

# Trans-boundary rivers: Some thoughts and more

SYED MUHAMMAD HUSSAIN

THE Indian River-linking Project (IRLP) is an euphemism for a massive plan for diversion of waters from the international rivers that flow down the Himalayas into the Indian plains. The objective is to transfer waters from the international/common rivers into the vast internal network of waterways of India. That such trans-river diversion of significant quantum of waters would effectively reduce the historical flows of the major rivers into the lower riparian Bangladesh can hardly be debated. It is somewhat reassuring to note that an international conference Regional Cooperation on Transboundary Rivers: Impact of the Indian River-Linking Project -- has just been concluded in Dhaka with a set of recommendations. To be fair, these are very useful ones, but to be realistic, these very suggestions have indeed been adorning the conclusion ceremonies of almost all the meetings on water resources during the past two decades or more in the three countries of the region.

These have become mantras for the Track II group of familiar

names. We are not even an inch nearer the solution we seek for common good.

It is, however, somewhat intriguing to study the range of initial reactions at the opening day of the conference starting with the Bangladesh Water Resources Minister's statements' the project might trigger a mass-migration destroying the social fabrics of both the countries' and 'I have talked with the Nepalese government and they are willing to discuss the issue'. We go on to his proposal that all riparian countries including Nepal, India, China and Bhutan sit together to find out a proper solution to the issue.

These remarks, if I may point out, suffer from acute contradictions and misplacated hopes not to speak of the almost-impossible-to-organise scenario to find a 'proper solution'. And if we add the time element such pious conference warming hyperbole leads one to believe that we all are living in an ivory tower. That India has always avoided any multilateral discussions with Nepal and Bangladesh is well known. And to stretch that

Being desirous of sharing by mutual agreement the waters of the international rivers flowing through the territories of the two countries and of making the optimum utilisation of the water resources of their region in the fields of flood management, irrigation, river basin development and generation of hydropower for the mutual benefit of the peoples of the two countries...

—Preamble to the Treaty between Bangladesh and India on sharing of the Ganges waters, 12 Dec, 1996

discussions to include China will be well nigh impossible. India's self interest however prompts her to agree to trilateral discussion on gas pipeline arrangements with Myanmar and Bangladesh. If we could leverage gas supply and transit route discussions to get India to agree to hold trilateral talks on sharing of the common rivers and on the Indian plan on diversion of waters for her own internal use, that would indeed be a significant achievement. India ought also to realise that would honour the spirit of the 1996 Treaty on Ganges as the quote from its preamble part refers to so eloquently.

Then comes the point made by AMA Muhith on getting this issue on the upcoming SAARC summit agenda. While out of agenda topics have indeed been discussed by the Heads of Government/State on the sidelines, inclusion of such a contentious matter in the formal discussion will not be acceptable. It is also somewhat embarrassing to suggest that since Bangladesh herself is the host of the summit. But this and other major irritants in Indo-Bangladesh relations could, and indeed should be vigorously taken up by the prime minister of Bangladesh in her one to one meeting with her Indian counterpart during the forthcoming summit in Dhaka.

The most baffling comment is from the Bangladesh Unnayan Parishad head who said 'Bangladesh does not officially know the purposes and status of the river linking project and hence, what implications it may have on Bangladesh'. In the Independence Day address in August 2003 the President of India had announced this project in some details (Please refer to 'Protesting Delhi's water diversion plan', The Daily Star, 26 August 2003 article, by this writer). I also wonder whether the setting up of Farakka Barrage was officially made known to Bangladesh by India. As for this project's implications a number of participating experts including the Bangladesh Water Minister, have given a fairly graphic and indeed alarming picture of the outcome of the massive transfer of waters into India's domestic network, to give India, as its President had said, 'water and power security'. Do we need to wait for official confirmation greater than that to design our strategy to face this new threat to

Bangladesh? And that on top of the failure of the secretary level meeting last September in Dhaka to find solution to the sharing of waters of Teesta and six other common rivers.

An editorial then on the subject in The Daily Star contained a very sharp observation 'when the structure of negotiation is many layered ... there is a scope for procrastination. JCE (Joint Committee of Experts) has been trying to grapple with the technical problems for the last seven years, evidently without hitting a common ground' adding succinctly that 'This is despite the fact that the Ganges water sharing accord (1996) contained a commitment to resolve the water sharing problems pertaining to other common rivers on the same principle as that of the historic agreement.'

India's strategy of delaying the JRC meeting has been the grossest attempt to get her way despite the fourth letter from Bangladesh requesting for a meeting in Dhaka, India is not responding to the proposed continuation of discussion of the water sharing of seven rivers including Teesta. Perhaps Bangladesh should have noted Indian Water Resources Secretary VK Duggal's comment in Dhaka meet that only when Teesta sharing agreement is completed, India would be willing to look at the question of sharing of waters of the six other rivers one by one on individual merit, as a lot of data, analysis and scrutiny are involved in these exercises.

Evidently, Bangladesh always gets entrapped in the quicksand of such grand quests. And meanwhile projects like the inter-linking of rivers are developed by India for her own self interest, certainly not an enlightened ones as far as we are concerned. But we are overtaken by events. We also tend to forget that so called Track II practitioners from India, the likes of Ram Swami Iyer and BG Verghese, could hardly get away from serving the Indian interests alone. Let me quote from a resume of the findings in a Track II publication edited among others by QK Ahmed and BG Verghese "Since the GBM river systems cut across several countries, for optimum benefit to accrue to all the concerned countries, these rivers need to be properly managed and developed within an integrated GBM regional

framework. Indeed waters, flowing down these rivers, establish the natural inter-country linkages and may be identified as a crucial resource of hope that can be regionally tapped for the region's future development ... and proceeding towards integrated development of all sectors of the region's economy and society'. (Cooperation: the Eastern Himalayan Rivers, 2000, p.191)

Mr. Verghese has apparently moved away from 'waters flowing down these (international/common) rivers, establish the natural inter-country linkages' and from the heavy accent on regional cooperation to advocating Indians pursuit of a unilateral solution to 'the water security problems suffered in the south-west and north of India during the dry season'. And this is precisely the season when total flow in major common rivers go low and further, systematic and apparently huge withdrawals through the proposed project along the upstream can only have one logical outcome -- a sharp fall in the availability of waters in all major common rivers, including the flow at Farakka for the Ganges. We can also refer to the India's advanced plan of the barrage at Tipaimukh that would almost dry up the Surma and Kishora flows most adversely affecting Sylhet and northern part of Bangladesh.

Revered Medha Patkar's comments, in particular that 'the people of India have become more aware of the devastating impacts of the project' and Mr. Verghese's admission that there had been some discussions with the UNDP and the World Bank ... to seek funding (The Daily Star, 20 Dec. and 19 Dec, 04) should be enough to cancel out Indian High Commissioner to Bangladesh's claim of the project being only at 'conception' stage. The Conference Chairman's observation that the intervention of the Indian Supreme Court asking the authorities to carry ahead the project made Bangladesh and many in India really concerned' is worth pondering over. Such a pronouncement from the highest court in India is hardly likely to be based on a matter of 'conception' and their decision must have been based on the proposed project and definitive collateral evidence, rather than a concept.

Those experts and other participants in the Conference

who professed the lack of information on what India is considering hopefully have become much more informed after this Conference. The problem does not so much lie in the ignorance that some conveniently pretend to have, but in the inability and unwillingness to act on what is known and design alternative strategies. Secondly, those who have brought in the element of 1971 spirit of understanding and assistance ('hoping that will prevail in dealing with usable water resources that is increasingly becoming scarce in this region' -- Mr. AMA Muhith and 'GMB carried the mingled bloods along with their river flows' -- Dr. QK Ahmed, as quoted in the press reports) tend to easily pass over the fact that setting up of Farakka Barrage was done against all canons of justice and fair play so much due to a new born nation and the spirit being invoked now was at that time so much the fresher and nearer the event. Self interest, we tend to forget, is the natural driving force and the scarier the resource, fiercer would be the divide.

We have absolutely no dearth of actionable information and plentiful supply of experts. We need now to design our responses to a range of scenarios. In my 25 August, 2003 article (The Daily

Star), I had suggested the following: a) A quick inquiry into the reasons why we do not have after all these years our strategy options worked out in respect of (i) the Ganges Treaty, (ii) the JRC matters/issues relating to our common rivers and (iii) the withdrawal threats scenario now looming large, from the upper riparian countries and

b) We should also seriously examine the details of the possibilities of regional cooperation that could formally become a topic for discussion in SAARC in the coming years.

The discussions and recommendations of the just concluded conference in Dhaka should provide a reasonable wealth of information, data and views to enable us to determine the basics of our position on the entire range of water-related issues in general and on the mega project of diversion of international/common rivers' waters into India's own river network, with all the anticipated, facts-based apprehensions of the lower riparian in regard to its pernicious and destructive impact. It is also expected that our Missions in New Delhi, Kathmandu and Thimpu (and also in Islamabad) have been providing necessary information, views and analysis from their respective locations on a regular basis in these vital matters.

A preliminary briefing paper on these issues from our perspectives should be prepared and distributed to the media, concerned activists and organisations, along with launching of a special website on the problems we face presented in a

professional and competent manner -- facts, figures, relevant references and documents, incontrovertible arguments, without hyperboles or naive comments. It should be a serious exercise of a nation under a virtual threat for the purpose of global information. Let us raise our voices as a small nation for a just and fair hearing across the frontiers in the first instance without any further delay.

Simultaneously, a select Expert Group with impeccable credentials, ability, knowledge and experience could be set up to act as a dynamic Think Tank, who should also roll out detailed position papers with executive summaries on essential measures and on desirable actions to help sensitise the nation, to represent our case to all our friendly countries and organisations and above all to enable our authorities to effectively, competently present our viewpoints while responding sensibly to the positions taken by the Indian authorities.

It is just possible that water sharing issues could be given some urgency and positive response by India, if we could be wise enough to keep the trilateral discussions on gas pipe line and the bilateral agreement on river transit (West Bengal to Assam Seven sister states) on hold. Some patience and a lot of diplomatic skill and political will are the ingredients for a successful preservation of our own enlightened interest.

Syed Muhammad Hussain is a former Ambassador and Secretary (all comments etc -- syedmhussain@yahoo.com)

## IN THE SUPREME COURT OF BANGLADESH HIGH COURT DIVISION STATUTORY ORIGINAL JURISDICTION

COMPANY MATTER NO. 163 OF 2004  
IN THE MATTER OF:

An application under section 81(2) read with section 85(3) and section 396 of the Companies Act, 1994 AND IN THE MATTER OF:

Tulip Dairy & Food Products Limited, represented by its Managing Director.....Petitioner -Versus-  
The Registrar of Joint Stock Companies and Firms.....Respondent

Take notice that an application under section 81(2) read with section 85(3) and section 396 of the Companies Act, 1994 was filed before the company Bench of the Hon'ble High Court Division of the Supreme Court of Bangladesh for condonation of delay and extension of time for holding Annual General Meeting for the year 2001, 2002 & 2003 of Tulip Dairy & Food Products Limited. Upon hearing the Petitioner the Hon'ble Judge of the Company Bench, Mr. Justices Md. Imman Ali was pleased to admit the application on 8-12-2004 and fixed the matter for hearing on 16-01-2005.

Any one interested to oppose the said application may appear before the court either personally or through a duly authorised Advocate on the date fixed for hearing. Copy of the application may be obtained from the undersigned upon payment of prescribed fees.

Tufailur Rahman

Barrister-at-Law, Advocate

T. RAHAMAN & CO., Bangladesh National Curriculum & Text Book Board Bhaban, (3<sup>rd</sup> Floor), 69-70, Motijheel Commercial Area, Dhaka-1000

## National Tubes Limited

(An Enterprise of Bangladesh Steel & Engineering Corporation)  
API Licensee and ISO-9001 Certified Company  
131-142 Tongi Industrial Area  
Gazipur-1710

“আদমজী পাইপ” নামে খ্যাত এনটিএলের জিআই/এমএস/এপিআই পাইপ ব্যবহার করুন যা দীর্ঘস্থায়ী, পুনঃ ব্যবহারযোগ্য, নির্ভরযোগ্য ও নিরাপদ।

## International Tender

Sealed offers are invited by Managing Director, National Tubes Ltd. for supply of Zinc Ingot on C & F (C) Chittagong basis:

Reference No	Quantity and description of goods	Earnest money	Price of tender documents	Closing/opening date and time	Source of finance
COM (I)/Zinc-100/04	100 MT on Zinc Ingot	US\$ 1600.00 Or Tk. 95,000/-	Tk. 500.00 (Taka five hundred) only (non-refundable)	Closing 31-1-2005 at 11:00 AM. Opening on the same day at 11:15 AM	Cash/Any untied credit

In case of unavoidable circumstances the offer will be received on the next working day and opened on the same place and time. Tender documents may be obtained during working hours (excepting on opening date) on cash payment from the following offices & the offers will also be received and opened in the Purchase Dept. of the same offices:

- 1) The Chief Accounts Officer, National Tubes Ltd, Tongi, Gazipur.
- 2) The Controller of Accounts, Bangladesh Steel & Engineering Corporation, "BSEC BHABAN", 102 Kazi Nazrul Islam Avenue, Dhaka-1215.

Md. Habibur Rahman

General Manager (Commercial)

Phone: 9802737

GD-18

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## International Tender

আদমজী পাইপ নামে খ্যাত এনটিএলের জিআই/এমএস/এপিআই পাইপ ব্যবহার করুন যা দীর্ঘস্থায়ী, পুনঃ ব্যবহারযোগ্য, নির্ভরযোগ্য ও নিরাপদ।

Sealed offers are invited by Managing Director, National Tubes Ltd. for supply of Hot Rolled Steel Strips for manufacturing of Gas & Oil Line Pipes, on C&F (C) Chittagong and C & F (C) Benapole basis.

Reference No	Description of goods	Earnest money	Price of tender documents	Closing/opening place, date and time	Source of finance
COM (I)/STRIPS-2200/05	2200 MT on Hot Rolled Steel Strips (Quantity may be increased or decreased)	US\$ 23,500/- Or Tk. 14,00,000/-	Tk. 3000.00 (Taka three thousand) only (non-refundable)	Closing on 02-02-2005 at 11:00 AM. Opening on the same day at 11:15 AM	Cash/any untied credit

In case of unavoidable circumstances the offer will be received on the next working day and opened on the same place and time. Tender documents may be obtained during working hours (excepting on opening date) on cash payment from the following offices and the offers will also be received & opened in the Purchase Dept. of the same offices/organisations:-

1. The Chief Accounts Officer, National Tubes Ltd, Tongi, Gazipur.
2. The Controller of Accounts, Bangladesh Steel & Engineering Corporation, "BSEC BHABAN," 102, Kazi Nazrul Islam Avenue, Dhaka-1215.
3. Accounts Deptt, Petrobangla, Petro Centre, 3, Kawran Bazar C/A, Dhaka.
4. Accounts Deptt, Titas Gas T & D Co. Ltd, 105, Kazi Nazrul Islam Avenue, Dhaka.
5. Liaison Office, BGSL, House No. 199, Road # 1, DOHS, Dhaka.
6. Liaison Office, PGCL, House # 109, Masjid Road, DOHS, Dhaka.

Md. Habibur Rahman

General Manager (Commercial)

For Managing Director

Phone: 9802737

GD-14

## Composite Textile Mill Machinery

Letter of intents/proposals are invited from Genuine & experienced Suppliers/ Agents/ Manufacturers of Textile Machinery for Supply, installation & Commissioning (Turn-key) of Complete set of high-tech Brand New Machinery or 2nd hand European machinery in excellent running Condition for a composite Textile Weaving Mill. The project will initially have 80 Looms (ultimate capacity 150 Looms) with yarn-Dyeing / Fabric Dyeing facility for high Quality Cotton & Microfibre Polyester fabric. Proposals should include primary details of the Machinery, Price, delivery and other details, and should reach the Advertiser, Box No.A-13, C/o. The Daily Star, 19 Karwan Bazar, Dhaka-1215 within 18-01-2005.

হলি ফ্যামিলি রেড ক্রিসেন্ট মেডিকেল কলেজ হাসপাতাল  
Holy Family Red Crescent Medical College Hospital  
১, ইস্কাটন গার্ডেন রোড, ঢাকা-১০০০, বাংলাদেশ, জিপি বক্স নং-৮১,  
টেলিফোন: ৮০১১৭২১-৫  
1, Eskaton Garden Road, Dhaka-1000, Bangladesh. GPO Box No-81,  
Telephone: 8311721-5

## তালিকাভুক্তির বিজ্ঞপ্তি

অত্র হাসপাতালের খাদ্য উপ-বিভাগের রোগীর খাদ্য সামগ্রী সরবরাহের জন্য আগামী ১লা ফেব্রুয়ারি ২০০৫ইং হইতে জানুয়ারি ২০০৬ইং মেয়াদে তালিকাভুক্তির উদ্দেশ্যে প্রকৃত ট্রেড লাইসেন্সধারী ঠিকাদারদের নিকট থেকে দরখাস্ত আহ্বান করা যাইতেছে।

ক্রমিক নং	কাজের বিবরণ	তালিকাভুক্তি ফি
০১.	রোগীর খাদ্য সামগ্রী (ডাইটারী মালমাল)	২,০০০/= (দুই হাজার টাকা)

তালিকাভুক্তির জন্য অগ্রাধী ঠিকাদারগণ আগামী ০৬ জানুয়ারি ২০০৫ থেকে ১৩ জানুয়ারি ২০০৫ ইং তারিখ পর্যন্ত অফিস চলাকালীন সময়ে হাসপাতালের ক্যাশ সেকশনে বর্ণিত হারে ফিস নগদ জমাদানপূর্বক (অফেরতযোগ্য) নিম্নে বর্ণিত কাগজপত্রাদির সত্যায়িত কপি সংযুক্ত করিয়া পরিচালক বরাবরে আবেদন করিতে হইবে।

- ১) কোম্পানী/প্রতিষ্ঠানের/সরবরাহকারীর লেটারহেড প্যাডে নাম ঠিকানা বিস্তারিত তথ্যসহ।
- ২) ব্যাংক স্বাক্ষরতার সার্টিফিকেট, ট্রেড লাইসেন্স, করদাতার টিআইএন সনদ পত্র এবং ভ্যাট রেজিস্ট্রেশন সনদপত্র ও কোন প্রতিষ্ঠানে এ বিষয়ে কাজের অভিজ্ঞতা সনদপত্রের সত্যায়িত ফটোকপি দিতে হইবে।
- ৩) অফেরতযোগ্য হিসাবে প্রাপ্তির পার্শ্বে বর্ণিত নগদ অর্থ জমাদানের পর প্রাপ্তি রশিদ সঙ্গে দিতে হইবে।
- ৪) বর্ণিত তারিখের পরে কোন আবেদনপত্র গ্রহণযোগ্য হইবে না।
- ৫) আবেদনপত্র সরাসরি হিসাব উপ-বিভাগে জমা দিতে হইবে।

কর্তৃপক্ষ তালিকাভুক্তির শর্তাবলী সম্পূর্ণ পরিবর্তন, সংযোজন এবং বাতিল করার ক্ষমতা সংরক্ষণ করেন।

ডাঃ আহমেদ শফিকুল হায়দার

পরিচালক

ডি-২০

## JOB OPPORTUNITY – EMPLOYEE RELATIONS / LAWYER

An international joint venture company in Bangladesh wishes to recruit a lawyer who will both be the key Employee Relations representative at its plant site and also provide local legal advice support for the company.

The candidate for the post must have :

- A Bachelors (Honours) / Masters Degree from a recognized institution, plus a degree in Law (LLB) with a passing Second Division / Class or higher.
- Good communication skills both in Bengali and English
- A Pleasant personality and must be a team worker
- Experience or demonstrable interest in the area of Industrial Relations
- General commercial and land law capability.

Ideally the candidate will :

- Be computer proficient – Word Processing, Spread sheets
- Aged in their mid thirties

Applications are requested from candidates who fulfil the above criteria.

Please kindly send your curriculum vitae with attested copies of relevant certificates and with a copy of recent passport size photograph to following address to The Daily Star Box No. A - 11, Kawran Bazar, Dhaka by 19<sup>th</sup> January 2005.

The company reserves the right to invite for interview to only those candidates it considers potentially suitable for the post.

## VACANCY ANNOUNCEMENT

A donor funded poverty alleviation project working in Kurigram, Gaibandha, Bogra, Sirajganj and Jamalpur Districts is inviting applications from suitably qualified and experienced persons for the following positions. The appointment will be made on fixed-term basis initially for a period of 1 year with possible extension.

**Senior Mentor:** The incumbent will be responsible for developing the capacity of the Union Parishad/Upazila Parishads to be effective council bodies and to build capacity in the wider population, especially for present and potential future chairpersons and members of UP, through a combination of mentoring, coaching and training. Senior Mentors will have experience in management, rural development, local governance capacity building, as well as experience in supervision, training and monitoring at various levels. S/he will also have some engineering experience in monitoring of infrastructure development

### Requirements:

- Post graduate degree with at least 7 years of progressively responsible experience in rural development initiatives or graduate civil engineer with 5 years experience related work or diploma engineer with 10 years experience in rural infrastructure
- Demonstrated experience and a track record of leading teams, planning and coordination, training activities, supervision and monitoring projects leading to improved governance
- Strong interpersonal skills including the ability to interact effectively with a wide range of forums, for example, local government institutions, Union Parishads and Upazila Parishads, District Coordination Committees, Private Sector, NGOs, etc.
- Excellent communication skills with proven ability in consensus building, problem solving and negotiation
- Ability to be creative and innovative in programming
- Strong management, relationship building and work-management skills
- Willingness to reside in at the district level with extensive travel in the Char area
- Ability to work in stressful environment

**Salary Range:** Taka 30,000 to 40,000 consolidated

**Mentor:** The incumbent will be responsible for developing the capacity of the Union Parishad to be effective council bodies and to build capacity in the wider population, especially for present and potential future chairpersons and members of UP, through a combination of mentoring, coaching and training. Mentors will have experience in local governance capacity building and supervising, and some experience in monitoring of infrastructure development.

### Requirements:

- Diploma Civil Engineer with 3 years experience or Post graduate degree
- Experience with local government, rural development and in the char area will be considered an added advantage
- Strong interpersonal skills including the ability to interact effectively with a wide range of forums
- Excellent communication skills with proven ability in consensus building and negotiation
- Ability to be creative and innovative in programming and problem solving
- Strong relationship building and work-management skills
- Willingness to reside in the Char area

**Salary Range:** Taka 12,000 to 15,000 consolidated

Applications with CVs, photograph and names of two referees should reach to Post Box No. A-10, C/o, The Daily Star, Dhaka on or before January 20, 2005.