather than a product.

The good thing, though, is that by now quite a number of water sector projects have started to do people's participation either by applying the GPP or modifying them to their own purpose. These include the Compartmentalisation Pilot Project (CPP) at Tangail, the Jamalpur Priority Project (JPP), the Khulna-Jessore Drainage Project (KJDP) and a number of other projects under the Systems Rehabilitation Project (SRP). What is needed now is to gather the experience

gained through these projects to see what worked and what didn't so that the right lessons can be learned for the future National Water Plan. Such a process of learning from experience should also be part of a process of regularly updating and modifying the guidelines.

Role of NGOs: Many of the above mentioned projects have involved NGOs for the people's participation component with varied results. There is thus also a need to assess the experience with respect to how the NGOs performed. However, it is extremely important to note here that there are two very different perspectives from which the NGOs' performance should be judged. Firstly, from the project proponent's perspective the NGO is simply a subcontractor, like a consultant or construction contractor who is given a terms of reference and some money and expected to deliver 'people's participation'.

with and for the poor people of an area their first and foremost loyalty must be to those people. Thus if the project requires or asks them to do something which they feel is not in the best interests of the poor they should not accept such terms.

However, the way things are now going there is an inherent contradiction for any NGO to take the latter course, unless it happens to be very big or powerful. Since the NGO is engaged and paid by the project authority it is extremely difficult, if not impossible, for it to withstand pressure from then to get people to accept the views of the project. Thus there is a clear danger of the NGO becoming merely the agent of the project authority hired to make the project more acceptable to the local people. This goes against the very principles of ensuring genuine people's participation in project planning and not just for persuading people to accept the project designer's preconceived ideas. Therefore, it is high time to examine how the NGOs that have participated in water sector projects have performed from both the perspective

mentioned above. National Water Plan: All of the above issues are particularly timely now as the National Water Plan is about to be developed and it includes the principles of ensuring people's participation as well as NGO participation. WARPO has just recently invited letters of interest from consulting firms for helping them with developing the National Water Plan. They have specified that the consulting firms wishing to apply should also have an NGO associated with them. This may indeed be a major mistake as it will again perpetuate the idea of NGOs being merely adjuncts of the consulting firm who are to be paid by the project authority. If the authorities really wish to ensure genuine people's participation as well as NGO participation (and there is no reason to doubt their sincerity) they should seriously reconsider this made of hiring NGOs through consulting firms and start a dialogue with the NGOs (e.g. through AADB and CEN) on agreeing an acceptable methodology for involving NGOs which will serve the interests of ensuring genuine people's participation in the National Water Plan.

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The Constitutional Process

There is much truth in the dictum about "absolute power" corrupting absolutely. The division of authority between the President, the PM (and as such the executive) and the judiciary has always been delineated but never really adhered to, resulting that at any one time, depending upon the personality and the opportunity, either the President or the PM has exercised more authority, with a more or less subservient judiciary toeing the government's line.

BY insisting that Pakistan is not facing a serious social, political and economic crisis, the government is losing the "credibility battle". Except for the propaganda disseminated by the government media, everyone else seems to agree with the Opposition that we are indeed in the throes of a series of tumultuous events that may lead us into a state of anarchy. We normally turn to the Army to drag us back from such an abyss, very well knowing that once the military takes power they automatically assume responsibility and it is then easy, once their usefulness is over, for motivated interest to raise and feather them for their "Bonapartist" tendencies. Luckily for us, a new-found sophistication among the military hierarchy as well as the absence of cabal similar to that of the trio of three-star intriguers who manipulated events and pushed poor Gen Waheed into an ill-sorted role as mediator in 1993, has ensured that the Army has stayed publicly out of the political fray. On the other hand the military hierarchy's resolve seems to have quietly stiffened up the spine of both the President and the Supreme Court (SC), taking care not to influence them towards any particular direction or end but giving them the necessary confidence to do what they are supposed to do, to separate right from wrong.

With that necessary constitutional check and balance in place as in any democracy, any government, including conceivably Ms Benazir's one, may function responsibly toward the populace as is their fundamental duty under the Constitution. There is much truth in the dictum about "absolute power" corrupting absolutely. The division of authority between the President, the PM (and as such the executive) and the judiciary has always been delineated but never really adhered to, resulting that at any one time, depending upon the personality and the opportunity, either the President or the PM has exercised more authority, with a more or less subservient judiciary being the government's line. Whenever the fiction has become pronounced, the Army has come into the fray at least three times with direct physical intervention and a number of

times before 1958 and after 1988 indirectly by throwing its rather healthy weight behind one or the other, depending upon its preference, for the personalities involved.

Ostensibly this present constitutional crisis started on the morning of March 20, 1996 when the SC in a unanimous judgement, one honourable judge being absent, held (in sum) that the attempt of the present PPP regime to pack the judicial courts with "pliable individuals" was not constitutionally correct. It must be said in PPP's defence that before them other regimes were also guilty of the same, maybe not in so blatant a fashion. Because of a coincidental separate legal process that required the Judiciary to be separated from the Executive by March 23, 1996, the battle was entered into in earnest. In acts reminiscent of Hitler's Germany in the early 1930s, the SC was intimidated, harassed, cajoled and subjected to adverse propaganda by the state-controlled media, most of it focused on the person of the Chief Justice. Having neutralized the Air Force and the Navy by having pliable men of straw to head their hierarchy, the PPP regime had tried in similar fashion to install one of their favourites in the Army and failed. Ironically had they done so, they would have been in real dire straits by now, given that particular gentleman's penchant for backstabbing his mentor in time of crisis.

In actual fact the present constitutional crisis started on Dec 12, 1995, when the President, duly fortified by the advice of the outgoing COAS Gen Waheed, made his own judgement about the selection of the new COAS based on professionalism, merit and seniority. That President Farooq Leghari could take such a far-reaching decision on his own in keeping with his conscience was a crossroad of sorts in the previously unequal relationship between the President and the PM, therefore Dec 12, 1995 is rather than Mar 20, 1996 can be

said to be the benchmark in the road downhill for this government. Tantrums notwithstanding, the failure of the PM to coerce the President into rubber-stamping such a major decision gave heart to those who thought the President was only a ceremonial prop for the Bhutto clan.

Other than late Zulfikar Ali Bhutto, people forget that the PPP had platonically begun, being formed as a pure ideological party by such honourable men with misguided socialist vision but with honesty and integrity of purpose as J A Rahim, Dr Mubashir Hasan, Meraj Khalid, Shaikh Rashid, Mairaj Mohammad Khan etc.

patched to the IMF to accept without condition IMF conditionalities. This is bad news not only for the population but may be worse news for the government as reaction thereof in the streets will follow as surely as night does day. Barely three months after the Federal Budget, a mini-budget is even now in the making, further devaluation is one the cards.

Pakistan is in need of major structural reforms to correct the economic imbalances, unfortunately democratic governments rarely have the strength to attempt these, in all fairness this is not a failure of the Ms Benazir government alone. Unfortunately for the

awful if not an embarrassment alone.

In the rather bizarre coincidence, namesake Masood Mahmood, who was the head of late ZAB's Federal Security Force (FSF) and who had turned approver against his former mentor, died very recently. At this point of time AZ is desperately needed by the PM to keep those wavering ("D" for doubtful) MNAs in line. Fortunately for Ms Benazir, two very important and steadfast colleagues, Aftab Sherpao and Gen Babar, have kept the whole edifice from keeling over. For Gen Babar, loyal to the core (and maybe to a fault) with respect to his late friend ZAB's children, Murtaza's killing at the hands of Karachi Police must have been a grievous personal blow, yet he soldiers on keeping his emotions in check, an amazing virtuoso performance at his age.

The fact of the matter is that notwithstanding the litany or woes that has engulfed the Bhutto regime, the Opposition is powerless number-wise take up her repeated challenge to table a no-confidence vote in the National Assembly (NA) against her, they simply do not have the 109 MNAs in the NA to vote the PM out of power. It may be an imperfect process by which legitimacy has been accorded to such a "majority" but it is the accepted process according to the Constitution. The Opposition is therefore moving against her on a broad front with charges of corruption and mismanagement to convince the President to use Article 58(2)b, the last resort being streetwar. Where without the Jamaat e-Islam (JI) cadres, protest is going nowhere.

Whether the government faces its nemesis in the form of censure by the SC Judges or at the hands of the President in the exercise of Article 58(2)b is a moot point but one believes that it would not be in the interest of the country to embroil either the President's office or the SC judges in a controversy by which the route where it would

seem that it is a culmination in the conspiracy to destabilize the PPP regime.

A long list of failures has led to the present paralysis in governance, it would not be right to make a Joan of Arc out of Ms Benazir when a constitutional mechanism to do the right thing exists. What we have here is a majority government that has failed, the government of dismissal, the government out of hand and creating a bad precedent in the manner for Bhutto in 1990 and Mian Nawaz Sharif in 1993 the correct way would be to the PM to herself conclude that "since a situation has arisen in the Federation that has shaken the confidence of the masses in her personal and professional capacity to manage the affairs of the State, it is necessary for her to take a fresh vote of confidence from the National Assembly" and if she does not come to the conclusion herself in the face of mountain of evidence, then it would fall on the President to make such a request from her as is mandated under the Constitution. If a mandate is denied to her by the members of Parliament then the President can turn to the Leader of the Opposition to form the government and if that fails, to a third person who can form a national government in order to serve out the remaining term of the National Assembly. If that should also fail, the President could then dissolve the Assembly so that a fresh mandate can be taken from the people: elections in February/March 1997.

On the other hand, given her numbers, the powers of incumbency and the monetary resources available to the PM, she will probably win a vote of confidence from our pragmatic legislators who prefer cash over conscience. In that case, it would be the fitness of things to give her and the nation a breathing space. God knows all of us need it! The caveat to all this must be that if there is clear evidence that the loyalties of MNAs are being bought, then this negates the constitutional process and the President could then act on his own and dissolve the Assembly or make a reference to the Supreme Court to once and for all decide whether "horse trading" in Pakistan will continue to flourish or be brought to a dead stop.

AS I SEE IT

Ikram Sehgal writes from Karachi

This once great party that was in the forefront in the fight against corruption and depoliticized has now been reduced to a "wagon circle" mentality of defending its leaders from charges of corruption, mostly from whom they have deprived, the masses. Its plight can be measured. Things started to unravel much faster in 1996 in every sector of governance, the prime being the economy where pride of place in its being brought to its knees was not only gross mismanagement by an inept team but rampant corruption at the highest level.

To ensure longevity of the regime, it will become necessary to throw a few sacrificial lambs to the wolves, this gives a different twist to the term employed in military jargon "friends of the accused," since they are the ones who are new at peril, whose heads are likely to roll! Rumours about the inefficiency of the economic team that "has let the PM down" is already being disseminated to "prepare" public opinion to that end, in a last service they have been dis-

Bhutto regime the one hand that was clear and concise in authority throughout its tenure is himself a besieged man in the PM's house after the murder of his brother-in-law Murtaza Bhutto. Since most of the appointments in key places of influence and authority have been hand-picked by him, some of these feeling the guillotine will be his men (the "Sahib's Sahibaani") and in this crisis, because of the very real threat to his personal security by those of Murtaza's fanatical followers who believe he is directly responsible for Murtaza's murder, Asif Zardari (AZ) has been immobilized at a very inopportune moment in the battle for survival for the Bhutto regime. With Murtaza's widow requesting an FIR in a petition before the Sindh High Court (SHC), any number of possibilities present themselves. In particular the inclusion of the name of Maj (Retd) Masood Sharif, the Chief of the Intelligence Bureau (IB) and a close personal friend of the PM's very influential spouse will become

To the Editor...

Letters for publication in these columns should be addressed to the Editor and legibly written or typed with double space. For reasons of space, short letters are preferred, and all are subject to editing and cuts. Pseudonyms are accepted. However, all communications must bear the writer's real name, signature and address.

PM leaves a bad taste

Sir, The letter of M R Khan (October 13, 1996) makes interesting reading. I fully agree with him that the refurbished FBCCI Conference Room could be opened by any chamber official, if at all it needed a ceremonial opening.

But the fact that a renovated Conference Room of the chamber could be opened by the Prime Minister of the country leaves a bad taste in the mouth. I remember Nawab Hasan Askari, a provincial minister in the early sixties formally opened a laundry at the Baitul Mukarram Shopping Complex. What a taste!

After all it is the Prime Minister who should be aware of the dignity of the PM's office. How can the people sanctify it if the PM does not want it?

Ahmed Ali Dhanmondi R.A. Dhaka

Sunday as weekly holiday

Sir, Today the world is a global village, and with extraordinarily fast modes of transport and communication essential that we keep pace with rest of the world. Declaration of Friday as weekly holiday made by the

autocratic ruler Ershad was a pure political stunt to divert people's attention away from his misdeeds. This was done without having any regard to the adverse effect that this irresponsible act will have in our already-weak economy. Friday is not Muslim Sabbath as Saturday is to the Jews and Sunday is to Christians. On Sabbath one is forbidden to work but as Muslims do not have any Sabbath they are free to choose their day of rest to suit their convenience.

I am surprised that even after two changes in government since introduction of Friday as weekly holiday, this thorn in the throat of our economy has not been removed as yet and the business community has not made even a mild protest against this.

Last night (Friday 4th October '96) when I was listening to BBC news on the radio, I heard with disbelief that FPCCI in Pakistan has unilaterally kept stock exchange and other private offices open in the country in order to force the government to declare Sunday as weekly holiday in place of Friday. This move is being opposed by the fundamentalist Islamic parties but they do not seem to have any valid ground. I believe that any government worth its name should

take actions that will benefit the citizen and the economy without regard to cheap sentiment of a small section of the people who are lead more by emotion than by reason.

I would therefore request our new government to immediately declare Sunday as weekly holiday so that we are in tune with the economy of the rest of the world for the greater interest of the people of the country.

Salahuddin Ayoubi House No 129, Road No 9A DRA Dhaka-1209

"A birthday gift for Hasina"

Sir, In the above captioned boxed news item which was published on September 29 or page 2 of The Daily Star, the sapling presented by the Speaker to the Prime Minister was stated to be one of 'orcaria cocky'. As far as I know, there is no common ornamental plant with such name. The sapling in question most probably is of Araucaria cooki which was mis-spelled as above. The English name of the plant is New Caledonian Pine.

M M Rashid BARC, Dhaka

Visa business!

Sir, I had the privilege(?) to witness and experience the most fascinating (in terms of variety and falsehood) sights everyday from almost 5 am in the morning till late in the evening. The coveted site is the Indian High Commission Visa Office at Road no 2, Dhanmondi. I live just beside it,

hence the rare honour. The most irritating elements are the so-called dalas who practically live near the visa office.

They cheat innocent people ruthlessly — whether in buying the visa forms, (which the Embassy gives out freely from early in the morning through a queue) in filling them out, (which any literate person should be able to do) in obtaining visas "quickly", (which normally takes a day) and in persuading them to handle their entire affairs (such as tickets, journey plans).

I watch them and think how they can answer to their "conscience" day in and day out doing what they are doing, that is, something basically immoral. There are no legal authorities here to protect the common masses or to make them aware of these "cheats".

Moreover they litter the street with left-over papers, food (spitting and of course) and cigarette smoking knows no bounds here. One also has to put up with endless verbal as well as physical fights almost everyday in front of the office where there is always a noisy gathering. I wonder what the Embassy officials think of the atmosphere prevalent there. The dalas sit on the pavement all the time, ready to pounce on their next prey.

My opinion is that the Embassy authorities should (more specifically and clearly) state the rules for obtaining visa so that one (an innocent villager, perhaps) does not feel it imperative to seek the help of these dalas. The procedure is really quite simple, but, as with every thing, we tend to make a thing

of it, and hence the "thriving business".

I fervently appeal to the authorities concerned to remedy the situation as soon as possible so that a clean, healthy atmosphere prevails in front of the visa office and we (the neighbours) do not feel emotionally and physically threatened everyday witnessing the sorry sights!

Farzana Yasmin Mannan Dhanmondi, Road No: 2 Dhaka-1205

Campus politics

Sir, I request the authority concerned to take steps in eliminating active politics from the educational institutions and university campuses. A good number of activists of different political parties, in the name of students and teachers, practice so-called politics which is posing serious threat to the academic atmosphere of all the institutions. In support of stopping such politics the following points may be considered:

a) Have we not a sufficient number of grown-up politicians and political parties in our country?

b) Should we not discourage the young generation (who have not yet started earning) to exercise party politics rather to acquire academic knowledge?

c) Whether an institution/campus should not be free from party politics and other chaos and confusion to impart sound and positive fitness of mind to its students? d) Should we not discourage the party politics at the institutions/campuses which is resulting in season jam?

e) Should we not discourage the so-called politics of the students and teachers at the institutions/campuses with a view to stop undue killings resulting dead-lock in the whole administration of the country? f) Should we not discourage the politics of the students and teachers at the institutions/campuses with a view to get fair justice in the examinations?

Ms Abdul Latif Khalifa Jessore

Of titles...

Sir, The other day while going to my workplace I was startled to see a banner at Bally Road intersection that said Fazilatunnessa Smriti Sangsad was organising a tournament titled 'Bangamata Fazilatunnessa Smriti Football'. Late Begum Fazilatunnessa was the wife of late PM Sheikh Mujibur Rahman, admirers of whom like to use the titles 'Jatir Pita' and 'Bangabandhu' before his name as a token of their love for him which is quite understandable.

But it is disturbing to see that some sycophants are now trying to unnecessarily glorify all the family members of late Sheikh Mujibur Rahman by adding titles like 'Bangamata' etc., derived from the original one. Question is: why? For what reason a housewife like late Mrs Mujib should be called 'Bangamata'? It is not understandable. This trend must stop before it is too late, because such examples will not do any good for the ruling party.

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