

## ACC's mixed up priorities

### First thing first

THE Anti-Corruption Commission was set up eight months ago, but appears to still be struggling to get its act together. Once again we see that there is a difference of opinion between the chairman and one of the commission's members. The latest dispute revolves around whether the commission is authorised to take any actions before its rules of operation have been formulated. The chairman and one member says it can, while the other member says it cannot. The matter has come to a head over submission of charge-sheets on 21 corruption cases filed by BAC that the ACC inherited.

It seems to us that this kind of internal squabbling is reminiscent of the bad old days of the BAC, and is useful to no one. More to the point, it does not sit in with the statutory status of the Anti-Corruption Commission.

We would have hoped that by now the commission would have hit upon a modus operandi agreeable to all as to how to conduct its affairs, and the absence of such consensus indicates to us that the commission is still at this late date suffering its teething pains.

We strongly urge the commission get its house in order first before anything else. Getting its house in order means finalising an organogram, rules of business, and anything else needed to ensure that the commission can do its job smoothly and without disturbance. This should have been accomplished months ago. However, there is no merit to rushing ahead without solving these fundamental problems, as undue haste would in the long run hurt more than help.

The ACC's proposals for setting up offices at three major ports which have become dens of corruption have to do with its surveillance and preventative role but the immediate task before the commission is to launch a massive investigation into the recorded corruption cases. It is important therefore, that a clear-cut decision is made on how many of the carry-over cases from the BAC days will be actually taken up by the ACC.

Too much time has already passed. We would like to see the ACC run in the efficient and effective manner that is needed by the country.

## Railways need a big push

### New investment plan welcome

THE government's plan to invest \$500 million for restructuring the railways is based on a correct assessment of the situation prevailing in this critical sector of transportation. It is now almost in a state of atrophy whereas it should have been the naturally thriving mode of mass mobility. Its relative advantages over other modes of transportation are quite obvious, given the affordable fares and capacity to carry huge loads of goods, but it has been functioning at a level of efficiency falling far short of what a modern, service-oriented organisation needs.

The railways have tremendous potential though. First of all, let's not forget, it is the medium that links the economic hinterland to the ports. Second, it is ideally suited to be handling container transportation, which is of critical importance to the dynamism and usage of sea ports. The question of optimal utilisation of ports has assumed much greater significance in view of the big investment proposals coming from Tata, the Indian corporate giant. They will rely greatly on the railways for transporting raw materials to their industrial plants in Ishwardi.

The World Bank and the Asian Development Bank are reported to have agreed to contribute a major portion of the investment that the government is planning to make in the sector. But the donors have put special emphasis on restructuring of the sector as a whole to make it service- and market-oriented. They are in effect asking for corporatisation of the railways in keeping with the modern privatisation trends. The goal is to make it a profitable and highly competitive enterprise.

The government has to put an end to mismanagement and wastage that have blighted the railways beyond measure. It has to ensure accountability, transparency and dynamism in the sector to bring it back on track.

The government should think of optimally realising the railways' full potential, so that they are not only saved from ruination but also turned into a modern transportation system.

M ABDUL LATIF MONDAL

WHILE talking to the reporters on July 6 on the issue of exemption of Tk.14.69 crore penal charges against different importers by the shipping minister himself, GM Seraj, the chairman of the standing committee on the shipping ministry and a BNP lawmaker told them that there might be some irregularities in the process, but what could the committee do when both ministry and importers commit a crime with an understanding?

This speaks of the helplessness or disinclination of the parliamentary watchdog to discharge its constitutional responsibility to "investigate or inquire into the activities or administration" of that ministry. The effectiveness of standing committees on other ministries may not present a better picture. The members of the civil society and the print media have thus raised questions on the role of parliamentary standing committees on ministries.

The constitution of Bangladesh provides provisions for establishing different parliamentary committees. The constitution through Article 76 empowers the parliament of Bangladesh to appoint from among its members a standing committee on public accounts, committee of privilege and such other standing committees as the rules of procedure of parliament (ROP) require.

The constitution itself and the ROP, framed and adopted by parliament pursuant to Article 75 (1) (a) of the constitution, guide and regulate functional details, overall operation and terms of reference of ministerial standing committees. Rule 188 of the ROP provides that the members of a committee shall be appointed by parliament on a motion made by it. No member of parliament (MP) shall be appointed to a committee who has a personal, pecuniary or direct interest in any matter that may be considered by that committee. Nor shall an MP be appointed to a committee if he is not willing to serve on it. The term of office of ministerial standing committees remains valid during the duration of parliament.

According to the constitution and

the ROP, the functions of a standing committee on a ministry are: (a) to examine draft bills and other legislative proposals relating to that ministry; (b) to investigate or inquire into the activities or administration of the ministry and examine, if it deems fit, any such other matter as may fall within its jurisdiction and make recommendations; (c) to review the enforcement of laws and propose measures for such enforcement; and (d) to perform any function assigned to it by parliament.

There are allegations that the

current (8th) parliament. After the submission of the names of the AL lawmakers, the committees came to be reconstituted in their full shape on September 16, 2004, that is, almost after three years from the date of inauguration of the 8th parliament.

Even after the reconstitution of the committees, the AL lawmakers had to wait for green signal from the party high command to attend the meetings of the committees. Thus the long delay in the formation of full-fledged ministerial standing

ership. Reportedly, a few chairmen belonging to the BNP were reprimanded by the party's high command for their initial hard stand on the irregularities in the ministries concerned. Unless steps such as proportionate representation of lawmakers in the committees and allocation of chairmanship of the committees on a proportional basis are taken, it will hardly be possible for the committees to function effectively.

Third, inquiries undertaken by a ministerial standing committee or a

example, allegations of irregularity in importing and marketing CNG autorickshaws were levelled against the communications minister and a parliamentary investigation committee was formed on January 28 last year, but it has failed to deliver a report in nearly 17 months despite four-time extension of deadline. That is also the general picture of other committees formed to investigate corruption at the highest level."

In its editorial titled: "JS sub-committees, eerily silent" dated

In the greater national interest, the standing committees on ministries must discharge their assigned responsibilities without fear or favour. They should be objective rather than being subjective in the discharge of their functions. The ministries must render all co-operation and assistance to the committees. Any non-cooperation by a ministry should be seriously dealt with.

ministerial standing committees are not effectively discharging their assigned functions. What has prompted these allegations? Why are the ministerial standing committees designated ineffective?

First, rule 246 of the ROP provides that parliament shall, as soon as may be, after the inauguration of each new parliament appoint a standing committee on each of the ministries. But a cursory look into the events of the immediate past and the current parliament show that this guidance of the ROP has not been followed.

During the period of the immediate past Awami League (AL) government, only a few parliamentary standing committees on the ministries without the inclusion of lawmakers from the then main opposition BNP were appointed after sixteen months from the date of inauguration of the 7th parliament. After the submission of names of the BNP lawmakers, all the ministerial standing committees came to be constituted in full shape on May 12, 1998, that is, nearly two years after the inauguration of the 7th parliament.

Parliamentary standing committees on ministries without incorporating lawmakers from the main opposition AL were formed after a year from the date of inauguration of

committees due to the confrontational politics of the two major parties, the BNP and the AL, which have held the state powers during the last fourteen years, has adversely affected the functioning of these committees.

Second, prior to an amendment in the ROP during the seventh parliament, ministers themselves headed the standing committees on ministries. The amendment provided that no minister but only an MP would be eligible for the chairmanship of each of the ministerial standing committees. The then AL government deserves appreciation for this amendment. But the AL government was not sagacious enough to accommodate the then main opposition BNP's request to allocate chairmanship of some committees. The present BNP-led alliance government has set the same example by denying chairmanship of any committee to the AL.

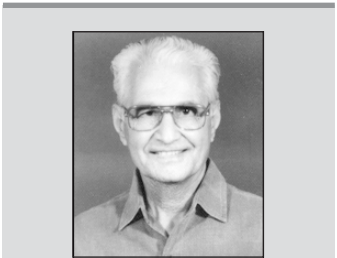
The chairmen of the standing committees remain under pressure of the party high ups. A BNP lawmaker in his capacity as the chairman of the standing committee on a ministry cannot for obvious reasons take a hard stand to unearth serious irregularities committed by that ministry. He cannot afford to incur the displeasure of the party's lead-

sub-committee into the alleged irregularities of the ministry concerned rarely make any headway.

In its editorial titled: "Dysfunctional Parliamentary Committees," dated June 18, the Bangladesh Observer writes: "Reportedly, in the past two years the parliamentary committees constituted as many as 121 investigation committees or sub-committees to probe the alleged ministerial and departmental malfeasance. Sadly more than 100 of those probe failed to submit any report. The committees which did it, did it mere perfunctorily and most of the time the findings are inconclusive. Even more serious charges have been brought against the members of the probe committees in that it is alleged that the members make a compromise with the minister concerned and stop the investigation. This is however not for nothing. Some of them receive special favour in the form of public works or trade from the ministry in exchange for this inaction."

The Daily Star in its editorial titled: "Allegations of corruption" of June 17 writes: "Investigations into the charges of corruption against ministers and high officials by parliamentary sub-committees have made little headway and, in most cases, come to a complete halt."

## In terror's shadow



M B NAQVI  
writes from Karachi

TWO recent events compel attention. One was the attack by six gunmen on Ayodhya's temporary temple on the spot where Babri Masjid once stood. It may still affect Indian politics, as well as Pakistan-India relations. Four explosions in London on Thursday last week were the second. It is widely recognised that such terrorist attacks constitute a big challenge to humanity.

Islamic extremism has been identified in both cases as the culprit. Some do concede that Islam as such cannot be held responsible, though most people do not make such distinctions. To them Islam and Muslims have become a problem. But a few things are obvious. Terrorism seldom achieves its end; it generally produces more terrorism, especially by the state. Islam is a religion of peace, though some accusations of force during its history persist. Over the centuries Islam did settle down as a political reality that required and produced stable societies. That human rights were or were not respected is not the issue. During the last five or six centuries there were no discernable tendencies in Islamic states or among Muslims to use force to expand or convert others by force. On the contrary, Islam did tolerate

other religions and communities, particularly in Medieval India. It had learnt to co-exist with others.

This big problem of terror is a recent one. One needs to discover its root. One would take this up after considering initial reactions to it. The first reaction of Muslim states and major Muslim groups is one of condemning London bombing, Ayodhya assault, and a wholesale criticism of terror as unjust and indeed un-Islamic. Indiscriminate killing of innocent men, women, and

propaganda after the 1979 Islamic Revolution. Insofar as any Shia terrorists exist, their intellectual origins can be traced. More so because Shiism has been historically a quietist religion and did not start any political movement, despite the fact that in origin Shiism itself was a religious-cum-political movement. The Sunni versions that are now creating problems throughout the world are also grounded in various Sunni orthodoxies. The more important ones belong to

organisations along with many others, were supported by the west more or less discreetly. Everyone knew fanatical extremism was promoted by the west for anti-communist purposes.

The second element was the manufacture of tribals fired with a fanatical Islam in Pakistan during the 1980s war against Soviets in Afghanistan. By some counts, \$40 billion was spent on that war that enriched the Jihadist elements as well as Pakistani generals. Pakistan

Islamic radicals in India and Pakistan. The kind of blind support the US has given to Israel and the way the Palestinians have been oppressed have produced a state of mind in which extreme anti-western feelings have been created among Islamic radicals and Jihadists. The liberal-left elements throughout the world also hold the US and Britain responsible for terrorism. The recent policies of US and UK have produced disgust in left-liberal elements; that has made anti-

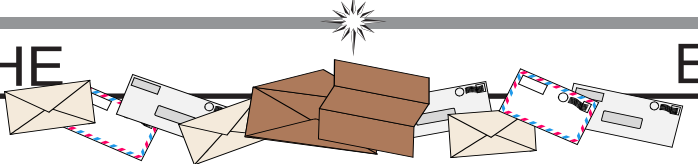
you have to do is to stop supporting autocrats and dictators and be more consistent. Live up to your own principles."

Western power-politics has to be diluted, if not checkmated, by the western peoples. However, power politics cannot be ended altogether. Differences in power and resources of different states will always cause trouble, and stronger powers are always moved by greed. They would scheme to appropriate what nature has not given them. That is quintessential international politics. But the kind of pressure the world public opinion has exerted during the last three or four years and, in a different context, the French and West European opinion produces hope that power-politics can be diluted and fair play and democracy will increase. Even that will be a big thing.

Muslim intelligentsia's problems are serious and fundamental. The centuries old religious beliefs have to be left alone. But what it has to do is to promote rational argumentation and scientific outlook along with sciences and arts. That can only march in step with democratic movements. People have to be brought into the political sphere and encouraged to demand their human rights. That is what would limit the mischief that the Jihadists do. The more democratic politics there is in the Muslim countries, the more rational ideas stand a chance of being accepted. Muslim intelligentsia has also to reach out to non-Muslim intelligentsias elsewhere. A worldwide movement for democratic freedoms and human rights, including disarmament movements, would take care of Jihadists in a practical manner.

MB Naqvi is a leading columnist in Pakistan.

## TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



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.

### Thy name is father...

Can you remember your childhood when you just started walking? Who was your first partner in playing at that time? Do you know how to swim or ride a bicycle? If you know, tell me from whom did you learn this? The answer of all these questions is 'father'.

In this world there are certain things that cannot be ignored. One of them is father's love, affection and his contribution in our lives. Most of the children get the knowledge of alphabets from father. Many of them want to be a man like him. So father is a key figure in life. He acts as the biggest shadow. At every stage, every step of life, his contribution is enormous. Every cell of our body bears the testimony to the loving influence of father.

But we are so ruthless that we can easily ignore our father during his old age. We are so heartless that often we consider him a burden. He

gets ill treatment from us. Sometimes some ungrateful people rebuke their old father due to lack of his working capability.

My old, sick father is 400kms away from me now. I miss you, father.

Sadat Shahriar  
Dept. of EEE, RUET

### Canada's stand

The Daily Star reported last year that Canada had threatened Bangladesh with serious consequences over alleged wrong doings against a Canadian company during the tender evaluation for a power plant in Fenchuganj. This pressure eventually led to the cancellation of the tender.

Now that Niko, another Canadian company, is involved in less than reputable practices in Bangladesh trampling the rights of many, I wonder what the stand of the Canadian government is. Since it didn't hesitate to get involved at the highest

level of the Bangladesh government to protect the interests of a Canadian company, shouldn't it be now its responsibility to get involved in settling the misdeeds of Niko?

Anisul Haque  
Tokyo, Japan

### "Don't run stories..."

"Don't run stories that tarnish image even if they're objective" (The Daily Star, July 11 2005): Justice Abu Sayeed Ahmad's astonishing pronouncement should remind us that the price of freedom is eternal vigilance.

The lesson here cannot be overstated: a free press is an essential condition for democracy. How else can the body politic inform itself sufficiently to make the best choices for the country? Here's how it works: when bad people do bad things, journalists tell us about them; we vote for the politicians whom we think will stop the bad things and do good things; if the

journalists convince us that the politicians are not doing a good job, we vote them out and replace them with better politicians. This spirals upward through decreasing corruption, better-spent resources, economic improvement and a better life for everyone.

Thank you, dear Editor, for printing that story. We must insist always that you keep showing us the tarnish so that we can remove the rot within.

Sid Tupper  
Baridhara, Dhaka

### "Akbar's decision sees Ctg port lose Tk 14cr"

Those penal charges are basically the storage charges imposed on the containers. Any imported container/cargo enjoys 4 days free-time at the port upon landing from any vessel.

Any importer requires to pay cumulative storage charges on the

imported container/ cargo on expiry of the free-time till the date the container/cargo is cleared from the port. The storage charge is mandatory and it constitutes a large segment of the port revenue.

Any importer is aware of the storage charges and that is why importers in general always clear their goods within the free-time to avoid huge cumulative storage charges.

Port Authority has no "authority" to waive the storage charges. Again, there is no provision under the port Schedule of Charges to grant any exemption of the storage charges to any cargo, including any perishable item.

Moreover, any importer is required to clear any perishable item at the earliest to avoid any contamination of the goods, besides avoiding the huge cumulative storage charges.

Any importer is very much aware of the fact that his goods would be

disposed in Auction by the Customs Authorities in the event the goods are not cleared from the Port within 30 days of landing at it. No importer can, therefore, afford to cause any congestion at the Port by delaying the clearance of the goods.

May I, therefore, urge the Parliamentary Committee to kindly look into the following covering all the cases of waivers (amounting to Tk 14.69cr):

1. Does the Port / Shipping Ministry have the "authority" to waive the storage charges on the container/cargo and did the Ministry act in accordance with that "authority" to grant those waivers (amounting to Tk.14.69cr)?

2. Was each case of waivers processed from the Chittagong Port Authority to the Shipping Ministry on the application filed by the authorised Clearing & Forwarding Agent of the Importer? It may be noted that no importer/exporter is allowed to process any docu-

ment/paper directly for any transaction at the port and all businesses must be conducted through the authorised Clearing & Forwarding Agents only as required by both the Customs & Port Authority.

3. The Parliamentary Committee will find it much easier to analyse each and every case if it summons all the files of such waivers both from the Shipping Ministry & the Chittagong Port Authority & also summons the relevant Clearing & Forwarding Agents, Importers & the concerned officials of the Chittagong Port & the Ministry.

4. How long each & every container/cargo remained at the Port & enjoyed the waiver granted by the Minister? Did the Port Authority & the Customs Authority issue any Auction Notice on the Container/Cargo? Was any cargo put on auction?

5. How many Clearing & Forwarding Agents in total were involved in processing the waiver cases?

6. How many cases of such waivers were processed to the Ministry between July 2002 & May, 2005 & what was the total amount of waiver asked for & what was the total amount of waiver granted?

7. What sort of recommendation the Port Authority gave on each case of waiver, specifically by the Director of Traffic, Chittagong Port & the Chairman?

8. Was there any case of waiver granted by the Ministry directly without the file being initiated & processed by the Port Authority? I am really baffled by the waiver of such huge amount, thereby causing a substantial loss of the public revenue and I sincerely urge the Parliamentary Committee on the Shipping Ministry to look into the above meticulously and also to close the loopholes to safeguard revenue.

Concerned citizen  
Brooklyn, New York