

YEP TALK

The Young Entrepreneurs & Professionals page

Green Verdict Versus Red Plan

Ehsanul Habib

THE Founder Secretary General of Bangladesh Environmental Lawyers Association (BELA) while delivering lectures on laws and environment sometimes mentioned the following similarities between law and the people of Bangladesh. "They exist in abundance without ever achieving the purposes for which they were born or made; they are neglected by their creators or procreators for obvious incapacities to nourish or cherish them; both are blamed for social misfortunes without ensuring or providing them the opportunities to develop and hence, both are victims of manipulation and denials."

Reasons for quoting Mohiuddin Farooque is to provide the readers with an idea of the status of existing legal instrument in regulatory framework. If we take a serious search into our legal documents would find the presence of more than 150 laws having direct or indirect bearing upon the preservation of environment including rights of the people. But it a research were undertaken to reveal how many of them have ever been applied in their true spirit would obviously postulate a frustration scenario of non-enforcement, non-compliance resulting in misuse or abuse undermining the needs for the down-trodden.

Such non-compliance of legal requirements in particular to the construction of embankments for flood protection brought in devastation and posed a serious threat in earning livelihood for many whom were hardly taken into consideration. It is well known fact that a mega project was undertaken, due to consecutive floods in 1987 and 1988, in the year of 1989 to make the country flood free which was popularly known as Flood Action Plan (FAP). The project consists of 26 components of which 11 are main components consisting of regional and project oriented activities, and 15 are supporting studies, (which includes pilot projects). One of the component is called the Compartmentalization Pilot Project (CPP) or FAP-20 which is one of the 15 supporting studies and aimed at experimenting the concept of "compartmentalization" which has never been tested anywhere on earth, in two areas of the districts of Tangail and Sirajganj with the objective of using the technical and institutional experience of this pilot project for replicating compartments in other FAP components. The hypothesis of "compartmentalization" comes from compartment, which is surrounded by embankments with gated or ungated openings through which the in-and-outflow of the flood water can be controlled. Inside the compartment, a system of channels and khals has the function of transporting the water to the sub compartments constructed within a big compartment.

FAP-20 project is implemented in the district of Tan-

gail encompassing 12 unions, 176 villages, 45,252 household (1991 census) and 32 beels encircling the 13,169 hectares of area. The site is at the direct influence of the rivers called Dhaleswari, Lohajang, Elanjani and Pungli off the river Jamuna. While the project was commissioned then local people of the area demonstrated against different components of the project under the contemplation of possible environmental damages likely to adversely affect and uproot about 3 lakhs of people within the project area. The extent of adverse impact outside the project area many encompass more than a million human lives and the natural resources and the natural habitat of man and other flora and fauna. This particular component has been wide criticized and protested for being anti-people and against environment.

Out of total 13,169 hectares of project area only a negligible portion was acquired by the project authority for implementation of the experimental component for testing controlled flooding. Most of the people whose land has acquired were paid compensation though the adequacy of the payment made is questionable. The trend of paying compensation for implementation of development projects has been confined only to persons who owns land and lost it. In addition to such land owners there are other groups of people who also sustain certain types damages that were never seriously dealt with while implementing such so called development projects. In the FAP-20 project area survey reports conducted by different organization particularly in non government sector reveals that the implementation of the project in present fashion caused negative impact upon many events. BELA also conducted such survey depending upon the geophysical aspect of the project area and identified about nine types of damages sustained by local people for which nothing has been paid while requirement to pay such compensation is recognized in the existing legal instruments. Such effected people have been provided with legal assistance in claiming compensation that is legally recoverable from the appropriate public authority.

A writ petition (998 of 1994) has been filed with the High Court Division of the Supreme Court of Bangladesh by BELA challenging the undertaking of the project in violation of provisions of relevant laws wherein demanded fullest payment of compensation to persons who sustained damages other than land, like the fish population in the Lohajang river is being seriously affected by the compartmentalization of waterways, surface water

works give direct and indirect means to reach one goal. In the profile, the entrepreneur used his social contact to reduce time by cutting government red tape. A few of his business ventures were started through social networks.

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Our venture can take place because one of our partner's friends is our supplier. She supplies fruitcakes to a 5 star hotel, but she agrees to bake cakes for us.

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We realized that after narrowing the range of possible venture opportunities to one through the entrepreneur — opportunity fit model, we really relied very heavily on the inputs from our classmates and friends in determining whether there was really a market for our products.

• Social networks help in overcoming barriers to entry.

Social contacts and friends are often taken for granted. However, when you really use them they are potential tools for the entrepreneur. Social net-

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essence of entrepreneurship. I think that in a most every process of doing our business, one cannot escape having to interact with people and that is when networks become important. This could be seen in the venture of the entrepreneur we profiled. He believed that good relations must be established with suppliers and customers and said that 'Business is all about people'.

From the above example we can see that networking is important in every step of our becoming a respectable career-holder.

of the rivers are getting polluted due to the restriction in their flows by erection of embankments and sluice gates at different places, sadness of the soil is threatening various flora and fauna with fear of extinction. People dependent for earning their livelihood on these resources have been compelled to embrace alternate profession consequently we are losing the traditional knowledge and wisdom attached with these professions aiming at sustainable yield and management.

The above mentioned petition was heard by the Division Bench of the High Court and delivered judgment on 28 August 1997 asking the respondents to implement the respondents to implement the project in coherence with legal requirements. The judgment noted, *inter alia*, "in implementing the project the respondents can not with impunity violate the provisions of law ... We are of the view that the FAP-20 project work should be executed in complying with the ... requirement of the law.

The learned judges directed the respondents for strict compliance of the following in greater public interest: (a) comply with the provisions of the Embankment and Drainage Act, 1952, which stated that ... affected person shall be allowed to claim compensation. The degree of urgency of the Act shall not be an excuse to escape liability; (b) comply with the article 11(1) (c) of Bangladesh Water and Power Development Board Order, 1972 which require the scheme to have proposal by the BWDB for the re-settlement or re-housing of persons likely to be displaced by the execution of the scheme; (c) secure archaeological sites of the Attia Mosque and the Kadim Hamdani Mosque falling within the FAP-20 area from any damage, destruction, alteration, defacement, injury by the FAP-20.

The learned judges stated that "no action can be effective until the upstream flow can be checked and controlled ... and the burden of the load of the flood can not be placed on Bangladesh alone." The court held that "the respondents are allowed to execute the FAP-20 activities subject to the strict compliance with direction made above."

The provisions of laws mentioned by the court for paying compensation to persons suffered other types of injuries were in place since fifties but never applied and this judgment is the first which reminded the responsible public authorities that law requires to make some arrangements for other groups of professional in addition to the land based professionals. It is well known fact that while designing any development project all the expenses associated with the implementation of a project are seriously taken into account. In case of flood protection measures the authorities act in accordance with the provisions of above mentioned laws issues pertaining to payment of compensation to other types of losers or re-housing of displaced due to implementation of a project were hardly addressed in the project documents. This has only happened with the Jamuna Multipurpose Bridge Project, which has been implemented to establish direct communication between the north and south part of the country.

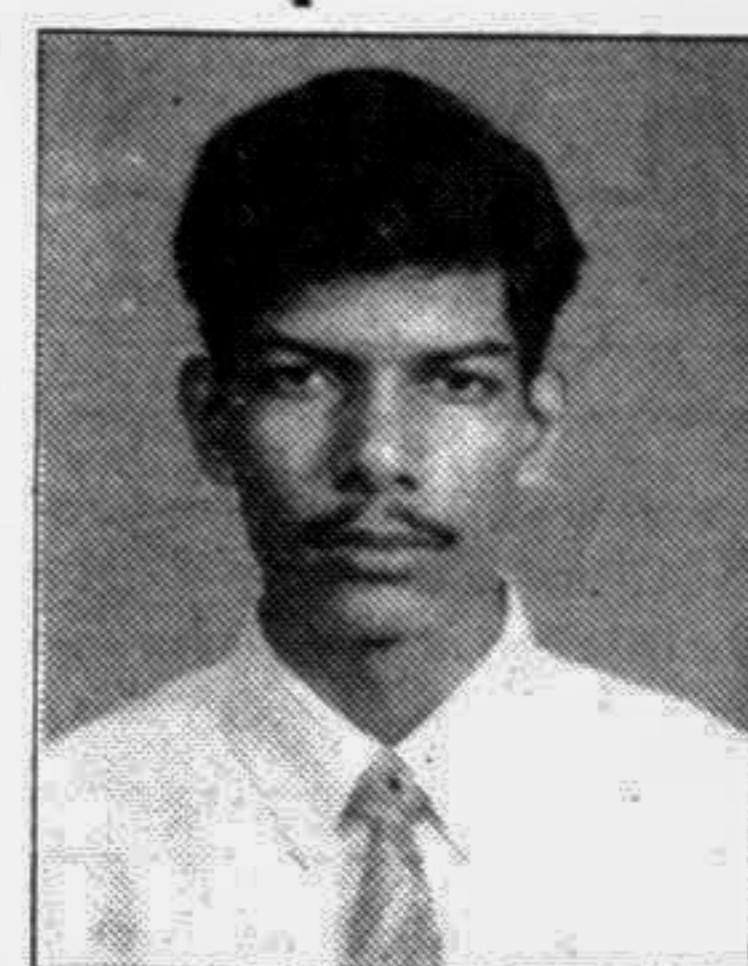
The continuing noncompliance with legal provisions in the governance reminds a saying that non-enforcement of laws makes it non-existent. A research paper would be needed to identify the causes responsible for such ignorance leading to reluctance on the part of implements injuring the rights of the disadvantaged. This verdict of the court is viewed as a factor in remodeling the continuing practice of non-compliance although this should not be contemplated as immediate, visual and magic touch.

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Young Professionals Speak Out



Sizu Nurul Huda
Junior CEFE
Trainer, Center for Human Excellence



Asif M Tauhid
Assistant Manager, Policy Unit
JOBS Program, USAID

A CHILLES, a puissant character from the Greek mythology had to surrender to the hands of death only by the arrow that flailed his heel. But, we are not as strong as the Greek character Achilles. We are only human beings. So, it is quite obvious that we will be fragile and weak in comparison to Achilles. But, we should not just sit down idle, with our hands wrapped up. Rather, we should do efficient and effective hard work to change the outlook of our country.

Bangladesh having a human resource of 120 million (approximately) and situated in South Asia between India and Myanmar is considered as a developing country. The country having such a high population could have established itself as a nation to be proud of. The only reason for this set back is that the country has not produced ample entrepreneurs in comparison to the other developing nation, who will contribute to the development of the economy. So, unanimously it can be said that the economy will develop only if there is sufficient entrepreneurs. The country's economy is now being balanced upon the contribution made by the present entrepreneurs, who once has taken the initiative to be self driven and different. The country can develop the national economy, if these golden resources can be properly trained and utilised.

Young people should also be encouraged to test their entrepreneurial skills, for not only it will give room for new and innovative products, it will also create much needed employment in the country. I would also stress upon the indispensable need of skill development for the entrepreneurs. Unlike the Indian community of South Africa where most people learn the basics of business from their home, entrepreneurial culture is somewhat absent in our culture.

We also need to create professionalism among us. You can not just go into business with just an idea in hand. You need to plan for marketing, forecast sales, arrange finance and do other related works.

My work as SME development analyst primarily consists of advocating and promoting modern and innovative concepts that would aid government and other policy makers to form pro-business policies. I work for JOBS Program, a dynamic USAID initiative workings towards SME development in Bangladesh.

We have planned our intervention in two different ways. First, we are helping individual entrepreneurs by providing them with skill development training (imparted through organizations like CENCE), market linkage development, trade fair etc. and second, we are working towards creating an enabling environment for the creation and expansion of business through implementation of proper institutional policy changes.

In my short experiences I have worked with Bangladesh Government and most other donor agencies and hundreds of entrepreneurs. My request for those who wish to pursue their career in this field is that, one must possess strong command over English, ability to work hard and long hours, ability to write professional reports, make professional presentations and possess good communication skills. One must also adapt with the work place and pick up the pace of work. Conflict often sparks when ideologies collide as ego comes in front of judgement. New and fresh people come with new and fresh ideas. Taking them into consideration helps the organization to make best use of its potentials.

Networking: How Can Be Beneficial For Career Development?

If opportunity is the heart of entrepreneurship, the arteries and veins of entrepreneurship are composed of social networks. In fact, social networks can help us in different ways for our career development. Different examples can be given in this context.

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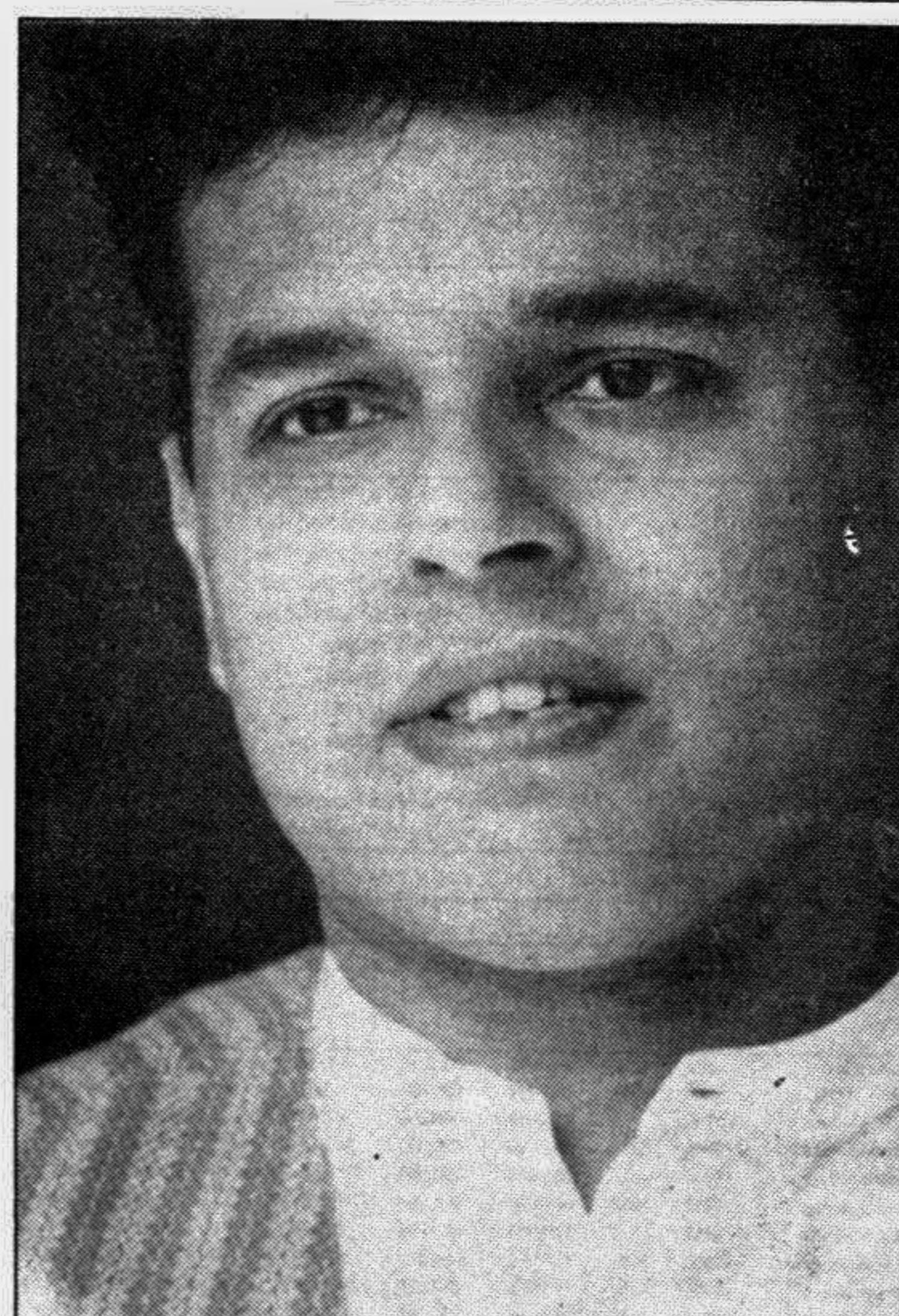
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From the above example we can see that networking is important in every step of our becoming a respectable career-holder.

Meet the Young Entrepreneurs!

Osama Taseer is a second generation entrepreneur in the garments/textiles field—the country's highest export-earning sector. He is the coordinator of the YEP Forum. Many who have attended our seminars, conferences and/or read YEP Talk expressed interest in learning about the members of the YEP Forum. In response to the interest, we will be presenting profiles of the members of the YEP Forum each week.



be made successful, they are—(a) It does not require huge capital investment, (b) The industry generates a lot of jobs, specially for the women, (c) The sewing trade comes to our women quite naturally. Therefore having natural aptitudes combined with hard work and entrepreneur's acumen, does have the formula for success. It sounds like a sound business proposition, right?

YEP: As a busy entrepreneur yourself, how do you make time for voluntary activities?

OT: This is a question of time management! But any

guy must be joking! Jokes apart, in reality, it is almost impossible. We stay busy most of the day trouble shooting, so many variables can go wrong. The operating procedures have to be changed to meet the contingencies. I don't like to sound pessimistic, but a lot of time is wasted which could be utilised constructively otherwise. Coming back to the question, I don't find time. I have to make it. This is certainly coming out of my personal or social life. I am still learning the trade, so I really cannot compromise on my business commitments. The time has to be made at the cost of my personal life.

YEP: As an young entrepreneur in the RMG sector what future do you think garments hold for Bangladesh? How will people like you fight after 2004, when open market becomes reality?

OT: Yes, we will be fighting. But when we are advocating free economy and open sky policy, we had to face up to it some where along the line. Don't you think? With the phasing out of the Multi Fibre Arrangement (MFA), the Bangladeshi manufacturers will be exposed to the competition in the US market from the giants like China and Korea. To be or not to be—that is the million dollar question! We are exporting to the EU without any Quota cushioning, although China has Quota restrictions in EU, so the Quota Regime can work both ways. So if we can work out modalities with the Developed Countries like GSP (the one we are now enjoying in EU), we can still be there. We have to get prepared. Backward linkage of textiles is an important part to reduce lead time & keep us viable. We have to get into the more technical aspects of fashion & clothing. Till now the best we are doing is developing from sketches, except in a few areas. We need to train, learn & create. We need to understand fashion, trends & designing. The policy level decisions to achieve these have to be made urgently. The government needs to act as the facilitator, to encourage by way of policies and incentives to the genuine makers. The negotiations with importing countries have to be made on partnership basis, with a give and take attitude. We don't want hand outs, give us the option to earn it by hard work and dedication.

It is now established that our products are "salable", then is it not our inaptitude if are unable to market them. We have to understand the complex business at Importer's & Retailer's end, only then can we formulate our strategy. The key words are — "to learn", "understand better" & "be better informed".

YEP: Is there any driving force in your life? What is that?

OT: Isn't there something in everybody's life! My driving force in life is my passion for excellence. A true entrepreneur walks the unknown territory. S/he has to be bold and take risks. We are still lagging behind, due to the absence of knowledge, information and application. My family, my parents and my wife, all of them are a source of inspiration.

YEP: What is your future vision of Bangladesh?

OT: Oh, I have so many visions. But to summarize, like any proud Bangladeshi, I also visualize a poverty-free nation. A Bangladesh built on hard work, sacrifice and values. A free nation—in the true form. **YEP: Is there any thought that you want to leave us with?**

OT: Honestly I do. I think it is high time that all the right thinking and enlightened Bangladeshi come forward to arrest this gradual decline in every sphere of our life. If we fail to move extremely quickly with a purpose, it might be too late. We owe this to the martyrs of our freedom struggle, we owe this to our future generations. History will not forgive us if we fail to do our part.