

Towards Wholesome Parliamentary Culture

by M Harunur Rashid

All over the world, people do not take kindly to the abuse of privileges and immunities. These are the things need to be very carefully looked at and politically addressed too in order that we can establish a proper parliamentary culture.

Parliamentary culture is a broad expression in which several aspects of representative democracy are subsumed. Parliament reflects people's power. We follow the Westminster model of parliamentary democracy. Oliver Cromwell's victory in the English Civil War created an all powerful image for the Parliament. The Earl of Pembroke declared in 1648 that a Parliament can do anything but make a man a woman and a woman a man. The primacy as well as the supremacy of the Parliament in democratic governance, according to my little understanding, are fundamental to wholesome parliamentary culture. Along with the Executive and the Judiciary, the Legislature is expected to participate in governance. How does the legislature participate in governance? It is true that it performs its function primarily by making laws. The laws should reflect the collective will of the people. They should reflect and be consistent with what is understood as the Common Law or Natural Law which is distinct from Statutory Law. Who will guard the guardians? Legislature being constituted by the representatives of the people, they are intended to guard the guardians. This gives rise to the principle of accountability. Here I will rather go into the details of parliamentary culture and also make a brief suggestion as to how the wholesome parliamentary culture can be developed in our part of the world in order that the democracy can be made sustainable. The Executive is expected to be accountable to the legislatures. That is how, Article 55 (3) to the constitution of Bangladesh provides that the Council of Ministers are collectively responsible to the House of the People. Wholesome parliamentary culture, then, is one that ensures the accountability of the Executive. There is a whole lot of procedures and mechanisms through which this accountability is sought to be ensured - the Question Hour, Calling Attention Motions, Notices on matters of public importance, Adjournment Motions, Confidence and No Con-

fidence Motions, etc. These are not to be seen as mere procedural rituals but very significant links in an overall design for ensuring accountability of those who wield power in the Executive. Voting of grants for various governmental activities and monitoring of expenditure of those grants are also vital functions in the performance of which the rule of Legislatures in Governance is to be seen. The established mechanisms for the purpose are the Annual Financial Statements and the Finance Committees, i.e., the Estimates Committee, the Public Accounts Committee and the Committee on Public Undertakings. There are practical limitations to parliamentary control over finance. The principal limitation is the availability of time in the House. Budget documents are invariably the creations of the Government, conditioned by availability of resources. Parliamentary debates on budgets are normally through cut motions. Cut motions are only symbolic. They are not used for the purpose of significantly reducing or enhancing the budget. They are rather used for the purpose of drawing attention of the government to inadequacies in policies and in implementation of policies. Nor are the parliaments in a position to take up detailed discussions on all the demands for grants for sheer want of time. We all know the process of guillotine, details of which I don't want to go into. Committees on estimates only give recommendations. They can only serve the purpose of broad guidelines and perhaps for laying down priorities of expenditure. Public accounts committees and committees on public undertakings largely perform ex-post facto functions. It is in this background, that in India they have created the system of departmentally related committees which mandatorily go into detailed

scrutiny of demands for grants, examination of annual reports and performance budgets of ministries. Here in this country the committee system is of fairly recent origin but it has already started functioning very effectively. It would be indeed worthwhile to universalise this system and further perfect its working. The legislators themselves are accountable to the public at large. Stated differently, each parliamentarian is accountable to his electors. Of course, the electors hold the parliamentarians accountable at the time of elections. This again can only be ex-post facto. We cannot have the system of recall of legislators with whom the electorate is not satisfied. Hence, the ex-post facto exercise in securing accountability of their representative by the electors. This brings us to the question of orderly conduct of business in the House by the Parliamentarians. The time of the Houses being limited and expensive, the Parliamentarians should observe rules relating to orderly conduct of business. Cross talk attempting to speak without being recognised by the chair, collective efforts at attempting to draw the attention of the chair, repetitive arguments in the course of speeches and statements in the Houses, shouting of slogans and demonstrations in the floor of the Houses, etc., are in the ultimate analysis, serious breach of accountability of the Parliamentarians to the people who return them. Disorderly conduct of business is largely due to lack of experience on the part of the Parliamentarians. Parliamentarians often used to indulge in disorderly conduct. Live telecasting of Parliament proceedings, if they believed perhaps, helped them in their activeness in Parliament being seen by their electors on the television. Legislators, particularly the first time, need to be trained in the Rules of Procedure of the Legislatures. This would go a

long way in facilitating orderly conduct of business in the Houses. Secretaries of Legislatures, interacting with the Parliamentarians as they do on day to day basis and having long experience could make significant contribution in the matter of this training. Many Parliamentarians do also look forward to significant level of information support for the purpose of discharging their duties in the Houses. In the Parliament, we have a library and reference, research, documentation and information service. We also have newspaper clipping service. Normally, this service makes available to the Parliamentarians documents required by them within a day or two. To render this service effectively, secretaries of legislative body should themselves undergo training. They could keep track of the highly informative publications of the CPA and bring them to the notice of the Parliamentarians. They can draw on CPA's Parliamentary Information and Reference Centre (PIIRC). The CPA has advanced a lot in recent times into the use of modern technology. The CPA Secretariat is now equipped with e-mail facilities. The CPA Home Page has also been established on the Worldwide Web. Secretaries would also do well to access the Worldwide Web and network with the CPA systems. Independence of the judiciary is yet another principle which is always respected in the conduct of parliamentary proceedings. Matters which are subjudice are not discussed in Houses. Judges, as presiding officers of the judicial bodies are also not discussed. All over the world, parliamentarians do complain about the so-called judicial activism. On account of developments in the judicial process like public interest litigation and litigation involving the probity and standards of people's representatives, not to speak of issues of public con-

cern like environment protection, judicial intervention is sought by the people more than ever before. Particularly in the context of these complexities, Secretaries of legislatures would need to be aware and be updated with developments in the area of legislature judiciary interface. The inviolable principle, however, is respect for the autonomy of the legislatures and the judiciary in their own areas of competence. Detailed knowledge about this should always inform the advice that may be tendered by the secretaries to their presiding officers. Secretaries should also be aware of the rights of the media vis-a-vis the legislatures. In Bangladesh, the media has a constitutional right of access to parliamentary proceedings. While providing access to the media, the officials should make the media aware of the implications of colourable use of parliamentary information to parliamentary privileges. Parliamentary privilege is based on the principle of avoidance of molestation. That is, the Parliamentarians should be in a position to discharge their parliamentary functions without let or hindrance. Anything and everything stated in the House of any factum of voting in the House cannot be questioned in any court of law as per the provision of Article 78 of our constitution. For the Parliamentarians to claim privilege, there should be clear nexus between their work in the Parliament and the alleged breach of privilege. Privileges can be claimed only in the realm of appearance in person in courts of law during parliament session. Criminal actions can never be the basis for claim of privileges and immunities. Most importantly, all over the world, people do not take kindly to the abuse of privileges and immunities. These are the things need to be very carefully looked at and politically addressed too in order that we can establish a proper parliamentary culture which is much talked about subject these days. The writer is a Judicial Officer now working as Law Officer to Parliament Secretariat.

People's Participation in Water Sector Planning The Dutch and Bangladeshi Experiences

by Dr Saleemul Huq

BANGLADESH and the Netherlands share a number of geographical similarities. Both are on the deltas of major world rivers which flow for many thousands of kilometres through other countries before reaching their borders. Both are very low lying and flat topographically and both have a long history of water sector planning. Of course, the Netherlands' history of water sector planning is over four centuries old and the people's participation in water planning and maintenance (through the Polder Councils) actually predates the Dutch nation state as one of the oldest forms of participatory democracy involving local communities. The Polder Councils in the Netherlands exist to this day and almost all Dutch citizens, where they live vote for their local council every year. In this year's election, for the first time, a Bangladeshi who has been living in the Netherlands for many years, Mark Momin was elected to one of the Polder Councils, in north Holland. Thus the Dutch have

certainly gained much valuable experience in water sector planning, development and, most importantly, people's participation. In Bangladesh water sector activities also have a centuries old history with major embankments and water tanks known to have been built during the Mughal period. However, the modern age of water sector planning is only a few decades old and the concept of people's participation only less than a decade old. Therefore, Bangladesh still has a long way to go in terms of legal and regulatory framework to enable genuine people's participation to take place. Nevertheless, a start has been made in trying to develop a legal framework for people's participation in the water sector. Recently, a one day seminar was held in the Hague on 26 January 1998 organized by a Dutch NGO called ICCO with about 80 participants from gov-

ernment, NGOs, research institutes, consultants and private sector from both the Netherlands as well as Bangladesh. The purpose of the workshop was to share some experience on water sector planning modalities in both countries with special emphasis on people's participation. The discussion were very lively and useful and highlighted both the similarities as well as the differences (e.g. the lack of enabling legislation in Bangladesh). Nevertheless it was felt by all concerned that such an exercise of sharing of experiences between groups from each sector (e.g. government, NGO, farmers, water councils, academics, etc) from each country could lead to beneficial results not just for Bangladesh but also for the Netherlands. It was agreed that mechanisms should be put in place for regular sharing of such experience (e.g. through visits, studies, etc) between groups from the two countries for their mutual benefit of both the countries - BCAS Feature

SILK Reasons Behind Stagnation

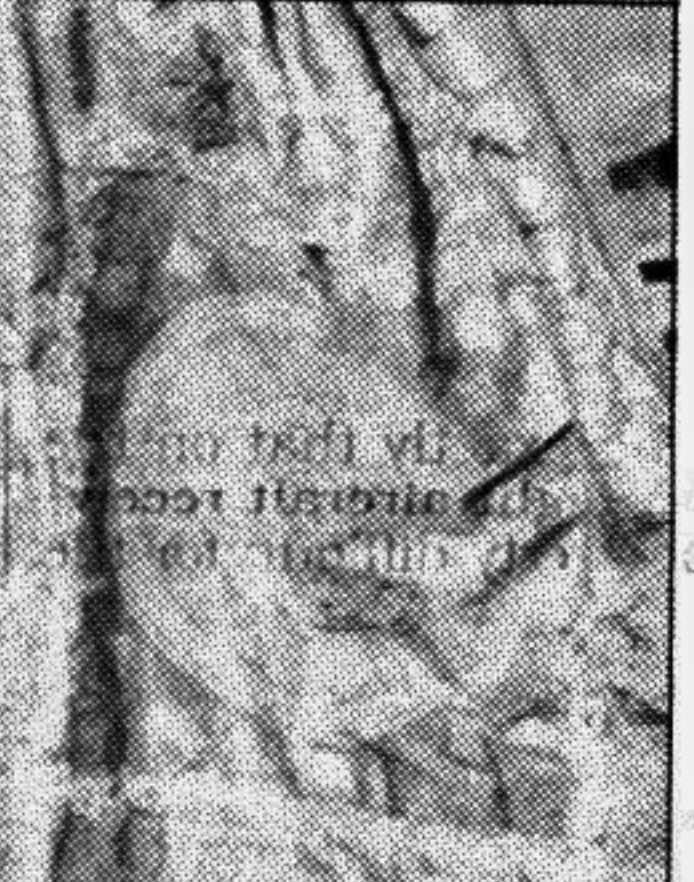
by Prof. Sajjad Hussain

There is no shortage of causes for the stagnation of the silk industry in Bangladesh; but none of them are unsurmountable.

DESPITE many benefits derived from development of the silk industry in Bangladesh it has been stagnating in this country due to the following factors: Low Production of Mulberry Leaves Caused by a Lack of Sufficient Government Support: The production of mulberry leaves is desperately low in Bangladesh because, among other things, mulberry plants in Bangladesh are attacked by a number of different types of fungal and viral infections and nematode diseases, which damage mulberry plants badly, such as: a) powdery mildew, b) leafspot disease, c) rotting of seedlings and baby mulberry plants, d) tukra disease, and e) worm infestations. Besides, mulberry plants in Bangladesh also suffer from attack from insects such as: a) borers, b) leaf hoppers, c) caterpillars, d) termites, and e) green grasshoppers. There are various drugs application of which can significantly reduce the damage caused by the above-mentioned diseases and insects. However it appears that, a lack of sufficiently aggressive extension activity on the part of the government, a lack of knowledge on the part of the farmers about the application of appropriate drugs, inadequate private funds, and a lack of necessary institutional credit facilities have all combined together to militate against the desired situation.

sons for the low order of silkworm rearing management are: a) A lack of technically qualified manpower; in Bangladesh the natural climate is not suitable for the rearing of silkworms during all the four rearing seasons. The climate is particularly adverse during Jyashtha (late summer) and B'hadra (late monsoon) seasons. Although ill effects of the climate can be compensated for by employing some special techniques, the silk farmers of Bangladesh are not technically qualified to deal with it. b) A lack of necessary material and equipment. No technology can be applied because of this. For

spinning is used. Silk thread produced by spinning is thicker and coarser. In Bangladesh except for a few large industrial units and a few NGOs none of the small Reelers have adequate facilities for drying silk cocoons. About 60-70 per cent home produced silk cocoons are dried in the sun. Consequently, in the rainy season, the Reelers face much difficulty in drying their cocoons. Many dry them over fire. And in this method, cocoons often get burnt and the 'reeling' of thread is not as effective. Besides, when dried in this method it is not possible to preserve silk cocoons for more than 20-25 days. On the other hand, in summer, if they are dried in bright sun for 2/3 days, or if they are kept in 80°-90°C for between 4-6 hours they become dry. After drying properly they can be easily preserved and used as per convenience. If they are not dried well then the production of silk thread is relatively poor. But even if electric driers are available in the market they are beyond the purchasing power of the ordinary reelers. In any case electricity is still not widely available in the rural areas of Bangladesh. However, Bangladesh Silk Research Institute is currently developing a drier that can be set up anywhere within Bangladesh and its purchasing price and running cost is expected to be such that, with adequate credit facilities it would be within the purchasing power of ordinary farmers. If silk cocoons are dried in a drier for about half an hour a second time after 20-25 days, they can be stored for a long time.



In Bholahat of Bangladesh, which is the main silk cocoon production centre, reeling is done with the help of very old reeling machines. The thread so produced is of very low quality, i.e. somewhere thick, somewhere thin, and generally dirty. The thread produced in this method is a little flat and the price is also relatively cheaper. About 75 per cent of the silk thread in Bangladesh is produced in this manner. Outdated Silk Cloth Production Technology: Most farmers use the very old fashion handlooms which are considerably less economic and less efficient method of production. Consequently their productivity is low and the cost of production high. Above all, Lack of Effective Implementation of the Programme by the Government: The Silk Industry failed to develop in Bangladesh during the Pakistani period due to a lack of qualified manpower, shortage of funds, and absence of clearcut policies, and after the emergence of Bangladesh, till 1978, due to a lack of any policy to revamp the industry. But after 1978 clear-cut policies and forward-looking programmes had been adopted with the establishment of the 'Silk Board'. This time the basic impediment to the development of this industry in Bangladesh has been the failure of the government to implement programmes properly. A glaring example of the carelessness attitude of government towards the development of the silk industry in Bangladesh is the way in which the Chairmen of the Board had been selected. Most Chairmen appointed to the Bangladesh Silk Board not only did not have the training or the inclination, let alone dedication, to ensure the proper implementation of programmes; they actually took it to be a punishment posting and looked for every opportunity for a transfer elsewhere.

instance, although it is necessary to sterilise silk-worm rooms before starting the rearing of silk-worms, yet both due to the exorbitant price and scarcity of necessary chemicals and equipment silk farmers are unable to use them. In Bangladesh most silk farmers can afford to use less than 50 per cent of the material and equipment necessary for silk production. c) A lack of necessary training and technical assistance: Although the Silk Board is supposed to provide this help to the silk farmers, whatever they are doing is far from adequate. The low quality management of silk-worm rearing is mainly responsible for the high incidence of disease and death of the silk-worms. Diseases spread due to a failure to follow correct technical principles and procedures that have been developed to prevent their occurrence. Silk-worms can be protected from unwanted disease and death if germs and bacteria can be removed from the environment by improving the management of silk-worm rearing, by producing and distributing disease-free good quality silk-worm eggs, and by training of and providing technical assistance to, the silk-farmers about silk-worm diseases and their containment. However, since none of it is done, innumerable silk-worms either do not survive or, in any case, have to be thrown away at the rearing stage. Out of the rest that survive most suffer from malnutrition and spin low quality cocoons.

Outdated Silk-thread Production Technology Causing Drying, Ineffective Reeling of, and Production of Low Quality Thread: The technology behind the production of silk thread is outdated. Silk thread is produced from silk cocoons, and the method of producing fine silk thread from silk cocoons is called 'Reeling'. For the left-over from 'Reeling' or where silk thread cannot be produced through the 'Reeling' process,

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There is no shortage of causes for the stagnation of the silk industry in Bangladesh; but none of them are unsurmountable. Hence Bangladesh should immediately take all necessary steps to solve all the problems of the silk industry in right earnest and allow it to thrive as it should. It would be a shame not to do so.

Conclusion There is no shortage of causes for the stagnation of the silk industry in Bangladesh; but none of them are unsurmountable. Hence Bangladesh should immediately take all necessary steps to solve all the problems of the silk industry in right earnest and allow it to thrive as it should. It would be a shame not to do so.

Next : A Probable Solution

Metropolitan



Bangladesh Chhatra League (BCL) brought out a rally on DU campus yesterday protesting rowdysim at Central Shaheed Minar. -Star photo

Govt. of the People's Republic of Bangladesh Ministry of Science & Technology Bangladesh Secretariat Dhaka MOST/S-14/Project-2/97 Dated : 19-02-98 Re-Tender Notice Sealed tenders are invited by the Project Director, Establishment of Technology Dissemination Cell in the Ministry of Science & Technology Project from bonafide local agents/suppliers/distributors for the supply of computers, electronics and airconditioners. 1. Tender No : MOST/TDC/Computer/01(R)-98. 2. Item : Server, Color Scanner, Color Laser Printer, Color Digital Camera, Plotter, Multimedia Projector, Notebook Computer, UPS, Voltage Stabilizer, Software and other accessories. 3. Place of selling : Room # 904, Bldg. # 6, Bangladesh Secretariat, Dhaka. 4. Place of dropping : Room # 923, Bldg. # 6 Bangladesh Secretariat, Dhaka. 5. Last date and time : March 3, 1998 (up to 3:00 PM) for selling tender schedule. 6. Price of schedule : Taka 300 (three hundred) only (non-refundable). 7. Date & time for : March 4, 1998 (up to 3PM) receiving tender. 8. Date & time for : March 4, 1998 (up to 3:15 PM) opening tender. 9. Earnest money : 2.5% (Two point five per cent) of the total quoted price in the form of Account Payee Bank Draft/Pay Order from a scheduled bank in favour of the Project Director, Establishment of Technology Dissemination Cell in the Ministry of Science & Technology Project. 10. Validity of tender : 90 (Ninety) days from the date of opening of the bid. The authority reserves the right to accept or reject any or all of the bids without assigning any reason whatsoever. DFP-3934-2/22 G-303

Metropolitan

Session of WMO, ESCAP panel on tropical cyclone begins today

The 25th session of WMO and ESCAP panel on tropical cyclone will be held at the International Conference Centre at the Prime Minister's Office, in the city today, reports BSS. Prime Minister Sheikh Hasina will attend the function as chief guest and formally inaugurate the session, an ISPR press release said. Defence Secretary Syed Yusuf Hossain will deliver the welcome address, while Director, Bangladesh Meteorological Department Sajedur Rahman will give vote of thanks. Representatives from the World Meteorological Organisation (WMO) and ESCAP will address the inaugural session.

Technical sessions of the meet will be held at the head office of the Bangladesh Meteorological Department at Agargaon and continue till Mar 2. Besides WMO, EC and ESCAP representatives, delegates and observers from Bangladesh, India, Pakistan, Myanmar, Sri Lanka, the Maldives, Thailand and Sultanate of Oman and Federal Republic of Germany will take part in the session. The twenty-fifth session will focus on review of the 1997 cyclone season of the member countries, coordination with other activities of the WMO Tropical Cyclone Programme, review of the coordination of the technical plan and coordination of the work programme for the next two years with particular reference to meteorological component, hydrological component, disaster prevention and preparedness component, training, research and publications, and review of the tropical cyclone operation plan.

Ershad meets Grand Mufti of KSA

Jatiya Party Chairman HM Ershad yesterday met the Grand Mufti of Saudi Arabia, Sheikh Abdul Aziz Bin Abdullah Bin Baz, at his office, reports UNB. During the meeting, the Grand Mufti enquired about the condition of Bangladesh. Its people and the Muslim refugees from Arakan, a JP press release said quoting a message from Riyadh. The JP Chairman said the Myanmar's refugees staying in Bangladesh are leading miserable lives in their camps. He drew the attention of the Myanmar government to repatriate the refugees to their own land as early as possible. Sheikh Bin Baz offered prayer for the people of Bangladesh.

NSU to take part in int'l computer programming contest

A three member students team from NSU leaves today for Atlanta, Georgia, USA to participate in the International Collegiate Programming Contest organised by the Association for Computing Machinery (ACM) to be held on Feb 28. ACM is the largest body of the computer professionals in the world, said a press release yesterday. NSU was one of the three sites in Asia to hold the qualifying rounds of the competition. The qualifying round was held at NSU on November 18, '97 where 18 teams from 11 universities participated. BUET Team A was the winner in the programming contest and automatically qualified to compete in the final round. The NSU team became qualified as the host of that event. A total of 54 teams from all over the world are participating in the final round. Eight teams are participating from Asia out of which two are from Bangladesh.

Session of WMO, ESCAP panel on tropical cyclone begins today

The session will be rounded off with the discussion on the activities of technical support unit (TSU), support for the panel's programme and technical discussion. Member countries of the panel will submit the reports on the occurrence of tropical cyclones in the region during the previous cyclone season including information on their impact on life and property in their country.

BNP MPs condemn attack on Amir Khasru in Ctg

Twenty one parliament members belonging to main opposition BNP have protested and condemned the attack on Amir Khasru Mahmud Chowdhury, MP, by armed terrorists in Chittagong, reports UNB. In a joint statement yesterday they observed that the attack is a threat to democracy and they demanded exemplary punishment to the culprits. The signatories of the statement are: Barrister Zaur Rahman Khan, Barrister Nazmul Huda, Harun-or-Rashid Khan, Moinu, Barrister Aminul Haque, Abdul Mannan, Dr Abdul Moin Khan, AKM Obaidur Rahman, Chowdhury Kamal ibne Yusuf, MK Anwar, Dr Khondaker Mosharruf Hossain, Lieutenant Col (ret'd) Akbar Hossain, Barkat Ullah Bhulu, Sarwar Jamal Nizam, Zafur Islam Chowdhury, Md Khalequzzaman, Ziaul Haque Zia, Mizanur Rahman Sinha, Shamsul Islam, Abdul Hye, Prof Rezaul Karim, Hafizuddin Ahmed (Bir Bikram).

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

কৃষি মন্ত্রণালয় শাখা-১০ নং কুম/শা-১০/বঃপূঃ-১০/৯৪ (অংশ-১)/৭৪ তাং:১০/১১/১৪০৪/২২/০২/১৯৯৮ইং দরপত্র বিজ্ঞপ্তি বঙ্গবন্ধু পুরস্কার ১৪০৩ বাংলা এর জন্য ১৮ (আঠার) টি রোজ পদক ও ৩ (তিন) টি রেপিকা কার্যদেয় পাপির পুর কৃষি মন্ত্রণালয় হতে বুঝে নিয়ে পুরস্কার পাঠ বাড়ি/পতিষ্ঠানের নাম, পুরস্কারের ক্ষেত্র এবং পুরস্কারের বছর (বাংলা ও ইংরেজি) বোধাই করে লেখা ও রেপিকাকালি গোড় প্রেরণেররতঃ প্রতিটি পদকের জন্য একটি করে সার্টফিকিট লেখা, কেমিনেটিকেরপ, কাসকেট তৈরি, পদকে রিবন সোঁৎ, ইস্ত্রী করা ও কুশনের ট্রে তৈরি জন্য অভিজ্ঞতাসম্পন্ন প্রতিষ্ঠানের নিকট হতে দরপত্র আন্ধান করা যাবে। ২) দরপত্রের সিডিউল ও বিস্তারিত শর্তাবলী ০১/০৩/১৯৯৮ইং তারিখ পর্যন্ত যে কোন কার্য দিবসে অফিস সন্ধ্যাকালীন সময়ে কৃষি মন্ত্রণালয়ে (বাংলাদেশ সচিবালয় তবন নং-৪, কক্ষ নং-৪৩১) বিনামূল্যে পাওয়া যাবে। ৩) আগামী ০২/০৩/৯৮ইং তারিখ দুপুর ১.০০টা পর্যন্ত বাংলাদেশ সচিবালয় তবন নং-৪, কক্ষ নং-৪৩১-এ রক্ষিত টেডার বাক্সে দরপত্র ফেলতে হবে। এ দিনই ১.৩০ মিনিটে উপস্থিত দরদাতাদের সম্মুখে যেদি কেহ উপস্থিত থাকেন। দরপত্রসমূহ বোলা হবে। ডিএফপি-৪০৪-২-২০/২ জি-৩০১ এ টি এম মামুনুর রশীদ সিনিয়র সহকারী সচিব