

Law and Our Rights

Towards a People-friendly Legal System

by Abul Hasnat Monjurul Kabir

TWENTY-SIX years had elapsed since we became independent but we are yet to evolve a people-friendly legal system...

arable to buy the court fee stamp. Having done this he can proceed with his plaint without affixing a stamp on it...

accountability of the higher courts, the Supreme Court spends too many days on vacation...

and cheats continue to flourish. Political parties are increasing act as pressure groups in favour of criminals...

rule in settling disputes amicably outside the courts. Certain types of disputes such as commercial disputes could be effectively settled outside the formal courts...

Other logistical support should also be provided. The setting up of Judicial Training Institute is a positive initiative to improve the quality of Judicial officer.

A system of accountability of judges should be established to get rid of the backlog in cases to make justice available to the people for their benefit.

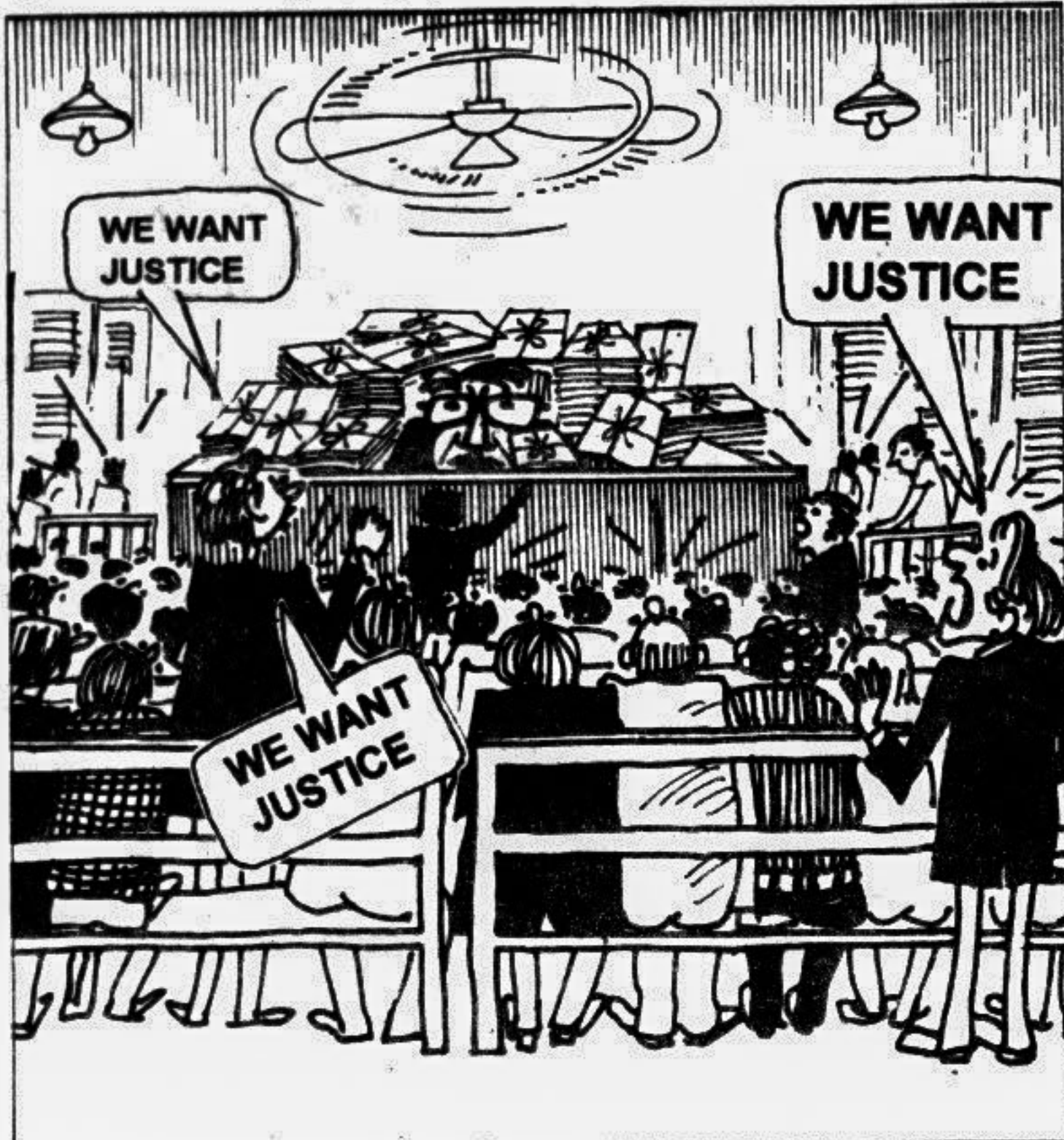
The system of case flow management to monitor the progress of cases and training has already been got an institutional shape.

To motivate the judges to dispose of cases more quickly, modern facilities should be introduced e.g., use of computers dictaphones etc and their working conditions as already mentioned, should be improved.

court should institute a process of continuing consultation among the judges, court staff, the bar, the prosecutor, the public defender and other interested parties-parties concerning development and operation of the caseload management system.

The judicial system is a 'revenue earning' sector. It is not any voluntary system. People pay lots of money as various court fees and charges yet they hardly get justice in time.

The writer, a researcher is a graduate student in Department of Law, University of Dhaka.



How far is the legal system of Bangladesh people-friendly? Cartoon: Nazrul (BELA)

Existing Hurdles No doubt legal profession is highly technical. But that does not necessarily justify the present linguistic state of laws and regulations...

Litigation is an arduous and extremely expensive business and is a luxury in which only the rich can indulge. The plaintiff in a civil suit has to pay court fees depending on the extent of his claim...

As indicated earlier, the client has to incur various fees including lawyer's fees. Even the clerks or Muhuris of lawyers exploit the clients.

The present law does not provide for any monetary assistance to the poor citizen who wants to establish a rightful claim or vindicate his honour.

an acute shortage of judges in the higher courts, there is lack of monitoring of the lower courts, infrastructural facilities are inadequate and above all the judicial system is cumbersome.

Justice delayed is justice denied, is an off repeated aphorism. The law's delay is often commented upon and it is pointed out that our system does the remedy till the disease is almost beyond cure.

According to a recent report covering upto December, 1996, about 13 hundred cases were pending in the Appellate Division of the Supreme Court...

One of the major reasons for such delays in disposing cases is the established practice among some lawyers to purposefully delay and detain their clients in cases to increase indefinitely their own fees...

The environment and internal management specially of the lower courts are horrific. Judges and magistrate housed in shabby, dilapidated court rooms, are surrounded by the noisy babble of disrespectful and unmannerly litigates.

In Sri Lanka Mediation Board manned by retired justice is dealing with certain types of minor cases which help speedy disposal of a large number of cases. In India, the system of ADR (Alternative Dispute Resolution) are playing a positive

The people in legal profession are yet to be socially sensitized. Rigidity, complexity, extreme conservative attitudes, red-tapism etc very often prevail on the mind of the concerned persons over expected degree of humanity and rationality.

Suggested Reforms The people in legal profession are yet to be socially sensitized. They should also be sensitized to the needs of a people friendly legal system, be sensitive to gender, children and the handicapped.

The colonial trend of drafting law in an archaic and complex manner must be stopped. Drafting of law should be simple and easy. Recently the Ministry of Law, Justice and Parliamentary Affairs has decided to set up a Permanent Drafting Wing.

As already mentioned, the present law does not provide for any monetary assistance to the poor citizen who wants to establish a rightful claim or vindicate his honour in England the government drew up a comprehensive scheme to provide legal aid and advice to persons of limited means and to make legal assistance in criminal proceedings more readily available for such persons.

Thieves, burglars, kidnapers

Lawscape

Media Honeymoon with Junta ends in Bitterness

by Rosemary Long

THE Gambia's military rulers appear to be escalating an assault on the west African state's independent press.

Journalists complained late last year about security forces' attempts to gag the press and intimidate media workers. But things have worsened since then.

In February, an amendment to the Newspaper Act was suddenly announced. Instead of a 1,000 dalasi registration bond, proprietors are now required to pay 100,000 dalasi.

The seven proprietors affected - Theophilus George of the Daily Observer, Halifa Sallah of Forayaa, Baboucar Gaye of New Citizen, Saeubou Conateh of Gambia News & Report, Deyda Hydara of The Point, Pa Modou Fall of The Toiler and Getwin Okon of Pama - all resolved to file the bond.

The proprietors of four of these publications sent an angry declaration to the Armed Forces Provisional Ruling Council (AFPRC). They called the formulation of the new decrees 'untimely', stated that the practice of bonding newspapers is universally condemned, reminded the government that the Newspaper Act was introduced in 1944 by the British colonial masters as a way of keeping down Gambian opinion, and asked the junta to normalise the situation urgently.

The response was a swift summons to the Observer, The Point, New Citizen and Forayaa to appear in Banjul Magistrates' Court on petty charges concerning failure to make returns and renew affidavits.

And although all the proprietors produced the 100,000 dalasi bond, there is apparently no obligation on the government to accept it.

Oddly, in the beginning - after the July 1994 bloodless coup that brought Jammeh and the military to power - relations seemed fine between soldiers and journalists.

The newspapers welcomed the peaceful takeover of power, and it was, after all, the press which presented the first pictures of the AFPRC and the first statements of their aims to the public.

Then the soldiers found allegedly incriminating material involving ex-President Dawda Jawara and his first wife, Chieff, they rushed to call a press conference to make sure the (fairly scurrilous) material got plenty of exposure. And the papers

assiduously reported the findings of commissions digging into the corruption and mismanagement of the Jawara government.

At frequent press conferences, Jammeh was down-to-earth, almost amiable. 'Tell me when I go wrong,' he had said at one of his public rallies. Perhaps it was when the press accepted his invitation that the honeymoon came to a bitter end.

Fifteen journalists have been detained or questioned by the notorious National Intelligence Agency (NIA) or by the police. Three have been deported to their countries of origin. Several have left voluntarily for their own safety. Press conferences are no longer held.

The AFPRC does not seem to like the way the newspapers feel obliged to report the repeated detentions of certain people, the alleged torture used by NIA questioners, and other matters the government would prefer not to have aired.

Recently, school pupils went on the rampage when police stopped them picnicking on a tourist beach. They hurled concrete blocks through car windcreens and set fire to tyres in the avenue which passes the US embassy.

The official line was that the police mismanaged the situation, which should have been handled by teachers in the first place. No mention was made of the fact - observed by many witnesses, including myself - that soldiers arrived and beat up the students. It took a letter in the Observer to put into print what was already on everyone's lips.

The letter-writer's daughters, who had nothing whatever to do with the picnic and the following rampage, had been dragged into an army lorry, one hit on the side with a gun-butt and one struck on the mouth. Their father described appalling bullying in the police station.

Articles and letters of this kind - which question the arbitrary arrests, the NIA's unlimited powers, 90-day detentions of people awaiting trial for sedition, foot-dragging tactics which seem to threaten the holding of the promised July elections - are presumably what have infuriated the AFPRC so much that they are now set to nip at the heels of the press with sharper and sharper teeth in an attempt either to subdue or shut down independent papers.

Journalists, however, seem determined not to bow under pressure. 'The Gambian press has been more red in less than two years of AFPRC rule than in 30 years of Jawara's People's Progressive Party rule,' says Press Union secretary DA Jawo. 'But they see their mission as a noble one.' - GEMINI NEWS

The writer is a Scottish journalist who lives in The Gambia.

The Daily Star Entertainment Guide

Sunday 11th May (All programmes are in local time. There may be changes in the programmes).

BTV 3:00 Opening Announcement Al-Quran Programme Summary 3:10 News in Bangla 3:15 Cartoon 3:45 Retelocast of Drama 4:00 News in Bangla 4:50 Marani 5:25 Sports Programme 6:30 Agnar Doctor 6:55 Open University 7:00 The News 7:10 Gonatanter Abhijata 7:25 Giltmalu 8:00 News in Bangla 8:25 71 Dinilpi 8:35 Balun Dakhy 9:00 Film Series: Queen 10:00 News in English 10:30 Chayachanda 11:30 News in Bangla 11:35 Monday's programme 11:40 Close down

CHANNEL V 6:00am Soul Curry 7:00 Rewind VJ Sophia 8:00 Frame By Frame 9:00 Big Bang Week-end VJ Alessandra 11:00 BPL Oyel 12:00 Videocon Mangia Hai 12:30 Liberty First Day First Show 1:00 Rewind VJ Sophia 1:30 Speak Easy 2:00 Videocon Flashback 3:00 Asian Top 20 VJ Trey 4:30 The Vibe Weekend in Bali with The Spice Girls 6:30pm Simply South 7:00 Udam Singh 8:00 The Indian Top 10 8:30 Malibu Jammin 11:00 Launchpad VJ Samira 10:00 House Of Noise VJ Luke 11:00 The Ride 12:00 Rewind VJ Sophia 1:00 Frame by Frame 2:00 By Demand VJ Trey 3:00 Big Bang VJ Alessandra 4:30 Pepsi Presents The Chinese Top 20

STAR PLUS 6:30am Voltorn 7:00 Wildlife International 7:30 King Arthur 8:00 Dungeons & Dragons 8:30 Tara Pum Pum 8:30 Bunyadi 10:00 Janata Ki Adalat 10:30 Chandrakanta 11:30 Amdil India Show 12:00noon The Great Escape 12:30 India Business Week 1:00 Living On The Edge 1:30 Star Trek 2:30 Hindi Classic Film: 'Sardar' 3:00 Batman 6:00 'Charmed' Angels 7:00 Amul India Show 7:30 Plus Preview 8:30 Phya Tendulkar Show 9:00 Reporter 9:30 Chandrakanta 11:30 Star News Sunday 11:30 Dynasty 12:30 India Business Week 1:00 Star News Sunday 2:00 BBC Documentary: State Of Ark 3:00 Movie Classic: Carnival Story 5:00 Firm Reports

STAR SPORTS 5:30am US PGA Tour 1997 Shell Houston Open Final Day 7:00 Life Australia vs Rest Of

The World 3:30 Marlboro Tour Of Philippines 4:00 Volvo China Tour Volvo Open 5:00 Inside PGA Tour 5:30 Grand Prix Show 6:30 Live Formula One World Championship Championships 1997 Monaco Grand Prix 8:30 Marlboro Tour Of Philippines 9:30 Australia vs Rest Of The World 10:00 Continued Live English Cricket 97 Sunday League 12:30 India Tour West Indies 4th One Day Int'l H/L 2:30 NBA Game of the Week Play-Offs 3:30 1997 World Motorcycle Championships Spanish Grand Prix From Jeraz Spain

STAR MOVIES 7:30am Family: The Great Land Of Small PG (Hindi Subtitles) 9:30 Family: Planet Of The Dino-Knights 12 (Hindi Subtitles) 11:00 The Bhaskar Ghose Show 11:30 Comedy: Love At Large 15 (Hindi Subtitles) 1:30 Film Club: Just Between Friends 15 (Arabic Subtitles) 3:30 Sunday Show Time: Pee-Wee's Playhouse PG 4:30 Sunday Show Time: The Directors Mark Rydell (15) 5:30 Sunday Family: Double Feature: Bach And Broccoli PG (Hindi Subtitles); 7:30 Sunday Family Double Feature: Little Miss Millions 15 9:30 The Bhaskar Ghose Show 10:00 Gold: To Catch A Killer (Part 1) ? 12:00 True Story: Unspeakable Acts 2:00 Action: Black Cobra (Arabic Subtitles) 4:00 Documentary: Twist 15 5:30 World Cinema: High Heels 15 (English Subtitles)

ZEE TV 6:00 Jagran 6:30 Maa 7:00 Hum Zameen 7:30 Dream Merchants 8:00 News 8:30 Zee Business Show 9:00 Disney Hour Cartoons 10:30 Ek Aur Mahabharat 10:30 Aap Ki Adalat 11:00 Chanakya 12:00 Syaram's Cine Magic 12:30 Bourmivia Quiz Contest 1:00 Aashiana 1:30 Sillsie 2:00 Daak Ghar Apna Ghar 2:30 Usha Uthap Show 3:00 Hindi Feature Film: Ziddi (Joy Mukherji), Asha Parekhi (6:00) Gaane An-

jaane 6:30 Disney Hour 7:30 Zimbo 8:00 Kya Scene Hai 8:30 Haile Khetle 9:00 Jaspal Ki Yeah Zingee 9:30 Chahat Aur Natrat 10:00 Zee Horror Show 10:30 News 11:00 Shogun Show 11:30 Philips Top Ten 12:30 Yeh Kaha Agaya Hum 1:00 Hasratani 1:30 Shapath 2:00 Zee Arabia: Paying Guest 2:30 TMM

EL TV 07:00 Yeaddon Ki Barat 07:30 Stand By 07:40 Mamta Special 8:00 Hindi Film: Yeh To Kamal Ho Gaaya (Kamal Hasan, Poonam) 10:30 Hey Ho Ho 11:00 Cine Smile 11:30 Akbar Birbal 12:00 Teer Kaman 12:30 Liberty Public Demand 01:30 Archies Top of the Tops 02:00 Gajrat: Madhur Ankhadi 03:00 Ortem Puruskhetra 04:00 Superhit Hungama 05:00 Hindi Film: Sharda (B/W) 07:50 Hasen Pal 08:00 The Real Countdown 09:00 TBA 09:30 Fasana 10:00 Ru-Ba-Ru 10:30 Stand by (Trailer Show) 10:45 Hindi Feature Film: Anurodh (Rajesh K., Uplav Dutt) 01:30 Yeh Duniya Gazab Ki 02:00 Tehkikat 02:30 Parag Number One 03:00 Anurag 03:30 Mast Mast Show 04:00 Hindi Feature Film (B/W): Bhahadur Bacche

PTV 8:00am Tiltaw Aur Tarjuma/Hamd/Naat 8:20 Cartoon 8:30 Khabrain 8:45 Fun Time 9:05 TV Encyclopediya 9:25 Khat Farmaish 9:40 Sports Clinic 10:05 PTV Gok 10:30 English Film: Darkwing Duck 10:55 Mast Mast Sports 11:00 Khabrain 11:10 Sanyo Hour 12:05pm Biscoop 95/Qasim Hahani 12:55 Quran-e-Hakeem 1:02 Bismillah 1:15 Aaj Di Kahani 1:40 Aaj Di Shaam 2:00 Kinara 07-71 (Drama Serial) 2:55 Ghost Writer 3:55 Karabar (Drama Serial) 4:15 Education 5:25 Riaz 9:55 Zameen Per Zindagi (Drama Serial) 6:25 Aiou Courses 7:00 English News 7:30 English Film: Star Trek Deep Space Nine 8:20 Hawwa Ki Naam 9:00 Break for Head-

lines News 9:20 Sur Tasvir (Pakistan Film 1947-95) 10:00 Khabarnama & Commercial News 11:00 Pezwaan 11:35 Home Victim (New Serial) 12:35 News Masters-Raag Rang 1:00 Khas Khas Khabrain

DD 7 9:00 Janmadin 9:05 Geetmalay 9:30 Movie Club Film 1:00 Aaleya 1:30 Movie Club Film 3:30 Geet Sangeet 4:30 Sunday Bangla Film 5:30 News 7:20 Binodan 7:30 Bangla Sambad 8:00 Shroosht (Serial) 8:25 Geet Sangeet (Serial) 9:00 Pal ikhata 9:30 Drama/Interview 1:00 Dance Prog 10:30 News/Bengali Sambad 11:00 Closed

SONY ET 8:30am Jai Bir Hanuman 9:30 Gaane Jaane Maane 10:00 Judugar 10:30 Sunday Ki Sunday 11:00 Taj Mahal Takita Dhin 12:00 BSA Star Ki Pasand 12:30 Pehli Mulakat 1:00 Good Shot 1:30 Pehchan 2:00 Yeh Sadi Nahi Ho Sakti 2:30 Premier 3:00 Chamakor 3:30 Five Star Xpressit 4:00 O'Maria (Serial) 4:30 Rasol Show 5:00 Jeevan Miryu 5:30 Mahayuga (Serial) 6:00 Take Five 6:30 Boogi Woogi 7:00 Bindas Bol 8:00 Hindi Feature Film: The Great Gambler 11:00 Premier 11:30 The Young And The Restless 12:30 Shiddhi (Serial) 1:00 Dekh Bhai Dekh 1:30 Kismet 2:00 Premier 2:30 Closed

ZEE CINEMA 7:30 Yahan Wahani 9:30 Mohabbat Isko Kahie Hai (Sashi Kapoor, Nanda) 12:15 Taraana 12:30 Pyl (Sashi Kapoor, Asha Parekhi) 3:15 Zandu Film Baalein 3:45 Taraana 4:00 Pyar Jukta Nahin (Mithun Chakraborty, Padminka K.) 6:45 Box Office 7:15 Nishana (Mithun Chakraborty, Nishana Rekha) 8:00 Khatian ikke Pe Ikke 8:30 Nasir, Poonam (Raj Kumar, Nasir, Poonam (Dharm) 11:15 Filler 1:45 Oh Bewafa (Ranjinder Kumar, Yogita Bawa) 4:30 Filler 4:45 Sportboy (Akshay Kumar, Hansa)



Visiting Director General of the Food and Agriculture Organisation (FAO) called on Prime Minister Sheikh Hasina at her office in parliament yesterday.

FAO DG calls on PM

Prime Minister Sheikh Hasina yesterday called for greater transfer of technology and optimum utilisation of modern know-how for sustainable development of agriculture, reports BSS.

She was talking to visiting Director General of Food and Agriculture Organisation (FAO) Jacques Diouf when he called on her at her Sangsad office.

The Prime Minister expressed the hope that FAO would underline the importance of research activities to evolve many more high yielding and high breed varieties of paddy so that the countries like Bangladesh having a large population and very dear land could be benefited.

She said, 'We are to grow more food on small plots. As such, we attach great importance to varietal improvement of rice.'

Diouf, who was the agriculture minister of Senegal, expressed happiness at the steps taken by the Bangladesh government in the field of agriculture. 'Bangladesh policies are on the right direction,' he added.

- PID photo

College girl stabbed in Khulna

From Our Correspondent

KHULNA, May 10: An HSC examinee, Lipi Dutta, 22, was stabbed by a young man in front of the Pioneer Girl Girls College today.

She was admitted to the Sadar hospital in a critical condition with injuries in her right hand and back.

The attacker fled soon after stabbing the girl. Police said, the boy attacked the girl following her refusal to marry him.

BGMEA to solve problems of garments workers

The Bangladesh Garments Manufacturers and Exporters Association (BGMEA) decided to take steps to solve profession-related problems of the garments workers, reports UNB.

Mostafa Golam Quddus, the president of the BGMEA, stated this while discussing with the representatives of different garments labour organisations at his office on Thursday.

The representatives demanded the facilities they are entitled by the ILO Labour Convention and the Labour Law.

They demanded a minimum wage, overtime and a weekly holiday for the workers.

Written test for post of pry teachers June 20

The written test for the post of assistant teachers for the government primary schools will be held at all district headquarters throughout the country on June 20 excepting Rangamati, Khagrachhari and Bandarban districts, an official handout said last night, reports BSS.

Admit cards will be sent from the district primary education office concerned to the addresses of the valid candidates.

All rules and instructions relating to the admission test had been mentioned in the admit cards.