

Sweeping powers for taxmen

The ground reality must not be overlooked

FINANCE Minister M Saifur Rahman has categorically stated that the government has no plans to respond to the business community's call for whittling down the powers given to tax collectors under the new budget. These include legal measures like arrest and seizure of commodities in case of non-payment of taxes. The minister sounded determined to enforce the tough laws in order to ensure satisfactory collection of the value-added tax, a goal that we have no hesitation in supporting. Obviously, the government must get the taxes on a regular basis. People are duty-bound to pay the taxes and evasion in this respect is a serious crime according to the law. All these are basics of tax administration. The provision for arrest of tax evaders had been there in the book, for a long time. What is new is that VAT collectors are being empowered to arrest people on the spot. But the ground reality is that there is no guarantee that there won't be any abuse of such sweeping powers. The point becomes all the more relevant when we consider the fact that there is sufficient ground to believe that the tax officials are among the most corrupt. The discretionary powers might lead to arbitrary exercise of authority. Wayward among the officials could use it as a weapon or instrument for pressurising people with undue demands. It might open another window for indulgence in bribery. Businessmen are being subjected to strict enforcement of the law. But the question is: what steps has the government taken to streamline its tax collection system in general? People must be allowed to pay taxes without facing arbitrary demands -- that people often complain about -- on the part of the tax collectors. A holistic approach to the issue is needed, as isolated or ad hoc measures cannot bring the desired results. The tax administration must be seen as an integral part of economic governance, and it has to be developed in such a way that would leave little room for tax evasion, bribery or malpractice of any other kind. Enforcing the law is a vital part of it, but other relevant aspects can hardly be ignored.

Beheading of hostages in Iraq

It's the most cowardly act of extremism

BEHEADING of foreign hostages in Iraq is slowly but surely taking an alarming pattern. There have been several instances where ultimatums were issued to have the captors' unjustified demands met or else face dire consequences. Failure to respond to those caused grisly murders of innocent captives. The Bulgarian truck driver is the latest victim of such grotesque display of extremism. Such a cowardly act is both reprehensible and highly condemnable. It is all the more repulsive that these were perpetrated in the name of an ideology, or creed. Islam professes peace, tolerance and cohabitation, not violence, or for that matter, taking innocent people's lives. There are a few things these groups must realise in the present circumstances. And that is all who have been murdered by them were innocent civilians. They were not a part of any military operation by the US against which they are supposedly fighting. They were basically there to serve the Iraqis as part of the reconstruction process. We agree that until the full military power is handed over to the Iraqis, the term 'sovereignty' will not mean anything. But at least the Iraqis have been entrusted with running the administration and that's also with UN blessings. Many may have different opinions on the issue, but it was the best option in the worst of circumstances. Therefore abducting innocent people and killing them after making an absurd demand for their release like withdrawing soldiers of their respective countries are repugnant to human sensibilities. Especially in a situation where the process for holding election early next year is on and the UN is reopening its office in Baghdad for the purpose. Such atrocious behaviour like beheading a hostage exposes a new dimension to extremism. This is certainly not the way to have grievances redressed. Trying to exact the fulfilment of unjustified demands by killing an innocent in such a gruesome manner is not only reprehensible but also patently cowardly.

The case of Qazi Faruque Ahmed

Making a mockery of justice



ZAFAR SOBHAN

IT is one of the touchstones of civilised society that a person should not be punished without a trial in which he or she can hear the accusations brought by the state and proffer his or her defence. It is only upon conviction in a court of law, following a fair and open trial, that the state has the right to duly punish someone for the crimes that he or she has committed.

It is thus that I think all fair-minded people would be shocked to learn of the extent to which the government has gone in its persecution of Qazi Faruque Ahmed, the president of Proshika, who has been held in custody for fifty-six days and counting since he was arrested in May on a host of charges relating to allegations of financial impropriety.

Please bear in mind that Mr. Ahmed has been convicted of no crime, but that his applications for bail have repeatedly been denied in the lower courts, and he has been languishing in custody pending trial. In addition, the authorities have made repeated efforts to take him into police remand for "questioning".

The idea behind the concept of bail is a simple one. Once an individual has been charged with a crime, he or she is typically released from custody pending trial on the basis of the understanding -- fundamental to our jurisprudence -- that a person should be considered innocent until proven guilty in a court of law.

However, to ensure that the

accused does not attempt to flee the country or otherwise go to ground pending trial, bail is set by the court, so that if the accused does attempt to elude justice, he or she will forfeit the amount of the bond that has been submitted.

The court must find a balance between the rights of the accused who has not been convicted and the practical consideration that some defendants might choose to become fugitives from the law rather than submit themselves to a trial. It is for this reason that capital offenses or those

remanded into police custody. Fortunately, Mr. Ahmed was able to avoid being put in a joint interrogation cell, where, according to a senior government official, he could be "taught a lesson."

Once he was in custody in Dhaka Central Jail, Mr. Ahmed was subsequently shown arrested in eight more cases which meant that he would have to petition for and be granted bail in each of the nine cases that he was charged with before he could be released.

Mr. Ahmed duly applied for bail,

learned that he had been implicated in four more cases and the pantomime began again. He was shown arrested for two of the cases on June 20 and once again had to appeal all the way to the High Court to receive bail.

I think that it is pretty clear what is going on here. All fifteen cases were initiated on May 16 following FIRs filed by the Bureau of Anti-Corruption in Pallabi police station, but Mr. Ahmed was nevertheless shown arrested in the cases one by one.

No reasonable conclusion can be drawn from this other than that the

apply to the High Court for bail each time, and thus keeping him behind bars indefinitely. Please bear in mind that Mr. Ahmed has not been convicted of anything. He may well be acquitted of all charges, but he has already spent almost two months in jail, and if the government continues with this rignarole, who knows how long he might spend behind bars?

In addition to the fifteen cases in which he has now finally been granted bail, Mr. Ahmed, together with six senior Proshika officials, was also charged with sedition on June 21.

arrested on May 7 in yet another case. Once again, bail was denied on July 10, and another lower court will hear the matter shortly.

Can anyone believe that this is anything other than an abuse of the system?

Mr. Ahmed was not even named in the FIR in this latest case and those named in the FIR have already been granted bail.

I have learned from family sources that Mr. Ahmed is not a well man and his health has deteriorated shockingly since his incarceration. He has been suffering for some years from heart disease and diabetes and since his incarceration his blood sugar levels have reached over three times the normal level and he has suffered attacks of bleeding in his urine for which he is unable to obtain the required treatment or care.

It should be noted that the charges that have been framed against Mr. Ahmed are very tendentious, largely vague and unsubstantiated, and, contrary to the government's findings, an audit conducted by the donors found no financial irregularities.

It seems clear that the government is moving against Mr. Ahmed for political reasons.

The ruling four-party alliance has never forgiven Mr. Ahmed for Proshika's voter education programme prior to the 2001 elections, which it believes ran counter to the interests of the alliance, and accuses Proshika of conducting partisan political activity under the guise of development.

The rights and the wrongs of the cases against Mr. Ahmed and other Proshika officials can all be sorted out in a court of law. The problem is that, in the meantime, the government is using the law as an instrument of punishment and not justice, and this is an absolute disgrace.

Zafar Sobhan is an Assistant Editor of The Daily Star.

STRAIGHT TALK

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punishable by life imprisonment are considered non-bailable offenses under the criminal procedure code.

Most basic offenses are considered bailable, and there is an intermediate category of offenses for which bail is not mandatory, but may be granted at the discretion of the judge. In these cases, the judge makes the determination based on factors such as whether the accused is a flight risk, whether he or she is likely to tamper with evidence or interfere with witnesses, the reputation of the individual in the community, the state of his or her health, etc.

The repeated refusal of bail to Mr. Ahmed is a story that bears telling because it demonstrates quite clearly that the government is abusing the process in order to punish him and to keep him behind bars for as long as possible.

Mr. Ahmed was first arrested on May 22 and held in Pallabi police station overnight with no access to either a lawyer or his family. He was produced in court the next day where he was refused bail and ordered

but his application was rejected out of hand in the lower courts even though the offences he was being charged with -- for the most part allegations of financial impropriety -- were eminently bailable. He was forced to appeal all the way to the High Court for bail, which was finally granted in all nine cases on June 13, by which time he had already been incarcerated for twenty days.

This is where it gets interesting. The day after Mr. Ahmed received bail in the nine cases, he was "shown arrested" in two more cases. Let me explain. Being shown arrested meant that he would have to be granted bail all over again before he could be released.

This time he received bail in one case -- though only after two of the country's top lawyers appeared for him in the lower court, a remarkable enough event in itself -- but was denied in the second. Once again, he had to go to the High Court to receive bail.

In the meantime, Mr. Ahmed

authorities have purposefully been drawing out the process of filing cases against Mr. Ahmed in order to prolong his incarceration.

Every time he is granted bail by the High Court (after having been denied bail by the lower courts) he is shown arrested in another case and the process has to begin again. It is in this way that the authorities have managed to keep Mr. Ahmed behind bars for fifty-six days.

Had he been charged in all fifteen cases at once, he could have received bail in all fifteen cases at one go and would have been released from custody a long time ago.

But keeping him incarcerated is the whole point. On June 15, *The Daily Star* quoted a home ministry official as saying, "He will be shown arrested in one case after another." The official explained that this would be done step by step to ensure that Mr. Ahmed stays behind bars for a long time.

The government could conceivably continue filing cases against Mr. Ahmed, forcing him to continue to

Once again, he had to appeal to the High Court to receive bail. It should be noted at this point that the particulars of the sedition charge are laughable on their face, and that, even if true, do not constitute sedition by any length of the imagination.

I wish that someone could explain to me how holding a meeting in which it was said that prices have risen under the current administration, that the government has lost control since it deployed the army within a year of coming to power, that the son of the PM has business interests overseas, and that the late President Zia did not declare independence constitutes sedition.

If the charges were not so serious it would be funny. But making a mockery of the judicial process is no joke.

At least the High Court has granted Mr. Ahmed bail in the "sedition" case.

Now that he has received bail in sixteen cases, Mr. Ahmed has learned that he has been shown

Transforming the Arab world



MUHAMMAD ZAMIR

THE UNDP has recently published its second Arab Human Development Report (AHD). An interesting document, it focuses on three fundamental pillars: freedom, women's rights and knowledge dissemination. The Report analyses the cultural, economic, societal and political contexts that influence knowledge acquisition within the Arab region. The UNDP has prepared the Report with the assistance of local authorities and universities. This has been done to enhance UNDP's assessment capabilities as a first step towards the implementation of reforms in primary and university education in the Arab world. The Report is being considered as important because some of the assumptions apply to most Muslim countries.

Great interest has been generated in the western world and elsewhere after 9/11 about the type of education that is being provided in the Muslim world in general and the Arab world in particular. Many in the recent past have indicated reservations about the nature and direction of the learning process itself and suggested that this factor has generally impeded growth of democratic institutions in the Muslim world.

The Report has already generated controversy among the intellectuals and educationists within the Arab region and also in some Muslim

countries. Some have protested that the Report does not take into consideration the closed nature of the Arabic speaking society and also is hasty in its quest to achieve democratic reforms. It is also being argued by some that economic reforms and poverty alleviation have to come first and then be followed by societal reforms. Others are also suggesting that despite some good elements, the Report has refrained from dealing with demands for equality and women's rights.

These observations are significant

various shortcomings. I have found some of these elements to be common with our country and other Muslim countries in our region.

The Report also makes significant critical observations pertaining to freedom of speech, women's empowerment and accessing to external knowledge. It is fortunate that in Bangladesh, Indonesia and Malaysia, such draw-backs are not that serious. We have progressed in these areas.

The second Report centres primarily on knowledge dissemination

nately for us in Bangladesh, such is not the case.

The Report also underlines another interesting imbalance. It points out that countries in the region have shown considerable absence of advanced research in the sciences, such as molecular biology and high-tech, but have had an abundance of leading cultural and literary figures. In this regard, it draws attention to the fact that many scientific researchers do not stay in the area due to lack of R&D funding and less emphasis on scientific research in the society. I find great similarity in this assessment of Arab countries with that of other Muslim countries including Bangladesh. This opinion is also consistent with a recent survey that indicates that Muslim countries provide only one-third of the global average in the numbers of scientists and engineers.

I am referring to this Report today because it has made some bold suggestions that are critical for Muslim countries anywhere, including Bangladesh. It demands freedom of expression, broadening of the quality of education (as opposed to the insular Madrasa format of theocratic learning only), giving necessary importance to scientific research in society and moving towards a new knowledge-based economy that celebrates diversity, inquisitiveness and creativity.

POST BREAKFAST

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cant and deserve attention. They indicate the awareness of not only existing social inequality but also the need for better educational opportunities.

It may be recalled that the first Report was launched almost two years ago and had been a real wake-up call to many in the region and elsewhere around the world. The second Report focuses on two key questions related to the Arab world: Why they are lagging behind and what is the way out? Some of the findings are relevant for other Muslim countries. That is the reason for this column today.

Both Reports have acknowledged progress in the past three decades in the Arab world with particular reference to the health sector: life expectancy has risen by 15 years and infant mortality has decreased by two-third. They have also referred to

and knowledge production. It suggests that education is currently the biggest problem, particularly the quality of teaching. This is a concern which is having a clear impact on students and stifling their natural inquisitiveness. It is also implied that the public at large is not receiving adequate education through the press. In this context, criticism is also made that freedom of the press is very restricted in most Arab countries.

Censorship has had a large impact on dissemination of literature across the whole region, and censors in different Arab countries continue to use individual standards for trimming texts. An analyst has reported that publishers end up with the lowest common denominator after the 22 censors in the different Arab countries have cut the text back. One must admit that fortu-

nitic research in the society. I find great similarity in this assessment of Arab countries with that of other Muslim countries including Bangladesh. This opinion is also consistent with a recent survey that indicates that Muslim countries provide only one-third of the global average in the numbers of scientists and engineers.

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absolutely right. They should follow through on this exercise also in other Muslim countries of Asia.

One way to approach these common problems in the Muslim world might be to take a "bottom-up" reform effort.

For obvious reasons, the first step should be the principle of good governance. This is crucial. Its absence impedes development and promotes the lack of fundamental freedoms. I believe that developed countries can play a moral authoritative role in this regard. The Arab countries have already started cooperation in an institutional manner with the EU and the UN to rectify the situation. This has been a good move forward. This prescription will definitely help the Arab bloc to find the necessary resources for bridging the digital divide and resolve the question of technology

transfer. The UNDP of course has to be careful that it does not stress too much on the one-size-fits-all theory. The EU also has to work both as a partner and an equal.

There is need for reform and less dogma. Restructuring, transformation and reorganisation have to take place both in terms of approach as well as attitude. Countries with Muslim majority populations need to understand that reform should be on their agenda. Freedom of speech and assembly (for religious and political purposes) needs to be guaranteed. States in the Middle East, including Israel also need to ensure that international standards pertaining to human rights are met and discrimination not hinder progress. National action plans need to be put in place with constructive participation of all stake-holders including civil society. These factors go hand in hand with basic freedoms, civil liberties, legal reform, economic modernisation and the promotion of knowledge.

It has been reported that dissemination of the second Report has not been very easy within the Arab world. Copies have had to be brought in under the diplomatic licence of the UNDP, as commercial distribution has proved too difficult. This is disappointing. We must be bold in accepting criticism and find the courage to move forward.

Both the Arab League and the Organisation of the Islamic Conference can do sterling work in this regard. The Arab League, in particular, should not only discuss the recommendations of this Report but also study its implications. It should be on their Agenda. The Middle East is rich in natural resources. It can set the pace for the future if it widens its horizon.

Muhammad Zamir is a former Secretary and Ambassador.

TO THE EDITOR TO THE EDITOR TO THE

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Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

Subsidised medical diagnostic centres

Quite a number of modern medical diagnostic centers have come up in the country in the private sector, and these are doing roaring business. Two of the reasons are: a class of patients can afford the high charges (those who marginally cannot afford to go abroad for treatment for the 'modern' diseases); and, (many suspect) too many extra and superfluous tests are included by the doctors who get commission for sending cases. I am myself a victim of non-essential tests costing about Tk 10,000, most of which were negative (patient OK). Luckily the cost of medicines manufactured in Bangladesh is low comparatively.

While it is agreed that the setting up of testing labs incurs heavy capital cost in installing expensive modern equipment (which has to be recovered), the point is that the vast majority of the homes including the

middle class and the fixed income groups cannot afford such tests too many times in a year in a large family.

Therefore the government has to make provision for subsidised medical centres to spread in 64 districts. Some exist, but the demand is much greater. Initially donor funding may be required (capital costs), but the operation and maintenance costs should be within control. Medical centres in the private sector are sprouting rapidly (like coaching and educational centers), but the regulatory and QC factors come in, as usual. Unless the government tightens up the regulatory role, people will suffer from sub-standard practices in all sectors, as it is happening now.

Wanted: medical treatment at popular prices; as there is too much gap between the rich and the common people. But in the public sector, the management and operation are unsatisfactory due to low efficiency

and absence of dedication (add corrupt practices). The basics have to be set right become a regime can gain popularity. There is too much publicity on the visible decorative and cosmetic effects (stock phrases like "roads, bridges and culverts").

Alfa Ahmed
Dhaka

Don't get sponged!

Sometime back (in Dhaka) I was sick and the family physician (GP) referred me to a specialist. I followed the procession obediently, spent around Taka 10,000, and both the doctors and self were none the wiser. I had to undergo X-ray and radioactive tests for two days, lasting a few hours each, to check on my blood circulation network, and the condition of my bones. Then the expensive medicines had only marginal effect. As a retired member of a middle fixed-income group family, I had to try

homeo, hakim and kavaraji local medicines to balance the budget. Perhaps this is a typical routine of many other patients. Those with money have the satisfaction to go abroad for treatment, at regular intervals.

Note the statement "at regular intervals". My sister (retired BCS) is in this trap with her BKK trips. The catch is simple: be extra polite, and render humanized service (abroad); and after the elaborate series of 'modern' tests, you are respectfully told (by the board of specialists) to take the trouble to come again after a certain interval, for confirmatory tests. The business is in the repeat visits good rent-seeking business.

Here the local specialists prescribe an array of expensive tests. It is not possible for a patient which tests fall under any of the three categories: essential, necessary, or redundant and luxury.

The medical centres in Dhaka

and elsewhere are booming, thanks to modern scientific bluff game (in most cases; including the so-called greenhouse Effect so strictly being imposed upon the developing countries by the West industrial countries, directly, and through the UN agencies, while the monsoon in Bengal region arrives punctually in the second week of June each year for the last 60 years I have been monitoring).

What the authorities' are doing (with the cooperation of the professional bodies) is top secret nor relieve for the poor patients, harassed mentally, physically, and economically. The same state of non-action prevails in regard to solving crimes, political abuses, and corrupt practices in the civil and private sectors. There are two basic causes for the non-activity the proper network does not exist, and, connivance by those indirectly connected with side business.

Would the JS take notice of the conditions depicted above?

AZ
Dhaka

Betrayed again

The whole nation was stunned at the fashion the by-election in Dhaka 10 seat was held on 1 July. Dhaka residents like me read in the newspapers about the rigging wrought in Magura by-election in 1995, but this time we saw it for ourselves the wonders of rigging, and the following day coverage in all the leading dailies that gave graphic accounts of the coercion, fraudulence resorted to by the cadres and activists of the party in power and dereliction of the election officials were enough to obfuscate fairness of an election.

High Court order was flouted by keeping the army personnel away from the polling booth and the cadres made free use of their might and mettle. What a crime was it to

buy and bring bus loads of people from far-off places to cast vote in different centres in favour of the government party candidate rendering the locals who were the genuine voters to cry in the wilderness? Such acts were reported to have been accomplished at the behest and presence of some MPs. Such was never ever seen before. The polling officials made no query of their identity! What a mockery in the so called democratic election!

A contestant for the election to the highest body of legislature who by virtue of the position becomes a dignitary and deserves to be so treated by officials of the Republic. But we were struck with surprise and sadness that the Bikalpa Dhara Candidate Major (Rtd) A. Mannan was humiliated (his clothes were torn off) by the rowdy elements of the party in power, and the police stood pat to enjoy the sight. Major Mannan's protests against fake polling were outright turned down

even without caring a damn to look into the allegations. The print media's photo coverage of fake voting in many centres and election observers' unambiguous comment to that effect were the glaring examples of massive rigging, calling for cancellation of polling at those centres but the jet speed EC declared the govt. party candidate having won the fray. And the Gen. Secretary of the BNP claimed that the election was fair and free. We are saddened at the lies our leaders spew for the sake of wresting prestige, leaving aside their education, ethics and the trust we reposed in them.

Election authorities just acquiesced in what the government wished and the manipulated victory for the latter's candidate has sullied both the government and the EC. As a nation we are betrayed and blotted. AFM Salimullah
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Dhaka