

Law and Our Rights

Repeal Enemy (Vested) Property Act for National Interest

by Dr N C Bhowmik

The continuity of Enemy Property Act promulgated in Pakistan days is still in force though the existence of the Act itself is inconsistent with the spirit and values of the liberation war of Bangladesh.

Another declaration for scrutiny of the census list of the enemy properties. This declaration was another initiative to use the 'Act' to harass and oppress the religious minorities in Bangladesh.

Disastrous Consequences of the Act

The sufferings of minorities in Bangladesh have multiple dimensions such as economic, political, constitutional and socio-cultural.

In Last March 1996 Professor Abul Barkat and Shaifq Uz-zaman showed in a seminar that the approximate number of families victimised under the enemy property act is 10, 48, 390 and the total area of land lost is not less than 10 lakh acres.

A report by Daily Sangbad on 21st March 1977 shows that according to government census 7,02,335 acres of cultivable land and 22,835 dwelling houses are enlisted as enemy property.

In ALRD seminar four kinds of method are mentioned. They are: (1) Forceful dispossession (2) Possession by govt. or lease (3) Possession but not ownership (4) Always in fear of dispossession.

Migration is the ultimate consequence of black laws since 1948, state communalism, discrimination, persecution and oppression on minorities.

Exodus of Minority Migration is the ultimate consequence of black laws since 1948, state communalism, discrimination, persecution and oppression on minorities.

Under the Enemy Property Act (Continuance of Emergency Provisions) (Repeal) Ordinance 1976 (No. XCIII of 1976).

The writer is a well known columnist based in Delhi.

Movements against the E.P. Act and Political Commitment

The whole nation protested against undemocratic, anti people and arbitrary black laws and ordinances in the Pakistani period in a body.

The weekly Holiday showed in 1991 that from 1974 to 1991 29 lakh 50 thousand people left the country. C.C. H.R.B statistics show that in the last 50 years 2 crore Hindu citizens left the country.

LAW WATCH

Human Rights in Islam

by Dr. Ashequr Rahman Khan

THE word "Human Rights" means the right of a human being, which one enjoys. It indicates that the right to live, shelter, health care, and to enjoy freedom of movement, speech in own language, religious and cultural values, political rights etc.

According to Islam, Man is free. Every one has right to live with dignity. Islam was against slavery. Hazrat Mohammad (SM) created example by giving freedom to his own slaves. In the eye of Islam, all men are equal.

The writer is Executive Director of Institute for Law and Development (ILD).

Code of Medical Ethics

(1) I solemnly pledge myself to consecrate my life to the service of humanity. (2) I will give to my teachers the respect and gratitude, which is their due.

Source: Bangladesh Medical and Dental Council.

Dr Mohiuddin Farooque (1954-1997)

A Tribute to A Green Lawyer

by A H Monjurul Kabir

One ambition which Dr. Mohiuddin Farooque could not live to see was to bring forth the day when the citizens of a country victimised by a development project in another would qualify for redress in the latter's courts.

On 2 December, 1997 at 3:51 pm the greenery of Bangladesh lost its soul. The person who turned the concept of 'Public Interest Litigation' (PIL) into a living reality with the profound commitment to make Bangladesh a better place for the generation yet to be borne, passed away on that day at the National University Hospital of Singapore suffering from acute fungal infection at lungs.



government doctors was asked to be called off within 24 hours and restore the public health service facilities by the High Court Division. The injunction was complied with and the matter is now pending.

5. Master Issa N Farooque & others vs. Bangladesh & other: WP No. 278 of 1996: The petitioners are all minors and have filed the petition to prevent trafficking of children from Bangladesh to UAE for their use as camel jockeys and to bring those who are there.

6. Dr Mohiuddin Farooque vs Bangladesh & others, WP No. 891 of 1994: In this actions against 903 industries have been sought upon direction of relevant statutory authorities.

7. Dr Mohiuddin Farooque vs Bangladesh & others, WP No. 300 of 1995: In this case resort to High Court Division has been made to prevent the vehicular pollution of Dhaka city. Show cause has been issued and the matter is pending for hearing.

8. Dr Mohiuddin Farooque vs Bangladesh & others, WP No. 186 of 1994: This case related to public nuisance, encroachment of public properties, destruction of private properties and noise pollution in the name of election campaign.

9. Dr Mohiuddin Farooque vs Bangladesh & others, WP No. 92 of 1996 (48 DLR): In this case "right to life" has been expanded by the High Court Division to include everything supportive to an expected normal longevity include right to clean air and water.

Two Journalists Arrested

COMMITTEE to Protect Journalists (CPJ), is protesting the arrests of Mufti Abdul Hye, publisher of the monthly 'Jago Mujahid', and Manzur Ahmed, executive editor of the same magazine. On 18 November 1998, plainclothes police officers raided the editorial office of 'Jago Mujahid' in Dhaka.

Police arrested Hye and Ahmed under the broad provisions of Bangladesh's Special Powers Act (SPA), which allows for the arbitrary arrest and detention of any citizen suspected of engaging in activities that threaten national security.

G S Bhargava writes from New Delhi

Antidote to Corruption

It is not usual for a welfare organisation like Oxfam to join a crusade against administrative corruption with it through legal legerdemain and the frustrated public feeling that corruption is too deeply entrenched in the system to be even tinkered with, much less tackled.

That is not the type of battle against corruption which the Oxfam society has chosen to join. It has joined forces with the National Campaign for People's Right to Information (NCPRI) seeking accountability at all levels of the administration through spreading awareness of the citizen's right to information regarding decision-making.

It has brought to light specific information that from the panchayat level to the top funds shown as spent on public works are pocketed by touts, officials and politicians. To cite an instance, the sarpanch of Rawat-mall panchayat in Ajmer district of Rajasthan had shown an expenditure of Rs. 56,000 on laying link canals to bring irrigation water from the village pond to the farmers' fields.

difficult to pinpoint the data needed and relate them to Government files. Judged by my own experience 20 years ago in the US in taking advantage of their freedom of the information law, the simplicity can be deceptive.

As stated earlier, more than the agendas and commitments of the parties in power, the initiative of a single minister is responsible for this veritable revolution in the functioning of the Government.

Even if the legislation remained in the limbo the citizen's right to know has come into focus and remained there.

The MKSS now holds public hearings or Jan Sunways in different panchayats where documents like muster rolls, bills and vouchers are produced on demand from the public. The idea is to examine the records in the light of the people's actual experience.

public shall go a long way in curtailing corruption in public life. In the Bihar fodder scam, for instance, the animal husbandry department of the State Government had recorded the details of fodder and in some cases animals also, supplied to cattle farms over a period of time.

When the MKSS campaign reached the state capital of Jaipur 1995, the Chief Minister, Bhairon Singh Shekhawat, had to assure State assembly that details of expenditure on development work will be available to the public on payment of a nominal inspection of bureaucracy.

When the MKSS campaign reached the state capital of Jaipur 1995, the Chief Minister, Bhairon Singh Shekhawat, had to assure State assembly that details of expenditure on development work will be available to the public on payment of a nominal inspection of bureaucracy.

The writer is a well known columnist based in Delhi.

Standard Chartered Savings Accounts

A bigger helping of benefits than ever before

profitable

Unlike most other banks, you can withdraw as much and as often as you wish without any interest penalties. Simply maintain an average balance of BDT 1,000,000 in your savings account.

convenient

24-hour Cash Access and Bill Payments through Moneylink ATMs, personalised Cheque Books, Phonelink banking services, Account Access from any branch and instant fund transfer facilities are just a few of our convenient services.

helpful

Your business is carried out quickly and efficiently by friendly, competent sales and service staff.

reliable

With 500 offices in more than 40 countries, Standard Chartered offers you the expertise and dependability of one of the world's largest and most experienced banks.

Help yourself to the extra benefits offered by a Standard Chartered savings account.

For information and assistance, please call or visit us at: Motijheel: 9561465, Ext. 133, 188; Dhanmondi: 9699096-97; Banani: 881718-19; Savar: 841701; Chittagong: 712391-3, Ext. 120; Phonelink Centre: 9569011

Standard Chartered