

### Landmark in Indo-Bangla Relations

Hearty congratulations to Prime Minister Sheikh Hasina for concluding a highly successful water sharing treaty with India. We also congratulate the Indian Prime Minister Deve Gowda and his team for taking such a bold and necessary step which is likely to bring about a totally new perspective in Bangladesh-India relations.

Pending a detailed analysis of the technical aspects of the water accord, just signed between India and Bangladesh, we find enough in it to hail the agreement as a landmark ushering the two countries into a new era of neighbourly cooperation. Although admittedly, the changes of governments in India and Bangladesh have proved a catalyst in making the accord possible, its given duration of 30 years reflects a healthy farsightedness swathed in a spirit of transcending reciprocity to keep the treaty out of political vicissitudes.

The 30-year treaty is a sea-change from the short-duration MOUs whose renewals remained so precariously contingent upon political mood-plays that the last one strayed into ineffectuality with the result that since 1988 Bangladesh's hardships had known no bounds, the country reeling in conditions of utter aridity in its north-west. Now, Bangladesh can be in a stable frame of mind so far as the lean season flow of the Ganges water into her territory goes, for as long as three full decades. As a result, she should be able to put together a water management plan, based on ground and surface water availabilities, with her attention focused on some projects as well. Donors could be forthcoming when a country feels sure-footed with its water resources.

Agreement of sharing water when it reaches 70,000 cusec or below is rather involved. The only way it can be made satisfactorily workable is to have an effective Joint Rivers Commission (JRC), which will have to be technically equipped and adequately staffed to be able to scrupulously monitor the flow at Farakka. Transparency in data collection and sharing will be precondition for implementing the finer points of the treaty.

We are thankful to the Deve Gowda-led UF government in India, West Bengal Chief Minister Jyoti Basu and the rest of Indian political leadership for this extremely successful outcome and hope that it will open the way for the resolution of other outstanding problems between the two countries. Our Prime Minister Sheikh Hasina and her team of negotiators have our congratulations on signing the accord with India.

It is a fitting tribute to the spirit of good neighbourliness that this has been forged amidst the Silver Jubilee celebrations of our national Liberation.

### Improving Police Record

Ross Daniels, chief of the Amnesty International (AI), now visiting the country, has expressed his concern over police brutality in custody. The AI chief surely has reasons to be concerned at the happenings between July 1 and November 24 this year, in particular. During this period at least 13 incidents of death, 12 of torture, seven of rape in police custody and 11 deaths in jail reportedly occurred. The figures speak for themselves.

Now, as we remember, the home minister, immediately after taking over, issued instructions to the law enforcing men to be friendly and caring and avoid high-handedness of any sort in their dealings with the public. The minister thus showed an exemplary alertness to problems concerning law and order in a most admirable manner. A national conference was held with the aim to get the best opinions and suggestions from the participants on how to improve the law and order situation and bring about a reform in the police. In the sequel to it, the police directorate was expected to be in touch with women rights and child rights activists on a regular basis to be sensitive to their view-points.

Now the question is, despite all such good initiatives at the top why are the police not proving amenable? The problem might be with the old habit that has indeed died hard. The good works already begun at the upper echelons of the police hierarchy should have had a percolatory effect by now.

The government must move even faster to bring about some radical reforms immediately. If it really wants to see a change in the attitudes of lawmen, it must scrap all black laws, including the Special Powers Act (SPA).

### Rotting Perishables

The yearly wastage of pineapples in the major growing areas has been estimated at Tk 500 million. Think of the waste in other less known areas where the fruit is grown and the loss being incurred will be much higher. Then, of course pineapple is not the only perishable produce that lacks in preservation facilities or marketing outlets. There are plenty of other perishables rotting by the wayside.

Intense cultivation of pineapples in some areas has been made possible because the Horticulture Development Board and other departments of the Agriculture Ministry persuaded the farmers to go for it in consideration of the profitability. Now the incentive is gradually fading into nothingness as the allied agro-industry such as bottling of the fruits have not come up according to the requirement.

This is bad agricultural management, to say the least. Our land is fertile and our farmers can prove equal to the challenge.

What is lacking is the infrastructure for marketing and commercial use of our produce. While we ask the private entrepreneurs to invest in this non-traditional sector, we also urge the government to help them build the right infrastructure for it. That way we will be able to diversify our crops and get better returns as well.

# Delay will Hurt Judiciary

The Supreme Court comes into the picture. It has to guard itself against the disillusionment which will set in if there is no quick retribution. It must fix a time limit for the disposal of cases relating to corruption at high places

nothing, not even the institution of ombudsman (the new Punjab government has sketched a discussion on the subject) to span the distance between an act of corruption at high places and punishment. The CBI is an extension of old law, the Delhi Establishment Police Act 1946. The agency would do better if constituted otherwise. There are no two opinions that it should be autonomous and report directly to parliament. That will generate confidence.

The hawala diaries would have accumulated dust in the archives of CBI if the Supreme Court had not forced the agency to take action against the recipients of illegal money. The amount was mentioned against their names; again, it was the Supreme Court which goaded and prodded the CBI to push the proceedings. Probably the judges went beyond their jurisdiction. But what could they? Someone had to hold the baby.

Judicial activism fill the vacuum that non-activism of other institutions creates. People have stopped asserting themselves and their inactivity make them look like part of the establishment. Had the judiciary been inactive, even the limited sensitivity against corruption would have ended. The Supreme Court may have rekindled abhorrence against the wrongs in public life.

Institutionalwise, there is

But those who have been fined are reportedly dragging their feet and awaiting the retirement of Justice Kuldip Singh, who has imposed the fine. After his retirement on December 31, they propose to move the court under Article 32 — former Maharashtra chief minister A R Antulay did the same — to plead the infringement of their fundamental right. Antulay got scot-free.

I wish the chief justices of high courts had discussed at

by and large, insulated the judges from local pressures and the pull of their relatives practising in the same high courts. Y V Chandrachud, when he was the chief justice of India, had rightly observed that such a powerful weapon which it could misuse. And former Law Minister H L Bhargava did so to the hilt. He used the transfer as a weapon to chastise independent judges.

But the restoration of power to the chief justice of India and his two senior most colleagues has also not worked ideally. Practically every judge visiting Delhi calls on the trio or leaves his visiting card behind. Since the appointments also depend on the three judges, the queue of callers is unending.

In the case of appointments, there are complaints that the chief justice of India has at times ignored the advice of his two other colleagues. His argument reportedly is that consultation is necessary, not concurrence. This is the same argument which the government of India would use when Justice P N Bhagwati's judgement vested all powers in the executive. It would consult the chief justice of India but did not await his concurrence.

Maybe the best way out is to restore the original practice of both the executive and the judiciary making selections jointly. The central government seems to be unhappy over

the three of the five recommendations made on the appointments because the persons are said to be closely related to one chief justice of a state or the other. As a top legal luminary has suggested: "Checks and balances are necessary for the selection of independent judges in the high courts and the Supreme Court."

The judges feel justifiably hurt by the protocol that the executive makes them follow. A high court judge is below the secretary to the Government of India and a Supreme Court judge is equivalent to the minister of state in status. Many conferences of chief justices have protested against the order of precedence. But the practice has remained unchanged. It is time that the Supreme Court judges bracketed with union cabinet ministers and the high court judges with ministers in a state. The much in the administration at the highest level that the judges have raked up calls for the ranking their stature deserves.

While on the judiciary, one must give full marks to Justice Kuldip Singh, whose judgments have released the law from its straitjacket. He has allowed the air of liberalism and faith to blow in. He has given a new direction to justice, justifying to people, whether on handcuffing or on clean surroundings. His contribution towards cleansing the country's environment has rightly earned him the title of Mr Environment. He is a man of goodwill living in an era of ill will. But then such persons are the country's hope.

## BETWEEN THE LINES

Kuldip Nayar writes from New Delhi

Once again, the Supreme Court comes into the picture. It has to guard itself against the disillusionment which will set in if there is no quick retribution. It must fix a time limit for the disposal of cases relating to corruption at high places. The courts must be told to pronounce the judgement on the hawala the scam, the St Kitts or the buying of MPs by a particular unit.

The quantum of find, equivalent to the money misappropriated in a particular case may be deterrent. The example of Sukh Ram, Satish Sharma or Sheila Kaul may put the fear of God in the minds of politicians

their annual conference in New Delhi a few weeks ago time limit for the cases involving persons at high places. In fact, they should do something concrete, instead of expressing ritualistic concern to clear the arrears of cases pending in high courts and lower courts. They run into lakhs. An early clearance of cases against Narasimha Rao and offer important persons will give the law the prestige and power it requires badly.

The consensus the chief justices conference has reached on stopping the practice of transferring judges may raise eyebrows. This arrangement has

# Silver Jubilee Celebration: Thoughts for Action

Even after passage of 25 years of the liberation, the plight many liberation war heroes and the members of their families has little changed. Subsequent governments since 1975 have little inquired about the dire economic deprivation the families of the martyred heroes have been subjected to, writes Md Asadullah Khan

In the backdrop of the indemnity Bill passed by the parliament and a true history of Liberation War being projected after long 21 years, the nation celebrates the Silver Jubilee of the liberation on 16th December this year. The government has announced a fortnight long celebration that started on 1st December reminiscing, besides the joyous exuberance, the painful experience along with the saga of sacrifices made by the Liberation War heroes and people of the country.

People's rejection of the legacy of pseudo-culture, deception and falsehood is now evidenced by lively talk and jubilant gathering recalling those eventful days of nine months that give moral stirrings to the youth of the day. This year the victory celebration has a very special significance. This means that the country and its people have taken long twenty five years to overcome most of the myths and fetishes that had been nurtured by the propaganda machine so long. The younger generation was even not allowed to know the name of the charismatic leader who actually issued the call of independence and how the whole country regardless of any affiliation, partisan or religious, got involved into a bloody war despite the fact that people had no arms to fight the Pakistani marauders other than moral strength.

One startling revelation came from an BNP stalwart Lt Gen. (Retd) Mir Showkat who now says that people were inspired to take up arms against the Pakistani marauders through the declaration of independence by Shaheed Ziaur Rahman. This utterance by Mir Showkat only means that Bangabandhu had no role to play in the liberation war of

Bangladesh. People must recall those days marking the declaration of Bangabandhu in the historic 7th March speech that exhorted the whole nation to take up arms if he were not alive or if he failed in issuing any further instructions or call.

For Sheikh Hasina and her party Awami League that is now in power, the present occasion commemorating the Silver Jubilee of the Independence, is a challenge. She has proved to be a bold and brilliant campaigner in the last election bringing victory to her party with the promise of healing the wounds of the nation. People have unshakable belief in the ability of her government to improve their plight. None in her party and in the government can afford to miss this chance of lifting people above all material things. Now the torch has been passed to Awami League and above all to Sheikh Hasina.

The serious inter-party hate campaign that is raging the politics of the day is likely to drown out all vestiges of progress and war spirit. Predictably, the mayhem in the streets, social chaos in the city areas and villages only reinforce the unsettling impression that disorder is taking over and the country is increasingly becoming incapable of stopping it. A recent report carried by a section of the press narrating the incidence of rape of an 8-year old girl in the outskirts of the city in the Demra area by local hoodlums, refusal of the Thana in recording the GD and hospital refusing to issue a certificate

and the sad plight of the parents of the victim fleeing from their hearth and home only pinpoints the total breakdown of law and order in the society and the disintegrating role that has eroded the police administration of the country. How come that the Home Minister himself would have to take cognisance of such dastardly acts of crime after glancing the morning newspaper and other stalwarts would be relaxing or day-dreaming?

Since such clandestine attacks are occurring with greater intensity in the urban and also in rural areas, it has dawned on the nation that the whole country till now is in economic and social disaster that confronts all segments of population. If the Silver Jubilee celebration has to be meaningful and objective, the present government must take measures to contain the violence stalking the society. So long the administration has kept a wary distance from the issue of violence, assault, strife confining itself mostly to formulaic statements that such disorders are fully unacceptable and a disgrace to our country. In a recent meeting with the DCs and SPs, Prime Minister even exhorted the law-enforcing authorities by saying "Ring me up, if I am wrong." After such a call by no less a person than the PM, the administration's dithering is totally inexplicable and unacceptable.

Ostensibly, the triggers for such violent behaviour, assault, extortionism kidnapping and rape can be found in a vast sociology of causes, many of

which the country has in abundance. Unemployment is soaring and economic output has shrunk. Thus the classic symptoms that accompany unemployment — depression and a sense of powerlessness — beset much of the whole country. And it is among the country's "disoriented" youth that the trauma goes deepest. Virtually in most families the vital bread earners are out of work and the expectation of ever finding a decent job is slim. The relationship between the adults and adolescents has been shaken up by the rapid shift in economic situation. Eventually the structure of every day life has been destroyed. Kids hang out in the street all day and eventually they have to find something to do — bashing the affluent section is the sport they choose.

The Silver Jubilee celebration must give us an opportunity of taking stock of the whole gamut of the situation. Doubtless, in some cases police have been cracking down on the organised crime. But focusing on the hard core will be of limited value if nothing is done to make the environment less hospitable to its subversive messages.

The state has to re-establish its authority by deploying the full force of the law against those who commit or condone violent acts. That will require training and motivating the apparently demoralised and ill-equipped police force. Speedier justice and stiffer sentences are also needed. There is a glimmer of hope in the sense that in the just concluded meeting with

DCs and SPs, Prime Minister assured them of providing with facilities that will help the police personnel track the criminals before they can go hiding after committing crime.

The unfinished task or, to be more precise, the real goal of the war of liberation remains to be fulfilled even after passage of 25 years. The tasks are supposed to be democratisation at all tiers of the society, an end to communalism, spread of education, establishing women rights and women's development, radical changes in land use and agricultural activities, development of cottage and small industries, creating self-employment opportunities in the farthest corner of the country, efforts to rid Union Councils from the clutches of bureaucracy and transforming them into a viable people-oriented machine, building an effective network of communications through roads and highways. All these should be the centre piece of discussions and seminars on the occasion.

But obstacles still stand in the way of creating a congenial climate for restructuring the society. Shockingly, the trauma that followed the killing of Bangabandhu Sheikh Mujibur Rahman and four prominent leaders in jail would last for generations. These killings unleashed forces that divided the country jeopardising peace, progress and development. Far from trying to soothe these divisions, irresponsible political leaders, in a bid to divert attention from their own economic failures, are still stoking the fires of divisionism. People are questioning if there are no leaders to-day who can courageously counter such mounting attacks?

Unfortunately, even after passage of 25 years of the liberation, the plight many liberation war heroes and the members of their families has little changed. Subsequent governments since 1975 have little inquired about the dire economic deprivation the families of the martyred heroes have been subjected to. Unless the government of Sheikh Hasina this time can give them the basics of the life meaning food and housing and offer them realistic hope,

the whole celebration would become meaningless, full of sound and fury and signifying nothing.

People believe that the reform measures undertaken by Sheikh Hasina's government will bring about a change in the plight of country's dispossessed and disenfranchised millions who are still waiting for the equitable and rational economic development that Bangabandhu Sheikh Mujibur Rahman had promised. Shockingly, terrifying violence and unabated acts of crime have enveloped the country. And with a population growth rate out of control, things would only ensure worsening of the situation. Different political groups seem to have advanced their own narrow causes often in disregard of the national interest. This is evidenced by the massive anti-government propaganda that is being launched by some opposition parties against the water sharing agreement with India. However, most people believe that the signing of the treaty in this historic month of December heralds a landmark of progress and improvement of relations between the two close neighbours.

On the hand, the country's foreign investment prospect looks pretty gloomy till now. The Japanese economic mission that visited Bangladesh in the recent past pointed out structural weaknesses especially in electricity and telecommunication sector that would, in all likelihood, vitiate investment climate. The country's electricity generation capacity pinned at 2908 MW never exceeded 2000 MW in the past. Recently gas sector poses alarming prospect, causing further fall in power generation capacity. It was reliably learnt that implementation of 20 power generation projects initiated at a cost 6000 crore taka during the last six years could not yield the desired result.

Gloomy though the situation is, at least some natural resources which still remain unexplored and abundant human capital that is evident, will be readily available for national revival, if only there is enlightened and determined leadership. People in the country tend to invest good will in their leaders and even overlook transgressions. But that is upto a certain point. And that point surely has been reached and the leaders, if still playing with the simplicity and emotion of the people, should understand it.

## 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.

### Victory Memorial

Sir, Now that a Victory Memorial will be constructed at the historic Suhrawardy Uddyan, a few suggestions may be considered by the planning body:

(1) The design may be open to a national competition for fuller participation. It is earnestly hoped the political consensus would be forthcoming.

(2) ensure panoramic view of the whole Uddyan along the perimeter boulevards outside the area. At present the whole park is closed to view. Why hide it from the public view? The present obstructing, and non-existent structures along the perimeter/boulevards may be relocated, and/or harmonised. I remember the view when the Race Course was there.

A Husnain  
Dhaka

### Deprivation

Sir, Some of the noted Indian performers have, recently, visited us and through their excellent performances made the audiences — who got chance to enjoy the programmes — enchanted. But we, the common people could not have access to the shows due to the high price of the tickets. The BTV has not telecast live or recorded either. So most of those, really fond of music, could not satisfy their curiosity. If the managers or initiators of the programmes passed the tickets at not beyond the reach rate or helped the BTV to screen the programmes or made other arrangements for the common people, we would have been

grateful to them. And that could have been more democratic. Well, one may ask: "Was their arrangement less democratic, depriving the majority?"

Afsana Choudhury Emy  
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### Food and other essentials

Sir, We strongly feel that the declaration of our Food and Agriculture Minister Begum Matia Chowdhury that ten lakh metric tons of food grains are available in our government godowns, quantity of rice production would stand one crore tons in 1996 and we would not require to import rice this year" is not an ordinary achievement.

From time to time, however, we heard some Awami League leaders accusing former BNP government and all past governments of last 21 years for all ills in the country, which is not justified.

In this connection we would like to make them understand and realise the fact that Rome was not built in a day. And so it is not possible for any government in the country to increase the production of rice to one hundred crore tons either in a day or two or within even a span of six months. The Awami League returned to power with people's mandate long after 21 years only in June 1996. The former BNP government had launched a programme of 'Dal-bhat' which did not prove very successful. The BNP government also introduced pension, enhanced pay and allowances for the MPs and also allowed duty-free cars for them

but the Awami league MPs in the Jatiya Sangsad did not oppose the such wrong-doings of BNP.

Let us do away with our past lapses, omissions and mistakes, and build a better future for all.

The prices of food and other essential consumer items are soaring higher and higher day by day. Today rice costs Taka 15 per kg, masur dal Taka 46-50 per kg, onion Taka 13-15 per kg, potato Taka 14-16 per kg, tomato Taka 28-35 per kg, cow's milk per litre Taka 20-24 and eggs Taka 13-14 per four. Thus the items remain beyond the purchasing capacity of our countrymen whose per capita income is one of the lowest in the world.

We would request the present Awami League government to ensure adequate supply of food and essential items at fair prices to our people for their economic emancipation. Instead of raising fingers against past misdeeds.

O H Kabir  
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### BTV — love and hate

Sir, BTV's slip is showing. The news coverage of the dynamic stock market is insipid and non-professional. No commentary by specialist reporter, no camera coverage. No charts and graphs (easy with computer) — get its on LAN from DSE), only dull numerical figures, difficult and slow to read, and slower to interpret (rate of change).

Sports coverage is not proportionate to viewer interest. Why is this non-professional approach? Poor use of character generator equipment. Utilisation factor is low. Blackout of non-govt sector coverage. Does nothing 'happen' outside the official circles? More than 90 per cent viewers are "unofficial".

There may be a separate news bulletin for the ministers.

there are enough of them for a 30-minute daily bulletin, sponsored by the Treasury. There may be a separate "political news bulletin" with proportionate coverage.

Open two more TV channels for above garbage disposal. Voluntary viewers must be paid for viewing!

BTV seems to have reporters for the agriculture and development sectors, as also extra cameras for the VIPs: there is a shortage of "Awami" cameras.

BTV's logistics is completely out of tune with the demands of the times. Expansion and modernisation (BMRs) are proceeding at snail's pace. The private sector is not allowed to invest. Only tall promises on their ice-information policy is on the way!

How long the patience will hold?  
A Zabr  
Dhaka

### No question asked

Sir, According to newspaper reports, our Prime Minister has publicly declared her government's policy is not to ask any question whatsoever in regard to the source of income of those persons who invest in new industries. This policy has been adopted in order to encourage industrialisation and provide incentives for investments.

Such a policy is surely a blatant invitation to black-marketeers for making more and more black money and then turn them into white. It will only make the money-makers and tax-evaders richer and richer, and the honest taxpayers poorer and poorer. It will be to penalise the honest and reward the dishonest. I wonder whether any such policy exists anywhere in the world, even in other Third World countries.

A Quayyum  
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## OPINION

### Need for an Alternative Road

The existing road communications between Dhaka city and district head quarters of greater Mymensingh is one via Joydevpur-Trishal, and the other one is via Savar-Kaliakur-Mirzapur-Karatia-Tangail-Jamalpur and other related districts.

Frequent hartals and road-blocks during 1994-95 caused considerable damage to our economy and people had to pass their days through distressful conditions and under excruciating circumstances. The very thought of that period, which our imagination is one, can build alternative roads to avoid such frequent hartals and road-blocks, progress of the country will remain retarded.

The construction of Jamuna Fertiliser Factory has opened up a fairly large market for its products in southern and northern Bengals. To carry one truck load of fertiliser from Jamuna Fertiliser Factory or one truck load of urea, which grows in abundance in greater Mymensingh, to say Faridpur, the truck has to use the route i.e. Jamalpur-Tangail-Karatia-Mirzapur-Kaliakur-Savar-Aricha Faridpur. By this route the truck will have to cover 165

miles of one-way road.

If, on the other hand, we develop the existing Faridpur-Aricha-Bhuranjol-Ghor-Nagarpur-Tangail-Jamalpur road, the goods-carrying vehicles will need to cover only 120 miles — a difference of 45 miles. Both the truck owners and the clients will be benefitted in the following ways:

a) Cut down fuel consumption; b) Less wear and tear of the transport; c) Reduced fare, which will encourage the clients to prefer this road; and d) Time will be saved.

Besides, the existing highways, which are now considered as the main traffic arteries, are designed for the movements of lighter vehicles. The concept of heavy transport such as trucks and buses were never thought of.

In order to face a competitive market, businessmen are now trying to reduce expenses from all possible areas. I request the authorities concerned to plan and construct national highways.

K A Taher

A Former Member of the Parliament