

## Nine-hour ordeal a shame for the ministry

Use the lessons learned or be damned

THE strike by Biman employees -- which brought all the seven airports in the country to a complete standstill for nine hours -- has raised a plethora of questions in the public mind. The situation left the incoming passengers in utter distress and the foreign airlines in great confusion.

We would like to take issue with the parties concerned -- the government or the ministry, the Biman authorities, Biman employees and the civil aviation authority at the airports. The ministry and Biman authorities, through their nonchalant attitude towards, and callous handling of, the employees' simmering demands, virtually courted eruption of these as on Tuesday.

There is clearly no mechanism to stop any agitation snowballing into a full scale crisis. Biman has become a hotbed of employees' problems, strident trade unionism, management sloth and operational inefficiency, all in a dangerous brew. The strike call by the Biman employees without notice showed total disregard for the passengers and the foreign airlines. Some airlines had to reroute their flights but those landing at the airports had to pass through an excruciating ordeal. Passengers didn't get their luggage, many had to go home without their personal effects and those seeking onward connections did not know what would to do. The passengers had to suffer because of the extremely irresponsible behaviour on the part of the Biman staff.

The airport authorities on their level also failed miserably in their duty. There was a total blackout on information which added to the sufferings of the passengers. And they failed to ensure the basic amenities like power and water supply for the long-waiting passengers.

All this is a reflection of the way Biman and civil aviation authorities have been working. They have to perform better, or else the government has to intervene to set things right.

The strike cost Biman at least half a million US dollar by one count, which is a blow to the fragile financial health of Biman that has been in the red year after year. The strike couldn't but tell upon its goodwill.

## Ghost in the record room

Scooping investigation to identify culprit imperative

THIS is rather disturbing. It is now taking place right in the middle of the administration: the tampering with and spiriting away of some vital official records in the establishment ministry. Although it is somewhat comforting to see that the parliamentary standing committee on establishment ministry has asked for a report from the ministry on the missing and interpolation-tainted government officials' annual confidential reports (ACRs), rather disquietingly, it's upon a reference made by the standing committee to the ministry concerned that it has formed a committee to probe the matter. In other words, the establishment ministry didn't act on its own.

Now that an enquiry, a departmental one, though, is getting underway, it should be undertaken with utmost sincerity and seriousness. No attempts should be taken to hide facts or push things under the carpet. We have experienced how lapses of the kind were overlooked or hushed up in the past, to say nothing of reports having been submitted never seeing the light of day. No undue delaying of the process of enquiry should take place on the plea that "a thorough and extensive enquiry is being undertaken through detailed examination of governmental records and interviews of officials etc and hence the delay."

It is not understandable as to why the systems of the neighbouring countries have to be reviewed at this stage when we have a specific case of omissions and commissions on our hands to dispose of. Only after this specific enquiry is over, people responsible are identified, individuals found guilty of the act/s are punished, then and only then we may consider consulting the systems of the neighbouring countries with a view to improving our own.

It is important to remember that a repetition of the incidents like these will have a dampening impact on the entire civil service, taking into account the possibility that the disaster itself may have only shown the tip of the iceberg.

The enquiry should be most transparent, swift and subject-specific. Any half-hearted treatment of the issue will leave the rot festering not just for this government but also for future governments.

The missing records issue, if not resolved, could undermine the professional quality of the entire decision making process of our bureaucracy. It will also raise questions in the minds of government officials themselves as to who gets promoted, sidelined or awarded "punishment", why and how? The cause for demoralisation is for all to see.

## Pure Food Ordinance

Will the amendments meet people's expectations?

M ABDUL LATIF MONDAL

THE parliament passed Bangladesh Pure Food (Amendment) Bill, 2005 on 19 September. The local government, rural development and co-operatives minister introduced the bill in the house on September 13. The bill passed by parliament becomes an act of parliament after the president assents to it.

In view of widespread adulteration in different categories of food namely cereals, starchy tubers, vegetables, meat and fish, fruits, eggs, milk and milk products, fats and oils, and flavourings and stimulants in the recent years, there has been persistent demand from the civil society members, the media and the consumers association of Bangladesh (CAB) for enacting a tough law to prevent adulteration of all varieties of food. The government has, however, gone for the amendments of certain sections and subsections of the half-century old pure food ordinance (PFO), 1959. In the statement regarding objects and reasons of the bill it has been said that the provisions in the PFO, 1959 have not provided for adequate punishment to the adulterators of food. Meanwhile, the development of new technologies has contributed to the production and marketing of quality food on the one hand, and their misapplication increased the adulteration of food on the other hand. In order to help combat the rising problem of food adulteration effectively, amendments to certain provisions of the ordinance and addition of some new provisions to it have become necessary.

The amendments and additions that have been made in the PFO, 1959 mainly relate to the following areas.

**Definition of food:** The definition of food in the PFO, 1959 was a generalised description. The amended definition has specified in detail the names of different food items that would come within the purview of

the Act. Specifying local authorities to conduct drive to combat food adulteration: Local authorities empowered to conduct drives to combat food adulteration have been specified in the amendments. These include six city corporations, paurashavas (municipalities) and such authority or person in any other local area as notified by the government.

Constitution of a National Food Safety Advisory Council (NFSAC): Provision has been made for the constitution of the NFSAC headed by the local government, rural

Penalties: The act has revised (a) minimum and maximum fine or imprisonment or both for a first offence, (b) minimum fine or imprisonment or both for a second or subsequent offence and (c) maximum fine and imprisonment for a second or subsequent offence. For instance, for the first time offence for manufacturing or selling of adulterated or stale food which is not of proper nature, substance or quality the minimum and maximum fine or imprisonment has been raised to Tk five thousand and Tk fifty thousand or a period of maximum six months and three

years respectively from earlier Tk two hundred and Tk two thousand or three months and six months respectively. For the second or subsequent offences relating to above, the minimum fine or rigorous imprisonment has been raised to Tk fifty thousand or a period of maximum three years from earlier Tk two thousand and six months. The maximum fine and imprisonment has been raised to Tk two lacs and three years from the previous Tk four thousand and rigorous imprisonment for one year, respectively. The maximum punishment in the bill is Tk three lacs and rigorous imprisonment for three years for the second or subsequent offences like resisting or obstructing entry into any premises of authorised person or inspector, resisting or obstructing inspection, examination or seizure by authorised person or inspector.

The PFO, 1959 contained 49 sections. Bangladesh Pure Food (Amendment) Act, 2005 amends some sections of the PFO, 1959 and creates a few new sections. Elabora-

September 21 writes that Bangladesh Pure Food (Amendment) Bill, 2005 passed in the parliament prescribes a fine of Tk three lacs and three years' imprisonment as maximum punishment for adulterers of food.

As stated above, the bill was introduced in the house on September 13. The parliamentary standing committee on local government, rural development and co-operatives ministry was given only three days to scrutinise the bill. It is learnt that amendments suggested even by the treasury bench members in the committee were not accepted. Further, adulteration of food affects people at all strata of the society. Enactment of law on the purity of food is thus a matter of general public interest. But the bill was not circulated for eliciting public opinion. Furthermore, some people think that through the hurried passage of the bill the ruling alliance wants to make some political gain. The government has already started trumpeting the passage of the bill.

Many have expressed opinion that the provision of three years' jail and a fine of Tk three lacs as maximum punishment is not enough for the offence of food adulteration.

Incorporating provisions in the law such as involvement of local bodies in the anti-adulteration drive through having their representatives as public analysts of food, constitution of NFSAC and establishment of pure food court will not help solve the problem of manufacture and sale of adulterated food unless improvements are made in

development and co-operatives minister and consisting of the representatives of the ministries and departments concerned and the representative of FBCCI. The functions of the NFSAC have been delineated.

**Prohibition of sale or use of poisonous or dangerous chemicals, intoxicated food colour:** The use of any poisonous or dangerous chemicals or ingredients or additives or substances in any food has been prohibited. Their sale for use in food has also been prohibited.

**Establishment of pure food court and its power and jurisdiction:** Provision has been made for the establishment of one or more pure food court (s) in each district and each metropolitan area. Each court will consist of an officer vested with the powers of a first class magistrate, and he will award punishment as provided in the bill passed by parliament. An appeal against the judgement of a pure food court shall lie to sessions judge or the metropolitan judge.

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## Why this unending political restructuring?



M B NAQVI  
writes from Karachi

HERE is much speculation that President Pervez Musharraf is going to convert his regime into a presidential system of government. Chaudhry Shujaat Hussain has almost confirmed it when he talked of national Parliament's approval. Such political restructuring has gone on in Pakistan from almost the beginning. As soon as the post-independence democracy collapsed, a bureaucratic-military coterie could manipulate the democratic system at will. Any number of prime ministers was shuffled by Iskandar Mirza and earlier Governor General Ghulam Muhammad.

Ayub Khan put an end to that charade of democracy and declared Martial Law or a one man rule. First thing he did was to construct, bit by bit, an authoritarian structure called Basic Democracy. The centre of the system, where all power resided, was the dictator. The people had paper rights under his 1962 Constitution. Reality behind those rights was a judiciary subordinate to the President -- as was bureaucracy and Army. He ruled for over 10 years but faced two challenges: Other generals and the common citizens never gave his rule legitimacy. East Pakistanis were louder and more determined; they insisted on their rights.

It is not understandable as to why the systems of the neighbouring countries have to be reviewed at this stage when we have a specific case of omissions and commissions on our hands to dispose of. Only after this specific enquiry is over, people responsible are identified, individuals found guilty of the act/s are punished, then and only then we may consider consulting the systems of the neighbouring countries with a view to improving our own.

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In the West Pakistan too people converted the 1964 Presidential election campaign into an agitation under Miss Fatima Jinnah. After that popular discontent grew and in 1968 a few sporadic incidents soon morphed into an agitational movement and East Pakistan flared up by Sheikh Mujibur Rahman's trial. Soon a political agitation of exceptional intensity gripped the country, demanding the reintroduction of democracy without any

cal architecture was to get rid of East Pakistan and to rule West Pakistan ever happily thereafter. The proof of his wanting to go on ruling was that on 20th of December 1971, he circulated his own Constitution. But a revolt in GHQ and generals chose a civilian politician, ZA Bhutto, to become the Martial Law Administrator in place of Yahya.

Bhutto was a leader of PPP that had won a majority of West Pakistan seats in National Assembly that finally met after Bangladesh

Ziaul Haq made sweeping changes in the political structure, though the fib was that the Constitution has not been abrogated; it is only in abeyance. Virginity of Pakistani democracy, such as Bhutto had theoretically established, disappeared in thin air. Zia chose to wrap his detestable dictatorship in Islamic raiment. He initiated an unending national debate over how un-Islamic democracy is. He spent a fortune on propaganda against democracy. His Islamic laws were all

their programmes and policies; parties come centrestage. When individuals go to their neighbours and ask for votes for purely personal reasons. Willy nilly, he appeals to their brادرées or tribe or sect or maslak. This is a prescription for dividing the society and for preventing political parties from emerging - by draining away the life blood of a political party through banning political activism by the citizenry. All Martial Law and authoritarian regimes have prevented free poli-

But the Army quickly discovered that influencing a nonpolitical President was no big deal. They operated through the President and had all the four succeeding governments dismissed prematu-

Zia's structure continues till today. What General Pervez Musharraf has done is to revive the system as it was, with all the special powers of the President. Although Musharraf in altered exigencies does not talk much of Islam; but enlightened moderation or a moderate and modern Islam is what he promotes. But has all the un-trammelled powers of Zia's system plus all safeguards of Musharraf and Army thought they needed, thanks to the Supreme Court. He now is the sole master of the political system; judiciary, parliament, bureaucracy and Army obey him implicitly.

The point is his methodology is redolent of how Ayub and Yahya conducted their politics. Like Ayub he held non-political elections for his local governments. He seeks like all of them to keep the people divided along the lines of 'brادرées', tribes, sect or even 'maslak'. Politics is not for the common man. Parties are to remain confined to their own confabulations in drawing rooms, press statements or interviews to the media. They are prevented from holding public meetings and taking out processions by devious means.

Little needs to be said for the five political governments that followed Zia's death. The first was dismissed by himself. The second, third, fourth and fifth were run by Ms. Benazir Bhutto and Mian Nawaz Sharif -- originally a protégé of the Army but later outgrew his political antecedents. He today stands for total ouster of Army from the political sphere and admits his own fault in trying to improve upon Zia's supposedly Islamic political system in order to make his own power supreme through another Constitutional Amendment that was prevented by the Army. This system is tailor made to concentrate all powers in the President who was expected to be the military dictator himself.

It is a different matter that Musharraf cannot take back freedom from the press and media, though his regime has its own preferred ways of dealing with troublesome journalists. Partly journalists have won it the hard way and partly the US wishes to make it impossible to run as tight a ship as Ayub, Bhutto or Zia ran.

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## PLAIN WORDS

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adjectives, Basic or any other. But in the nick of time, Army produced another dictator who seized power from Ayub. The latter had accepted most of protesters' demands but Yahya preempted him and later events resulting from his bunglings and blunders are wellknown. His short career encapsulates what all dictators try to do: he began by giving a free election to please the people. Despite his cynical intentions, voters set all his schemes to naught. Two big parties emerged. Both were anxious to take power. His clumsy tactics in East Pakistan finally took the shape of military operations against Awami League and the people of East Pakistan. A civil war ensued and that led to a war with India and finally to defeat and dismemberment. Some argue that purpose of Yahya's politi-

emerged. For first two years, Bhutto ran a presidential system but had to take everyone on board after 1971 jolt to prevent West Pakistan disintegrating. Wisely, he chose parliamentary democratic system, though his own prepossessions and proclivities were authoritarian. He proceeded to amend his own (1973) Constitution to rule like a dictator. But he decreed cascading reforms, mostly well meaning but ineffective. He made much of two land reforms, none of which was implemented to dispossess any big landlord; only a small number of landlords lost some land, usually barren. But large sections of landed gentry retained what they had. Big aristocrats continue ruling the roost to this day. But Bhutto's rule came to an end in just over seven years and was hanged for his pains.

penal in character except the changes in the Law of Evidence. He opened the door wide to religious and political contention. His politics divided the people in various brادرées, sects and ethnic entities so that new organisations will take up some of the space occupied by traditional centrist parties like Muslim League and PPP. He nominated a toothless Shoora and called it Parliament. That was the pith of his Islamic restructuring. All power was located in his person and every aspect of social life was under the control of the government. He ruled for 11 and a half years and did his best to de-politicise the society.

An abiding feature of all political restructuring by military dictators is that they favour non-political elections. The reason is because politicians solicit votes on the basis of

political meetings and rallies have been the betes noire of authoritarian rulers.

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After all, if people cannot appreciate something what is the value of the creation? I think some carefully chosen artwork could be placed on the walls. That could be a mural depicting our rich cultural and social history and so many other things. If the creative brains start thinking about it and they get patronisation, they can really do good work.

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TO THE EDITOR TO THE EDITOR TO THE EDITOR

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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.

### International agencies

In our country there are lots of donor agencies and international NGOs which are working in different areas. To conduct their business they give advertisements for filling up various positions, but most of the time they have their own people for those positions. They avoid violation of rules through giving those advertisements. Sometimes they call the candidates for interview. But that is really immaterial.

People are wasting time and money and dreaming of getting a job with an international organisation. The issue deserves a closer look.

One-mail

### Soul searching

As an ordinary citizen of this country, I am requesting all my fellow citizens to stop and think about the recent