

Protecting depositors' interest

We need a law for it

At a gathering of good borrowers organised by Bangladesh Shilpa Bank, a specialised bank for industrial lending which itself is weighed down by 64 per cent classified loans, Finance Minister Saifur Rahman has underscored the urgency for a reform of the private banking system.

As it is, the deep-seated default culture has been giving rise to serious worries regarding how best we can protect and secure the depositors' money from being scavenged upon by predators in human form. The last straw in the camel's back in terms of banking credibility has come through Om Prakash Agarwal related massive lending scandal.

Chagrined at lax, unprofessional and imprudent sanction of bank loans, the finance minister has voiced government's determination to amend banking laws to secure depositors' money. For all we know, bank reform proposals have been on the table for long. And, it's only lately that Prof Waheeduddin Mahmud in extension of his previous work on the subject, is currently busy sharpening the sections on classified loans and scheduling and rescheduling of loans. After that bit of re-definitional work is done, the finance minister, as the words go, must 'just do it'. The nation having waited long enough for banking reform to be in place, would like to see it as a tangible reality now.

The depositor's money will have been best safeguarded by staying off political influence in the sanction of loans at the Nationalised Commercial Banks (NCBs), a bane for the banking system since a long time back. As for the private sector banks, the depositor's money came under threat from insider lending. But the private banks, by and large, in their self-interest, are eschewing insider lending which has also to be structurally ruled out following the removal of directors of boards, who had taken loans and defaulted on them.

Besides, customer service in the NCBs needs to be depositor-friendly in the first place to underpin the viability of this banking sector.

Having said that, we believe the finance minister has a point where he says that the critical dependence on banks to develop industries has to be lessened through an availability of other financial intermediaries in the market. The capital or stock market options need to be substantially revved up.

AL's mourning programme

Use of force was incompatible with democracy

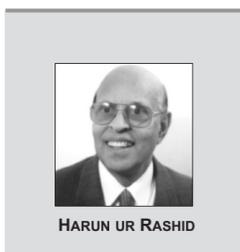
SOME leaders and activists of the ruling Bangladesh Nationalist Party (BNP) and its front organisations, the Jatiyatabadi Chhatra Dal (JCD) and the Jubo Dal, stretched politics beyond its parameters, into the realm of avoidable intimidation last Thursday. By attacking and subsequently foiling some August 15 processions, meetings and feeding-the-destitute programmes organised by the AL to mourn the brutal killing of Bangabandhu Sheikh Mujibur Rahman, they not only impinged on others' fundamental right to freedom of expression but also gave rise to avoidable disorder.

We are opposed to hartal in principle and one could see there were signs of free movement along the streets. From that stand-point also, it was unfortunate why such a rumpus was created.

Ideally, police should have investigated the incidents, traced the culprits and brought them to justice. However, in this particular case, they themselves had crossed the line. Instead of being true to their avowed responsibility to maintain law and order and above all, uphold people's democratic right to assemble and protest peacefully, they let go of the ruling party activists' obstructionist exploits. Many of them joined in the assault on opposition leaders and activists including women and stood back and looked on when Bangabandhu's portrait was vandalised and the national flag undermined at places.

The incidents put the four-party alliance in the spot. Their failure is on two different planes. First, as the government of the day, they failed to protect people's democratic right to protestations; and second, as a political entity, they failed to rein in the rowdy elements in their ranks. The incidents ought to be probed, the culprits traced out and punished. Meanwhile, the home ministry should identify the police personnel who faltered on their prime responsibility towards people in maintaining law and order.

Has US shifted its stance towards Pakistan on Kashmir?



HARUN UR RASHID

THE recent statements of the US Secretary of State General Colin Powell on Kashmir may not have received as much attention in the media as they deserve. He raised important issues on Kashmir last month when he met with Indian leaders in New Delhi. He termed many of the jailed Muslim militants as "political prisoners" and secondly he expressed the view that the election in Kashmir next month could be monitored by "independent observers". Furthermore he said that the election "could not resolve the problems between India and Pakistan" and Kashmir was an "international issue".

The phrases employed by the Secretary of State are loaded in their meaning and their import is unmistakable and cannot be ignored by neutral observers. The statements appear to demonstrate a shift in attitude of the US towards the Kashmir dispute from its earlier known stance that Kashmir is strictly for India and Pakistan to resolve. These statements seem to address the root causes of the existing armed confrontation on the Line of Control in Kashmir. India, however,

quickly dismissed the Powell's plan. The question remains as to why the US has changed its tune on Kashmir. There could be many possible reasons.

First, the Kashmir dispute concerns with the right of self-determination of the people of Kashmir. There exists a Security Council resolution of 13th August 1948 on the right of self-determination of the Kashmiri

election in the Indian-administered Kashmir. The main separatist conglomerate the All Party Hurriyat Conference (APHC) declared that it would not take part in the poll while the Pakistan-based militant groups might disrupt the election. Furthermore it appears that the presence of thousands of armed Indian soldiers patrolling the streets in Kashmir does not make an appropriate environment to hold an election.

The US probably found a distinction between the Al-Qaeda terrorists and the Kashmiri militants. The Malaysian leader Mahatir Mohammad drove home this point succinctly when he said in March at the OIC Ministerial Conference in Kuala Lumpur that: "We need to distinguish between a freedom fighter and a terrorist. Otherwise we will deprive people wishing to free themselves from foreign occupation

Fifth, the armed confrontation in Kashmir may compel Pakistan to re-deploy its army from combating terrorism in Afghanistan in the west to eastern front. Pakistan is a front line state which has been in unison with the US in the war on terrorism in Afghanistan. Obviously any detraction of Pakistan from the on-going war on terrorism will have impact on the US in its fight with Al-Qaeda fighters in Afghanistan.

Afghanistan is carried out. In other words Pakistan seems to be gaining weight in strategic terms with the US than India. However that does not mean that the US does not need close relations with India. In fact the US needs both India and Pakistan for strategic reasons. It needs India for a bigger strategic picture to contain the influence of China in the Asia Pacific. It needs Pakistan for war on terrorism in Afghanistan. This implies that India is important for macro strategic designs of the US while Pakistan at a micro level.

In the light of their increasing close relationship in recent years, the statements of General Powell appear to be a big surprise for India. It may be noted that India after the collapse of the Soviet Union in 1991 decided to align itself with the US to contain what the India's Defence Minister in 1998 categorised China as "potential threat number one" for India. All the developments of weapons including missiles and nuclear weapons in India appear to match those of China.

The statements of General Colin Powell must be music to Pakistan. At last Pakistan may perceive that the US has been on the right track. On the other hand India has been put into defensive position in respect of Kashmir. India finds that Kashmir has become an international issue that goes against its core policy to keep this dispute as a bilateral issue. General Powell's comments on Kashmir appear to dent India's long-standing policy on Kashmir and may signal a diplomatic victory for Pakistan.

Barrister Harun ur Rashid is a former Bangladesh Ambassador to the UN, Geneva.

BOTTOM LINE

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people. Furthermore the right of self-determination has been incorporated in the 1966 UN Covenant on Civil and Political Rights (Article 1) and India became a party to the Covenant on April 10, 1979. This means that India, being a responsible member of international community, is expected to hold a plebiscite to ascertain the wishes of the Kashmiris as to the political status of the territory. Furthermore many international legal experts believe that this right of self-determination has become now a part of customary international law that is binding on all states.

Second, Powell's statement on the presence of "independent observers" during the election has raised the question of fairness of

Many Muslim young citizens may not come forward to cast their votes on apprehension that they might be arrested by the soldiers as being suspects of members of militant groups. One impact of Powell's statements will be that India has been put on notice that the outcome of the elections in the Indian-administered Kashmir must be seen by outside as being fully participatory by all sections of Kashmir people and transparent, free, and fair.

Third, India thought that the militants who attacked the people in the Indian-administered Kashmir would be regarded as "terrorists" by the US and the war on terrorism would be extended to Kashmir. However that has not been the

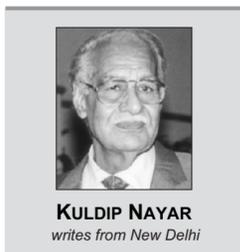
or terrorist governments of their rights to fight for their own salvation". It seems that India could not achieve what it wanted from the US in its fight against armed insurgency in Kashmir.

Fourth, it appears that the US considers India's conduct on Kashmir as important as Pakistan's co-operation to halt cross-border terrorism over the Line of Control. This implies that if India does not conduct itself in accordance with the UN resolution in respect of Kashmir, it may not unilaterally press Pakistan to hold on its commitment on cross-border terrorism. In other words the US has equated India's conduct in Kashmir with Pakistan's attitude towards cross-border terrorism.

Sixth, Pakistan has been able to internationalise the Kashmir issue and seems to convince outside powers that so long the Kashmir dispute exists, it is bound to attract Muslim militants from outside in Kashmir. It is one of the "hot issues" on which Muslim militants feel strongly that they are being deprived of their fundamental right to determine freely the political status of Kashmir. The US seems to be obviously concerned that the militant groups in Kashmir might link up with Al-Qaeda network to foment more security threats in India and beyond its borders.

Finally, it seems that at present the US desperately needs Pakistan as one of the key front line states from where war on terrorism in

Don't preach, we're Indians



KULDEEP NAYYAR

writes from New Delhi

YOU name a scam. We have it. There is no segment of life that we have not polluted. Defence deals, telecommunication contracts, fiscal jugglery and, more recently, the allotment of petrol pumps -- the list is endless. Our politicians and government servants have perfected by now a system where nobody is accountable or held guilty. We have ceased to have sensitivity or shame because we have stopped looking at ourselves in the mirror.

In the hawala case, crores of rupees were given to political leaders. A diary was found where the exact amount of money was mentioned against their names. The nation was horrified. Recipients were themselves embarrassed. The case went right up to the Supreme Court. The then Chief Justice threatened to reveal the identity of those who had tried to exert pressure on the court to drop the case. Still nothing happened in the end. Everything went on as before. When the case came before the Supreme Court, the trial court had already let off the leaders of the political parties. It wanted the diary entries to be corroborated. The Central Bureau of Investigation (CBI) took its own time to gather information and then dragged its feet while filing the

charge sheets. It was not only frustrating but also unbelievable. Obviously, there was more to it than what met the eye.

But it is nothing new. It always happens that way. This is our experience. Somewhere along the line, the establishment takes over. It sees to it that no feather is ruffled. Too many high-ups are involved in too many scandals. Hushing up the matter is considered prudent.

In the hawala case, the Supreme

give the vigilance commission any real power -- neither autonomy nor superintendence over the CBI. It suited the political parties to have it that way. The CBI as a department in the Home Ministry was preferable to supervision by the vigilance commission.

I submitted a dissenting note, the only one in the committee's report. My proposal was to have a separate, independent investigative agency, autonomous like the Elec-

the Prime Minister was of no avail.

My other point of dissent was against the committee's restoration of a "single directive," which meant the government's prior permission for inquiry against high-level bureaucrats. The Supreme Court had rejected the practice. But our committee went back to it.

The restoration of permission to the government is creating more havoc than before. Once again there is shielding of delinquent

behaviour became generally dim during the emergency (1975-77). Government servants became willing tools of tyranny. They followed the dictates of rulers and their extra-constitutional accomplices. The nation went through hell.

The N N Vohra Committee has pointed out the existing nexus between politicians, civil servants and criminals -- almost a parallel government. Corrupt deals, dishonest decision and wrong methods are

he is morally responsible.

Since the end of the Lal Bahadur Shastri era 36 years ago, India has been morally going down the hill. This is at the expense of the poor and the downtrodden. A decade ago, only 12 paise in a rupee for development reached the lower half. Now it is less than 10 paise. The main reason is that political parties are not interested in the process of cleansing. An opportunity had come when the election commission, following the Supreme Court's directive, asked the candidates to disclose their assets and of their spouses and dependents at the time of filing their nomination papers.

All political parties are opposed to the order. They want legislation to amend the election commission's order. According to the bill, which will come up before the next session of parliament, a candidate needs to file a list of his or her assets and that of the spouse not before contesting but after getting elected. Why should the voters be denied information about the candidates when they are in the field? In fact, the election commission's order that a candidate must reveal his background -- whether he has ever been charged sheeted for any criminal activity or jailed for any crime -- has also not been to the liking of MPs. This part is also sought to be watered down.

I am at a loss to make out why the sitting MPs and assembly members have not declared their assets so far? After the election commission's order, they are bound to do so. But there is no response from the MPs and MLAs. The only way may be for the public to build pressure on that count. This may initiate a people's movement of sorts.

Kuldeep Nayyar is an eminent Indian columnist.

BETWEEN THE LINES

Since the end of the Lal Bahadur Shastri era 36 years ago, India has been morally going down the hill. This is at the expense of the poor and the downtrodden. A decade ago, only 12 paise in a rupee for development reached the lower half. Now it is less than 10 paise. The main reason is that political parties are not interested in the process of cleansing...The only way may be for the public to build pressure on that count. This may initiate a people's movement of sorts.

Court ticked off the CBI for not taking "earlier action." It even said that, "either the investigation or the prosecution or both were lacking." Yet the rulers were not embarrassed. Nor ashamed either, though they were themselves involved in the scam. However, one good thing came out of it. That was: the Supreme Court's proposal to establish a statutory vigilance commission. Many members of parliament did not like the court encroachment on the legislative territory. But what was the court supposed to do when parliament did not act? A joint committee of the two houses was constituted to process the Supreme Court's proposal.

I was a member of the committee which was elected to consider the Central Vigilance Bill. In the final recommendation, members did not

tion Commission, submitting its reports to parliament directly. I felt that the agency, with its own set-up, could serve the Lokpal (ombudsman) if and when appointed. The suggestion remained a non-starter because the other 39 members of the committee, both from the Lok Sabha and the Rajya Sabha, did not support me.

My opposition was enough for Minister of Parliamentary Affairs Pramod Mahajan to see that I was not nominated to any other committee. Our group of independents -- 16 members -- recommended my name for the committee on the stock exchange scam. The assignment was to find out the misuse of private savings invested in scrips like the Unit Trust of India (UTI). Mahajan said the group could nominate anyone else but me. My protest to

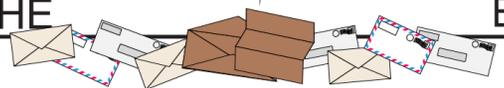
officers. They are pliable, birds of the same feather, which flock together. Public servants who carry out the errands of political masters go scot-free because the permission for their prosecution is never forthcoming. Some sort of *quid pro quo* has come to be established. The officer concerned may be making money on the side and political bosses may be keeping their eyes shut because of the "services" he renders to them. Corrupt officers have come to rule the roost due to their proximity to the seats of power. In fact, public servants have now ceased to be aware of what is right and what is wrong. Even if they are, they may not have the desire to act according to what is right.

We have seen how the ethical considerations inherent in public

the fallout. Why the report, more than five years old, has not been followed up is a question the nation should ask itself.

Against this background, the petrol pump allotment scandal is only a symptom, not the disease. The disease is political thuggery. Both politicians and bureaucrats have joined hands to benefit each other. The Prime Minister has acted quickly. His cancellation of all petrol pump allotments since 2000 is commendable. But strangely enough, he has not agreed to the dismissal of Petroleum Minister Ram Naik. Parliament was not allowed to run for several days. The Opposition demanded the resignation of Ram Naik but it was not accepted. And parliament has been adjourned sine die. Why hasn't Ram Naik been sacked? If nothing else,

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



August 15: A day of shame and sombre remembrance

As is said by a very famous poet and playwright, that with death all the sins are buried with the bones and that the virtues only remain, let's remember Bangabandhu Sheikh Mujibur Rahman as:

a. A man with a heart bigger than the Bay of Bengal;
b. A Bangalee in its truest sense;
c. A man whose dream is still to be realised;

We should also remember August 15 as a day of utter shame.

a. Shame to a military culture that kills;
b. Shame to a political culture that defies history.

Mohammed Zaman USA

We are very poor in every sphere of our national life. We are poor in the contexts of economy, social and environmental conditions, law and order situation and above all in the context of meanness of our minds. We do not know how to honour our national heroes, but we know very well how to obliterate their contributions in our great achievement from

the memory of the nation and how to push the nation towards controversy. We do not know how to act unitedly for the prosperity of the nation, but we know all possible ways to divide the nation with the narrow confines of political whims. These are the characteristic signs of a wretched nation, which follow the path of hostility and avoid the path of amity.

The nation had had a national holiday on August 15 for the last five years. When BNP came to power last year, it cancelled the national holiday and official programs on that day. BNP should realise that the history of Bangladesh is deeply inlaid with the name of Bangabandhu. They should realise that there is a key person behind every sublime value and in the case of Bangladesh it is Bangabandhu. By denying his contribution, BNP is bewildering our next generation and belittling its own image. He who has been acclaimed as the founder of the nation internationally, can never be effaced by the change of political turn, the glorious history of the soil will seat him in proper place with due honour and dignity. The image of the BNP will not be belittled rather be uplifted to the people of the country, if it pays due respect to Bangabandhu, what he deserves.

Islam Tangail

Like any civilised person I too support the concept of a National Mourning Day on the anniversary of Bangabandhu's death, although I don't agree that it should be a holiday.

Regardless of our personal opinions of Bangabandhu's capabilities which may be justifiably dim, he was the titular head of the independence movement and a PM. That should be shown due respect. In the same vein flags should be kept half-mast on Zia's death anniversary as well. I'm neither a supporter of Zia nor Bangabandhu but again he was one of the leaders of our independence and a President.

MA Dhaka

The govt of Bangladesh led by Khaleda Zia should not have cancelled 15th August as the National Mourning Day and instead mark it privately as her birthday.

Khaleda Zia along with her party men has been celebrating her birthday on this day for last several years. How could she celebrate her birthday on that day instead of

remembering the victims of that tragic night? What surprises me most is that neither BNP nor Khaleda Zia has ever condemned the killings or demanded punishment of the killers.

The govt led by Khaleda Zia should expedite the legal process of the case, pending in the Supreme Court, to prove that it is truly sincere and committed in establishing rule of law and human rights in this country irrespective of who the victim is.

It is sad that the word "tolerance" is out of Khaleda Zia's dictionary otherwise her govt would not have ordered not to half-mast the flag on 15th August. There was no need to do that.

KM Dhaka

"Great Army"

When you get the chance take a look at a map of Dhaka. Right in what is fast becoming the centre of the city is the Tejgaon Airport. The runway is almost never used for fixed wing aircraft only for a few helicopters. Apart from that and the annual parades the entire airport is empty. In the late afternoon you might see air force officers having a jog.

Now imagine the entire airport as a park. The Air Force doesn't have to give up their ownership of the land, but they could turn the entire area into a park open to the public administered and maintained by the BAF. This would have the twin benefits of finally giving the people of Dhaka an open space where children can play without fear of muggers and drug addicts.

Since the BAF would administer it, there wouldn't be a fear of DCC sanctioned land grabbers as has happened with Ramna Park, Osmani Uddyan etc.

The Daily Star was one of the newspapers that strongly protested the erection of an ugly wall by the BAF all along Begum Rokeya Sharani. It appeared that they suddenly decided that the low wall, which had done its job for 50 years, wasn't good enough. The Daily Star also pointed out the obvious fact that it destroyed the view from the NAM Summit centre. But did the BAF care? Of course not. The Great Army does not have to listen to what is said by the civilians be they ordinary tax payers or the leading newspaper.

Satyajit Dhaka

I completely agree with what Mr Shams has written on the issue of

the overlarge Cantonment. It is now almost in the centre of the city and a waste of space.

The GHQ should by all means remain in the city but the rest of the installations should begin moving out of Dhaka.

Mr Shams also unknowingly points out another ironic fact. Why does the PM still live in the Cantonment? I understand that she lived there while she was the Leader of the Opposition. But as the Prime Minister of a democratic country should she still be living in Cantonment?

Orlando Dhaka

In search of a third party

We have seen enough of the Awami League and BNP. As both the AL and BNP failed to deliver goods at the right moment as was expected from them, we really want a change in the next election. The country badly needs a new and dynamic leadership at this critical hour. It is only possible if the former presidents Justice Shahabuddin Ahmed and Professor A. Q. M. Badruddoza Chowdhury, Former Chief Adviser Justice Latifur Rahman and Dr Kamal Hossain float a new political party with honest, dedicated, patri-

otic and educated persons.

Please come forward and save us from the clutches of the AL and BNP.

Iqbal Ahmed New Eskaton Rd, Dhaka

Forgive, yes; forget, never

What Hasnat Abdul Hye commented in his regular column on the subject of recent regret by Pakistan's Chief Executive General Pervez Musharraf is the sentiment shared by most Bangladeshis. Mr. Hye has used his power of writing very lucidly and without the usual emotional political rhetoric or illogically sentimental statements we hear from most intellectuals or writers when relating to such an issue whose wound is still very raw with most Bangladeshis. Mr. Harun-ur Rashid in his 'Bottom Line' also wrote on this subject which was very well researched and expressed our sentiments.

The year 1971 is just not a time frame for the people of Bangladesh. It is very real and will always remain so. 1971 and its history with all its gore and glory are written with the blood of the Bangladeshis. The 'excesses' in the form of genocide committed by Pakistan Army can never be forgotten. Moreover in the

absence of any remorse from the arbitrators and any punishment against them made the scar of 1971 so much deeper, that for last 31 years cordial relationships between the two country have fallen further apart. It is a shame for the next generation of Pakistanis to carry the burden of guilt that was committed by their forefathers. It is also not healthy for our children to grow with a sense of discontent about the Pakistanis. But then without any redemption it's always most difficult for any reconciliation.

We don't want to live in our past, nor do we want our children to grow up dwindling in the time warp of 1971. But the 'Spirit of 1971' is what we draw our strength from so that our future generations will build a better tomorrow for all Bangladeshis. We learn the follies of human being from 1971 so that not only we but nobody repeats the same kind of unthinkable atrocities on fellow human being that was committed on the Bangladeshis. It's from 1971 we learn what price the people are willing to pay for their freedom.

Akku Chowdhury Banani, Dhaka