

Unhelpful Utterances

One can understand, have sympathy for and even share Khaleda Zia's frustrations, mental agitation and her gritty moans over the Feni carnage of the JCD workers by patently unmaskable masqueraders. Known criminals in the local hierarchy did it warranting an instant mopping of them that is yet to happen. Feni is Khaleda Zia's constituency and supposing if it were to happen at a Sheikh Hasina constituency in the reverse, there certainly would have been a sharply indignant reaction from her.

Generally, the BNP's frequent airing of the feeling of being wronged, repressed and banded about could strike a sympathetic chord in many people on an added note of the Feni-style proof of some of those charges. That in a heaving Feni meeting with her party followers, supporters and cadres she would come the hardest on the government, serve an ultimatum for the trial of killers and thereby seek to quell the commotion in the place were all elements of expected behaviourism.

But to let go from her mouth a one liner to her party cadres like "beat back, when beaten" against a fuming, surcharged backdrop like that, has been an act of irresponsibility no doubt. This would have been deemed had it issued even from a middle-ranking political leader but come as it did from an once-serving Prime Minister, the foremost opposition leader of the country and a shadow Prime Minister we find no words strong enough to condemn the same. This amounts to inviting physical confrontation.

The second shocker from Khaleda Zia has been her equating Shikha Chirantan with fire-worship of a paganistic implication. Was her husband President Ziaur Rahman, an eminent freedom fighter of the country, not a witness to or a participant in the ceremony whereby the 'Eternal Flame' epitomising the saga of our independence struggle was stuck in at the cantonment? What kind of credibility is she projecting as a national leader by playing into a predictable sentiment of obscurantists at the expense of the nation's article of faith and its glorious legacy? There are far better ways of criticising and opposing the government than either calling for blood or being so retrogressive in politics. Let's have more matured politics in the opposition camp.

A Good Deal Struck

It is good to know that the fate of 1.5 lakh illegal Bangladeshi immigrants in Malaysia has been decided through negotiations to the mutual satisfaction and benefit of the two sides. Of course, the greatest beneficiaries of the deal are going to be the workers who entered the South-East Asian country attracted by its tremendous economic prosperity. Now here is an example of settling a vexing issue through a serious dialogue between two friendly countries. Both governments deserve unreserved praise for striking a suitable arrangement for legalising the workers' status. Our government for its tenacity and negotiating skill and the Malaysian government for making its stand on the issue accommodative and flexible enough — and that too in our case only.

While we commend the outcome we cannot help recalling the fact that this large number of people could pass and then land safely into that country. Manpower recruiting agents at both ends and also at points connecting the destination and the origin are doubtlessly to blame. But then our immigration department, manpower bureau and the ministry cannot wash their hands off the affair. Either they were in a stupor or the racketeering went on in full swing with their knowledge. Although the government has expressed its resolve to take stern action against the culprits, we are not sure if all of them — even a majority — will get caught.

Recruiting agents have always been successful in exploiting the severe unemployment situation and the desperation that follows. The steps to be taken by the government to prevent any further illegal immigration are yet to be concretised. We would like to know what they are. Presently this much is known that modern technology will be used to ensure validity of passports of our nationals seeking jobs abroad. Well, that is just one of the many ways to plug the holes. We suggest that the concerned ministry, manpower bureau, immigration etc do their part of the job sincerely and efficiently. A transparent performance at all these levels will help get rid of the illegal immigration business.

New Home for Birds

The government's decision to turn the country's large khas *deeghis* (government-owned ponds of enormous size) into natural parks and bird sanctuaries represents a wise move. When species after species of animal and bird families are either threatened with extinction or have already become extinct, such a step might appreciably contribute to restoring our environment.

Actually on test is our love for nature with its flora and fauna. The hard truth is that few people are as inimical as we are to all kinds of living creatures. We do need to learn how to respect life—all lives. The value of natural diversity can better be understood amidst the birds in a friendly natural setting. If the *deeghis* provide for such a natural ambience almost without cost but perhaps with some extra effort, we will wholeheartedly like to see it happen.

The best known *deeghis* are already serving as some sort of sanctuaries. Now government measures will just restrict violators of peace and tranquillity in those places. Let the new-found home be the citadel of friendly relations between man and other creatures.

THE relationships between elected officials and their bureaucratic counterparts may be classified into the following three broad categories: elected officials are in a clearly subordinate relationship vis-a-vis the bureaucrats; activities of elected officials run parallel to those of the bureaucrats and lower level elected officials are supervised by higher level elected officials; and bureaucrats are subordinate to elected officials.

Bangladesh experienced the first category of relationship during the whole of colonial and Pakistan periods when central/provincial government bureaucrats at the local level were designated as 'prescribing/controlling' authorities for local government bodies. At that time, these bureaucrats could control the local government bodies also through nominated members.

Bangladesh has not experienced the second type of relationship (although there were some attempts in this direction) because some formal interaction was always legally provided for between elected officials and bureaucrats. With the emergence of Bangladesh as an independent country, the idea of bureaucrats being accountable to local elected officials started gaining momentum. It was during the existence of the Upazila Parishad that this idea took a concrete shape when all

None in modern times personified the misuse of public office for acquisition of wealth by illegal means more than late President Ferdinand Marcos and his wife Imelda Marcos. The lasting symbol of that blatant corruption was the 3000 pairs of shoes owned by Mrs Imelda Marcos which were gawked at by demonstrators (some bare-foot) who broke into the Malacanan Palace soon after the Marcos family fled Manila for safer havens.

The street power that brought Corazon Aquino to the Presidential chair demanded accountability and one of her first acts as the new President was to issue Executive Order No. 1 on Feb 28, 1986 creating the 'Presidential Commission on Good Government' (PCGG) to assist her, to quote in the recovery of ill-gotten wealth accumulated by President Ferdinand E. Marcos, his immediate family, relations, subordinates and close associates, whether located in the Philippines or abroad, including the takeover and sequestration of all business enterprises or entities owned or controlled by them, during his administration, directly or through nominees, by taking undue advantage of their public office and/or using powers, authority, influence or connection or relationship", unquote. Needless to say, because the Philippines was the very first nation in the Third World to break fresh ground in trying to get the illegal wealth back into the national coffers, as such there were legal loopholes, safeguards, parameters, sensitivities of fairness and due process, etc., both in national and international circles.

The almost unanimous public demand for immediate accountability needed to have due legal cover and two more Presidential directives, Executive Order No. 2 on March 12, 1986 and Executive Order No. 14 on May 5, 1986 were issued, making the required explanations and tightening the laws. On March 25, 1986, Presidential Proclamation No. 3 Article II Section 1(D) duly ratified by Parliament stated that "the President shall give priority to achieve the mandate of the people to people to recover ill-gotten properties amassed by the leaders and supporters of the previous regime and protect the interests of the people through orders of sequestration or freezing of assets or accounts", unquote. The Proclamation stated clearly that "the

To the Editor...

May this picture return everyday

Sir, On Saturday, the 29th of March 1997, most national dailies carried a photograph from a wedding reception. It was none other than those of our two most important personalities in our national life: the Prime Minister and the Leader of the Opposition in Jatiya Sangsad. The last picture we saw of them together was probably in December 1990, soon after the fall of the autocratic regime. Over these years, we have been looking forward to see such pictures but unfortunately that did not happen. Even though the former Prime Minister did attend the present Prime Minister's daughter's wedding but they decided not to sit together for photographs. These years also have seen bitter rivalries, some times nasty and between the country's two top politicians. Now that they at least appeared together in public again is a great source of hope for us and the country. We hope they continue to do so, not only in wedding receptions but also in solving the outstanding issues facing this unfortunate nation. They do not know what good they can do for the country if they decide to work together! This does not mean they have to sacrifice their party interests; sitting across the table at least occasionally will give a big message to us!

New Home for Birds

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Towards Better Relationships between Local Elected Functionaries and their Bureaucratic Counterparts

by Kamal Siddiqui

The Union Parishad has many formal relationships with the Thana Nirbahi Officer (TNO) and other Thana level government officials, but the Union Parishad suffers from a number of administrative limitations which prevent the elected functionaries from being effective in their relationship with bureaucrats.

officers at the Upazila level were made answerable to the elected Upazila Parishad. Similarly in the Zila Parishad during the late eighties, a similar arrangement was put into practice. At present, we have in place the first category of relationship but in a somewhat diluted form, when compared to the situation during British and Pakistan periods.

Government officials at the Union level are the Tehsildar, the Block Supervisor, the Family Welfare Assistant and the Health Assistant. They generally work separately and have little to do with the Union Parishad (UP) in the formal sense. However, they have many informal links with the Union Parishad functionaries. According to a government circular issued long ago, they are required to attend the UP meetings. However, there is nothing provided in the enactment on Union Parishads in this regard. In practice, they generally avoid UP meetings and report directly to their bureaucratic superiors at the

Thana level. There are certain committees at the Union level in which these officials and Union Parishad functionaries are to work together. Unfortunately these committees have been dormant for a long time.

The Union Parishad has many formal relationships with the Thana Nirbahi Officer (TNO) and other Thana level government officials, but the Union Parishad suffers from a number of administrative limitations which prevent the elected functionaries from being effective in their relationship with bureaucrats.

The central government has always tended to favour bureaucrats in their relationship with the local elected functionaries. Firstly, the bureaucrats being an organic part of the central government can easily lobby with it systematically. This is obviously not possible for the elected functionaries who have, in any case, not been very well organised. Secondly the central government was never ready to give up its powers, so retention of "control" through its locally

posted bureaucrats particularly in matters relating to resource flow, always remained a part of its agenda. Consequently, dual control of bureaucrats placed at the local Parishad (i.e. by central government and local elected body chairmen), officials not regularly attending local Parishad meetings, lack of clear hierarchy between elected functionaries and bureaucrats, a lower status for the elected functionaries, etc. have been the general experience of local government bodies during the last twenty-six years.

Members of the Parliament nowadays have a strong say in all local development activities including those funnelled through the local government bodies. A lot of pressure is thus brought upon local elected functionaries from this quarter. The government bureaucrats generally side with the MPs, particularly if the latter happen to be from the ruling political party. The same generally applies in respect of the pressure brought upon the local government bodies by the local

branch of the ruling political party. Consequently, the position of the local elected functionary is weakened vis-a-vis his bureaucratic counterpart.

In order to improve the relationships between Union Parishad functionaries and Thana level officials and strengthen the former's bargaining strength vis-a-vis all kinds of bureaucratic restoration of the elected Upazila Parishad is a prime condition. This is envisaged in the forthcoming report of the Local Government Commission.

The status of the elected functionaries should be consciously made higher vis-a-vis their bureaucratic counterparts. In this regard, certain norms should be drawn up which should then be well publicised and implemented. Similarly, appropriate status symbols should be accorded to elected functionaries in order to make the point abundantly clear to all concerned.

The offices of Union level government functionaries should be located at the UP of-

five. Many UPs do not as yet have their own offices. In others, the space is very limited. As such efforts have to be made to build up an office complex (through either extension of the existing UP office or new construction) where both government officials and UP functionaries may be accommodated.

Just as Upazila level officials were placed under the Upazila Parishad Chairman, Union level officials should also be made answerable to the Union Parishad Chairman legally and not simply through administrative circulars. The Union level officials should be made official members of the Union Parishad, but without the right to vote.

Dual control over officials placed at the disposal of the local Parishad should go. During the tenure of a particular official, which should be fixed, the responsibility for leave, salary, annual confidential report, etc. should lie with the elected Parishad Chairman and not the line department.

Dr Kamal Siddiqui is the former Director General of the National Institute of Local Government. The original article was presented at a workshop hosted by The Asia Foundation on March 10-11 for government, donors, and NGOs on "Elected and Administrative Local Government Relations." This version has been specially prepared for The Daily Star.

Accountability, Filipino Style

The world is now much more sensitive to the looting of the national wealth by greedy, selfish leaders of Third World countries. Despite the initial missteps by the PCGG, mostly because they were journeying into as yet uncharted territory, they managed to encourage, coerce, acquire back quite a few assets and properties.

vital task was the recovery of ill-gotten wealth to help and hasten national economic recovery", unquote. Philippines having been beggared beyond description by the Marcoses.

In the mid-'80s the international community was still forgiving of despots in Third World countries who not only amassed wealth at the cost of those whom they ruled who also allowed their cronies and relations to run riot at the same time. Imelda Marcos had fantastic FR (Public Relations) among the jet set ("the beautiful people"), people with influence in the corridors of power in most western countries. The Cold War not yet being over, the western world still had use for authoritarian regimes which held the line by proxy against communism. The Filipinos did not have a single precedent to help them, yet they went about it expeditiously, cautiously but carefully. Executive Order No. 14, a little over two months later, finally put in place the necessary laws to recover the ill-gotten wealth. The laws governing the Commission (PCGG) clearly defined viz (1) who and what was the focus of recovery by the Commission (2) the powers of the Commission (3) it allotted a certain sum (Fifty million Pesos (i.e. about \$ 4-5 million) for financing of the Commission's task (4) it spelt out clearly parameters regarding the powers of the Commission (5) it gave out legal cover and immunity to those engaged in the Commission's work (6) it allowed the Commission to take over and freeze all assets and properties of Marcos, cronies and relatives, etc. in whatever form domestically and internationally and not allow disposal till so allowed by the Commission (7) it forbade the disposal, transfer, conveyance, etc., of all such assets and properties (8) it commanded those who knew of such assets and properties to report this to the PCGG (9) it allowed the Commission to obtain information from any person, govt offices or govt agencies (10) to frame and promulgate such rules and regulations as would be necessary to help in the success of the Commission's work (11) recommend/adopt measures to prevent recurrence of such graft and corruption and (12) appeal to foreign govts in assisting to recover the ill-

gotten wealth.

The "means" of acquiring ill-gotten wealth were also defined i.e. misappropriation, misuse of public office, receipt of commission, gift, kickback, share, percentage or any other pecuniary benefit, illegal/irregular conveyance of assets of government, illegally and directly/indirectly accepting stocks, shares, monopolies, undue advantage of official position, etc. The Executive Order also provided for the following, viz (1) any law contrary to the functioning of the Commission would be taken care of by the Law Department who would assist in achieving the aims of the Commission (2) The Commission would file all cases, civil or military in appropriate courts (3) PCGG would file civil suits to

"Bofors" scandal in India, undeclared commissions and kickbacks can be much more easily traced out now and recovery made thereof. The present US Secretary of State Madeleine Albright till very recently the US Ambassador to the UN, was in the forefront of supporting Third World governments in organising international cooperation in helping in the recovery of such looted wealth. In sum there is now a legal precedent, a better experience and a more responsive world environment for "the Hunters" to work in. The aspirations of the Filipinos at the outset was "Mission impossible". They knew that very little of the money and assets were in the name of those who had been involved in the loot. The Filipinos

is all our rhetoric about accountability just another election slogan? What are the obstacles that prevent us from a clear statement of intention and a clearly defined course of action? For the record let us repeat the Second Presidential Directive (Executive Order No. 2), to quote "Freeze all assets and properties in the Philippines in which former President Ferdinand E. Marcos and/or his wife Mrs. Imelda Romualdez Marcos, their close relatives, subordinates, business associates, dummies, agents or nominees have any interest or participation and require all persons to inform about such assets or properties, whether located in the Philippines or abroad", unquote.

As opposed to the clear commitment of the Filipinos, for some as yet unclear reason all we have is lip-service to serve as a smoke-screen.

Unfortunately smoke-screens have a habit of dissipating if the wind is strong. Given that the mood of the population as regards accountability is like a strong wind, and as everyone knows when the mood of the populace shifts it is like the wind which cannot read, the camouflage will not last unless the government gets on with doing what it was primarily elected to do, recover the ill-gotten wealth through a viable *modus operandi* with due legal cover. Imelda Marcos' shoes remained on display for some

time, in Pakistan the symbol was a garish collection of expensive horses and stables owned by a person whose total declared wealth in 1996-97 was only Rs.12.7 million (much less than what some of the horses cost in their individual capacity). This despite a jump from a negative wealth, i.e., Liabilities of Rs. 3.8 million in 1994-95, with no explanation of the rise by a staggering Rs. 16.5 million in the subsequent three years, what to talk about his initial wealth of Rs. 4 lacs in 1989, about the time he married the golden-goose. That is the tip of the iceberg against the rumour of his having acquired \$ 1.8 billion (Rs. 74000 million or Rs. 74 billion), a mind-boggling figure, 4000 times the amount of his "declared wealth", and these just rumour or are they?

Is the government interested in finding out? If the story of Rs. 74 billion secreted away in assets and properties, at home and abroad, mainly through proxies, is true even partly, is the government interested in getting part of it back? The present government has had the courage to repeal the controversial clauses of the 8th Amendment. In the same spirit, all it has to do is to ask the Honourable Law Minister, Mr Khalid Anwar, to spend less than one single day to frame out the necessary laws. Given the Filipino precedent, there may be a requirement for changes and/or amendments peculiar to local Pakistani conditions. It should take less than 24 hours for Mr Khalid Anwar to set the ball rolling in trying to fulfil the deeply-held aspirations of the people of Pakistan.

AS I SEE IT

Ikram Sehgal writes from Karachi

recover ill-gotten wealth while independently proceeding when proven by preponderance of evidence (4) force a witness to testify, if a witness refuses to testify by holding him in contempt of court, etc. (5) grant immunity to approvers/witnesses from criminal proceedings (6) there was to be no time limitation on such cases. Above all, the Executive Orders prevailed over any laws or part of Rules of Court as regards investigation, prosecution and trial of cases to recover ill-gotten wealth from the persons pointed to in the Order.

The world is now much more sensitive to the looting of the national wealth by greedy, selfish leaders of Third World countries. Despite the initial missteps by the PCGG, mostly because they were journeying into as yet uncharted territory, they managed to encourage, coerce, acquire back quite a few assets and properties. The laws of secrecy of bank accounts, particularly in Switzerland and other money-havens, particularly off-shore ones, were quite stringent till the '80s, many of the barriers have broken down now. In the wake of the "Marcos" campaign as well as the

knew that a number of associates, relatives, friends etc., were used as frontmen and/or dummies. They knew that no thief ever leaves a signed receipt that he has committed robbery. They knew that with access to such large sums, these looters could buy off investigators. They knew that assets and properties were in the name of nominees, off-shore companies, trusts, dummy corporations, etc.

They knew that because of their money and lifestyle a significant part of their own population and was still enamoured by the Marcoses. Nevertheless they went ahead and did the right thing. In the process they have got billions of US dollars back, a significant part is still being contested by the shameless Imelda Marcos in various courts around the world.

The Filipinos were far more interested in getting their money back than bringing the Marcos and their cronies to justice, vengeance was a secondary consideration, only a residual effect of the primary objective. Do we in Pakistan have the same commitment or

OPINION

Assisting the Finance Minister

AKM Ataul Huq

The government has recently formed a 14-member Advisory Committee reportedly to assist the Finance Minister in formulating and implementing economic reforms. It has been stated in this connection that the move followed widespread criticism of the Minister by the opposition and some business people over his handling of major economic issues, particularly the recent stock market debacle.

It is amusing that the government has found it necessary to constitute this body in aid of the Minister even after his repeated claim of success in his assignment, including the regulation of stock market affairs, as well as his boasting of a brilliant academic record. Does this mean that his own government is not that impressed by his performance and finds it necessary to bail him out by adopting this visible measure?

The committee's formal terms of reference do not seem to have been published. But it appears from news reports that the body would help in planning and handling delicate economic issues, including policy matters. Then, what purpose is being served by a full-fledged Planning Commission as well as the concerned technical ministries of the government?

It is not clear if the advisory body, as constituted, has access to any critical resources or information which the relevant government organisations or some of our research institutions do not have, that will make a significant difference in the policy-making process on our well-known economic problems. The committee members, most of whom are economists, are no doubt endowed with strong theoretical knowledge and research experience. Their collective wisdom would certainly fill any academic gaps that might be there in our technocrat minister. But doubts might still arise about the practical value of the arrangement.

As regards policy support of the government to the growth of trade, investment and industrialisation, our business community needs it the most. They

have strong chamber bodies and trade associations which regularly offer concrete proposals as well as policy advice to government through well-researched papers.

It appears from reports that the committee, in addition to advising on delicate macro-economic issues, would also deliberate on all major sectors like agriculture and industry. Judging from its present composition, the question may be raised whether the committee will be in a position to deal with such important sectors which are facing serious technological, management and labour problems. It further appears that the committee would tender advice on the efficient management and supervision of the banking and financial institutions.

Currently, a high-powered expert committee is studying different aspects of banking reforms. There are also the Central Bank and the Finance Ministry to deal with this matter. What more can the Advisory Committee contribute in this area?

In democratic systems, policy formulation and other pertinent issues of public concern rest squarely with Parliament. In fact, interestingly, out that have been taking place in our present Parliament on a number of economic issues. Grassroots political leaders are certainly better aware of the core problems that are affecting public life. Can this committee really shield the Minister from parliamentary scrutiny?

Finally, a senior committee member who served with the last caretaker government has rightly pointed out that the main problem lies in the area of policy implementation. During the previous regime, a laudable economic reform agenda was competently fine-tuned by an able finance minister. But its full implementation faltered because of executive failures and serious political chaos. One cannot, in these circumstances, be too sure how the newly-constituted advisory body would perform a miracle in this regard.

To the Editor...

"Efficient Management"

Sir, This refers to Mr. Mah-bubul Haque Chowdhury's letter on the above subject published on 23rd February '97. His subject matter is of relevance to the government and public sector management which leaves much to be desired.

As far as private sector is concerned, retirement age is not of relevance at any level. The relevant issue is competence and performance applicable all down the hierarchy.

Retired skilled personnel from government and public sector both from the upper layer as well as skilled technical hands have found ready acceptance in private sector irrespective of age.

However, as usual government policy on most avenues of personnel management not to speak of retirement age only is based on prehistoric rules and regulations more often than not conducive to inefficiency.

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Unwelcome on PIA?

Sir, I fully endorse the views expressed by Mr. Abdul Baten Miaji in your paper of 6th March, 1997. Writing from Sweden in your LIVE FROM THE INTERNET page, he tells us of the bad behaviour of PIA at Karachi airport, meted out to the

Bangladeshi passport holders. I happen to travel frequently to Pakistan and I am amazed at the attitude of the Pakistanis towards Bangladeshis.

They apparently find it difficult to accept Bangladeshis and PIA is a manifestation of that attitude. The Ministry of Home, Civil Aviation Authorities and the Foreign Ministry should immediately look into PIA's behaviour towards Bangladeshi passport holders. The government should realise that letters of goodwill exchanged between the two countries are all very well but the average traveler from Bangladesh should not be made to suffer the high-handed behaviour of PIA.

P. Zaman
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How safe are our highways?

Sir, It is increasingly becoming dangerous to travel on highways either in cars or buses. The successive governments have completely ignored the plight of thousands of traveling passengers on the highways and sufferings meted out to them. The frequent blockings of roads by the mills and factory workers on the Dhaka-Chittagong highway on some pretext forcing hundreds and thousands of buses, trucks and cars on both sides keep standing for hours together. Sometimes, roadblocks are set up by the local people for the dispute origi-

nated locally by two factions besides often being blocking of roads by the local political parties and local hooligans. The traveling passengers with their families and children have to bear untold sufferings for this.

The other day on 16th February 97, such a roadblock was created by the local people near Daudkandi on Dhaka-Ctg highway following a death of a villager in a fight between two villages. The dead body was brought and kept in the middle of the road causing traffic jam for hours.

The government must take steps to stop such practice of road blocking that causes untold sufferings to the passengers. Unless the government takes stern step to put an end to this by inflicting severe punishment to the originator of road blocks, the traveling by road will be unsafe for everybody.

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Nothing to do, eh...?

Sir In the issue of The Daily Star, dated 29 Jan. 97, There was a photograph with a caption that a state minister was opening a car sale centre in the capital recently.

I wonder whether a car sale centre should be opened by a minister and be published in a national daily.

Doesn't a ministers has any other important work to do?
A Citizen
Dhaka