

Powerful quarters prevail over eviction drive

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Although there is a non-partisan caretaker government at the helm and it is boldly evicting illegal encroachers -- a task that partisan elected governments failed to accomplish, Rajdhani Unnayan Kartripakkha (Rajuk) still reminds us of Rajuk's failures during partisan governments as it recently backed off from several eviction drives facing resistance from influential and powerful quarters.

Rajuk set another example of giving in to vested quarters when Rajuk officials on January 18 launched and soon pulled out of an eviction drive against Partex Holdings for its much talked about encroachment on Gulshan lake on Mohakhali-Gulshan link road.

Soon after bulldozers started knocking down the boundary walls of Partex Holdings, MA Hashem, chairman of Partex Group and also a former member of parliament, came out of his office along with his employees to prevent the Rajuk move.

Hashem took Rajuk magistrate ASM Emdadud Dastagir aside and had a few words with him in private. And that did the magic. The magistrate ordered Rajuk officials and workers to stop the demolition -- that had started only 15 minutes back.

Although "Partex Group grabbed more than one acre of land encroaching on the lake and a portion of the road," we could not do anything since its chairman Hashem claimed to have a High Court stay order on

the building and the boundary walls, reasoned executive engineer at Rajuk Shah Didarul Alam Shamim.

While arguing with the magistrate, Hashem was overheard as saying, "If you demolish mine, you will also have to demolish Brac Centre Inn and other high-rises encroaching on the lake in this area. I have the right to construct a building on my land. regardless if our possession is illegal or not, Rajuk has no authority to do anything while an injunction from the court is in effect."

The Partex group chairman also claimed that he had purchased the land from Hotel Wahedabad for Tk 20 crore in 2004.

"We have done what we wanted to do," said magistrate Dastagir when asked what made him withdraw the eviction drive all of a sudden.

However, another Rajuk official present on the scene, executive engineer Uzzal Mallik, contradicted the magistrate's statement. He said the Rajuk chairman had directed them to pull down the entire unauthorised one-story structure including the boundary walls of Partex Holdings.

In the mean time, on the same day, despite having a High Court stay order, Mosharraf Hossain could not stop Rajuk from demolishing his house located on Plot 15, Road 32 at Gulshan.

High Court stay order did not work in the case of High Speed Group either. Rajuk officials demolished its boundary walls



The unfinished eviction drive of Rajuk at the premises of Partex Holdings at Gulshan

surrounding a 2.5-katha public land by the lake (house 36/A, Road 118) even after employees of High Speed Group produced a copy of a stay order issued by the High Court for "peaceful possession of the

petitioner."

Coincidentally, Rajuk magistrate Dastagir, who pulled out from Partex Holding eviction, was in charge of this demolition. This time Dastagir sounded much more determined and

said, "We have to carry out the eviction of illegal possessions in public interest. If need be, we will apologise to the higher court."

"All of this is a mere staged drama," said a frustrated resi-

dent of Mohakhali area requesting anonymity. "We saw this ridiculous play staged by Rajuk many times before with hardly any example of sustainability."

Rajuk contradicts itself enormously when it evicts a few

illegal lake grabbers despite court injunction in the name of public interest while at the same time it spares some influential individuals on the pretext of court injunction, said architect Iqbal Habib, who has long been associated with the lake both as a consultant and as an environmentalist.

"This is just a sham. Demolishing a boundary wall is just eyewash. This is targeted at earning Rajuk's popularity. Rajuk demolished such boundary walls many times before. What we really want to see is a transparent and accountable Rajuk," Iqbal said.

Iqbal, who is also a member secretary of Bangladesh Poribesh Andolan (Bapa), further said, "Partex Group filled up the Gulshan lake in broad daylight, but none of us including Bapa could prevent them because the authorities remained inactive in the face of political influence."

"It is true that an eviction (drive) is aimed at expulsion of illegal possessors and reclaiming the grabbed land," said chairman of Rajuk KAM Haroon, adding, "But in most cases, such action is crippled by court injunctions or stay orders obtained craftily by the grabbers against the Rajuk move."

Court injunction has been the main obstacle that did not allow Rajuk to knock down the main building of Partex Holdings, Haroon explained.

"The piece of land Partex Group now possesses includes a great chunk of the Gulshan-

Banani lake filled with earth," said Haroon. "No one can occupy a water body even if it was purchased from a private owner."

However, "We have brought it (Partex Holdings' boundary wall) down" since they erected the wall right on the road, he added.

Rajuk chairman further said, "The moment we serve a notice on an illegal occupier, the court stays it, in which case we can hardly do anything."

According to sources, many influential people telephoned the Rajuk authorities following the recent eviction drives.

Director of Bangladesh Environmental Lawyers Association (Bela) advocate Syeda Rizwana Hasan said the ground on which Partex Group filed a petition with the High Court is that Rajuk served only the final notice without serving two prior notices. The court could issue the injunction because Rajuk did not contest the allegation.

"Though Partex Group built a one-story building on the occupied land, it has not yet been able to submit any building plan -- simply because it does not have established ownership on the land," Rizwana added.

Rajuk is still to evict around 320 encroachers from Gulshan-Baridhara-Banani lake including around two dozens very powerful ones.

Toxic wastes menace

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According to a survey jointly carried out by Department of Environment (DoE) and Canadian International Development Agency (Cida), more than 7,000 factories are located along the rivers and canals in Dhaka.

These factories, excluding the tanneries at Hazaribagh, discharge more than 60 million litres of toxic waste daily into the waters, land and air. The tanneries add to the massive pollution by pumping an additional 7.7 million litres of highly toxic liquid wastes directly into the nearby canals and the river Buriganga.

The tanneries also dump 135 tonnes of solid wastes into the river per day. Factories in Tejgaon industrial area drain wastes into the Begunbari canal that winds its way into Norai canal and the river Balu.

According to experts the most polluting industries in the city are tanneries, textile, pharmaceutical and chemical industries. As these toxic wastes accumulate on vast stretches of lands, the groundwater gets charged with contaminated

water.

According to Dhaka Wasa, the annual water extraction in Dhaka city was 130 million cubic metre in 1983 while in 1999 it rose to 350m cubic metre. The private annual extraction in 1991 was 25m cubic metre while in 2004 it was 125m cubic metre.

The experts suggested that the government should take a programme to prevent city's groundwater from being polluted by toxic waste and over-extraction.

The programme may include protecting the present water bodies and increasing the use of surface water. The water from rivers like Dhaleswari and Padma can be used.

"At present the government is using some water from Shitalakhya river through the process of water treatment plant. If the government find it feasible then more rivers can be brought under the programme," suggested Prof Hoque.

The tangle of warranty

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informed me (at the time of the sale) of the articles excluded from the warranty and explained all terms and conditions of the warranty, but they were just too eager to complete the sale."

"Not everything in a product falls under warranty, you won't get any warranty for remote control of a television or a laser reader of a CD player according to our warranty policies," said Hiralal, a sales official of MK Electronics.

"We have certain policies when it comes to warranties and all terms and conditions are clearly explained in the legal documents including the warranty card provided with the merchandise, but they (customers) barely take any time to read them and later come back with outrageous demands," he added.

According to Kazi Faruq, general secretary of Consumers Association Bangladesh (Cab), since every retailer tends to have different warranty policies for different products, it is a retailer's

ethical and professional responsibility to clearly explain their warranty policies to the prospective customers before completing the sale.

"Warranty policies become a topic of dispute and confusion sometimes -- partly because of the retailers who are too busy making the sale rather than explaining consumers about terms and conditions of their warranties, and partly because of the consumers who barely read the warranty documents before making the purchase," observed Faruq.

"The length of a warranty shouldn't be the sole reason to buy or not buy from a retailer. However, it's a variable that a smart consumer should consider when shopping around for the best product. Consumers should thoroughly read the warranty documents and clear any confusion before purchasing anything," he added.