

Enact law to empower the poor

Legal, development experts tell national consultation meeting

STAFF CORRESPONDENT

The poor and those involved in the informal business sector should be brought under a legal framework in order to establish social justice system, legal and development experts said at a national consultation meeting yesterday.

They said the poor, especially in the developing world, live in fear of forced eviction and become victims of corruption and violence for not having property rights and access to justice.

The UN Commission on Legal Empowerment of the Poor (CLEP) in collaboration with the School of Law, Brac University, organised the meeting on thematic issues at Brac Inn Centre in the city.

It should be ascertained how the existing legal structure and malfunctioning of laws deprive the poor of their

rights, said eminent jurist Dr Kamal Hossain who chaired the meeting.

Properly identifying the impediments will help lift the poor out of poverty, he noted.

The people are at the centre of development and all should have equal access to amenities, employment and resources to reach the goal, he added.

"We must look at how laws can support the poor," Dr Kamal said.

The lawmakers who promised to change the fate of the poor before the elections have simply forgot their promises, he said, mentioning that hawkers and slum dwellers are now being evicted as they do not have legal documents although they are entitled to housing and employment facilities for their survival.

"We hope that the MPs who will sit in the next parliament will formulate

laws for the poor and those in the informal sector," he said.

Co-chairing another session, renowned economist Prof Rehman Sobhan said the fate of the poor would remain the same unless they are legally empowered both in democratic and economic spheres of life.

Conditions must be created where the poor are entitled to equal opportunities and equal rights to property, resources and democratic process, he said.

Brac founder and Chairperson Fazle Hasan Abed said the poor everywhere are out of legal framework. As a result, they do not have access to banking and housing facilities and even fail to get identity cards or passports, he added.

Abed, also member of CLEP, said the commission is working to simplify the registration process of businesses

in the informal sector so that the authorities cannot arbitrarily drive the poor away, depriving them of their right to survive.

Both Fazle Hasan and Dr Kamal Hossain think that the government should take the human rights issue into account during the eviction drive against hawkers and slum dwellers.

Law Adviser Barrister Mainul Hossain said the poor should be brought under legal framework to establish their rights.

The government is also taking steps to rehabilitate hawkers and slum dwellers, he said, adding that determining who are the genuine evicted people, however, is a practical problem. "We are working to solve it."

According to a mission statement of CLEP, the majority of the world's three billion poor live their lives outside the rule of law, without the basic legal protection.

"Without enforceable labour laws, they suffer from unsafe and abusive work conditions. If they own an informal business, they cannot access the legal business protections that entrepreneurs in the developed world take for granted," the statement said.

Thus, they are locked out of economic opportunity in their own countries and in the global services, said CLEP Executive Director Naresh Singh.

As the poor have no access to basic public services and justice, the ability of the poor to create wealth is frustrated, he said, adding that their dignity is violated due to lack of access to justice.

Barrister Amir-Ul Islam, Supreme Court Advocates Sharif Bhuiyan and Shahdeen Malik and development experts Shamsul Bari and Khushi Kabir also spoke.

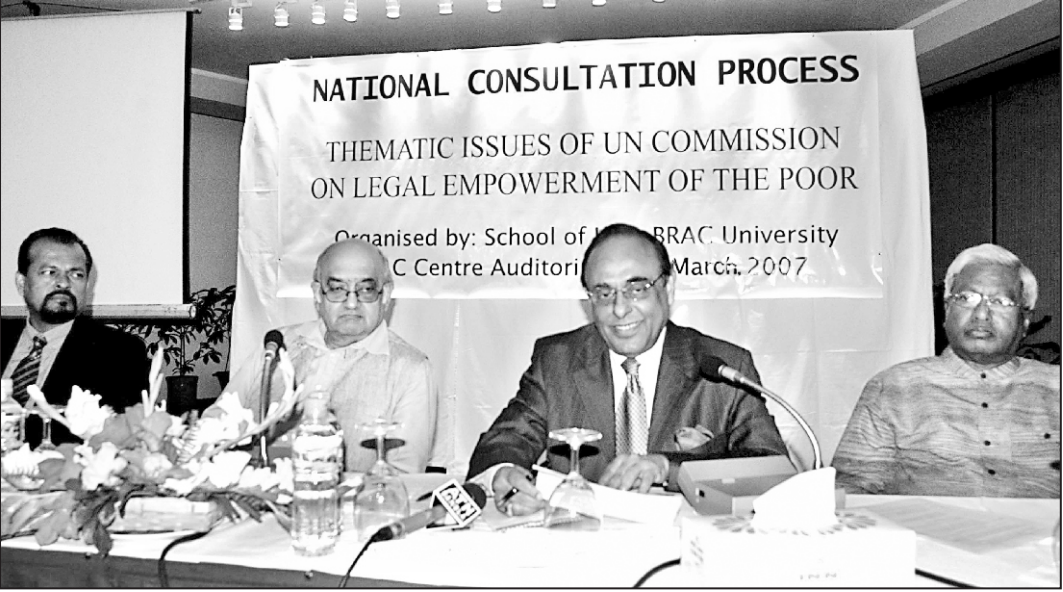


PHOTO: STAR

Law Adviser Barrister Mainul Hossain speaks at the concluding session of the National Consultation Process on the Thematic Issues of the UN Commission on Legal Empowerment of the Poor (CLEP) at Brac Inn Centre in the city yesterday. On his right are Prof Rehman Sobhan and Naresh Singh and on his left is Fazle Hasan Abed. UN Commission on Legal Empowerment of the Poor and Brac University School of Law jointly organised the event.

ICDDR B SCIENTIFIC CONFERENCE BEGINS TODAY

'Child mortality to be cut by two-thirds within 2015'

UNB, Dhaka

The 11th Annual Scientific Conference (ASCN) of International Centre for Diarrhoeal Disease Research Bangladesh (ICDDR,B) begins at its Sasakawa auditorium in the city today.

This year the theme of the conference is 'Partnerships in Achieving the Millennium Development Goals.'

Since 1991, ASCN has been the platform for disseminating research findings of ICDDR,B to healthcare providers, health planners, administrators, medical educators, policy and decision makers, donor community and other development organisations.

The inaugural function of the three-day conference was held at the Radisson Water Garden Hotel yesterday.

Inaugurating the function, Health Adviser Major General (Retd) Dr ASM Matur Rahman said the GDP growth rate has to be raised to seven percent on average to achieve the poverty reduction target as envisaged in the Millennium Development Goals.

He said the government intends to adopt a medium-term pro-poor macro-economic framework from the next fiscal year.

The adviser said Bangladesh might be one of only six countries from among the developing world that is poised to be successful in reducing the mortality of under-5 children by two-thirds within 2015.

Dr Matur identified HIV/AIDS as one of the recent emerging issues that has been taken seriously by the government with several measures,

including national committee for the prevention of HIV/AIDS, safe blood transfusion programme, and HIV/AIDS prevention projects.

Prof Henry Mosley of the Department of Population, Family and Reproductive Health of Johns Hopkins Bloomberg School of Public Health, Baltimore, USA presented the keynote paper at the inaugural function.

In his paper titled 'Transforming Health Systems to Facilitate the Household Production of Health in Developing Countries,' Prof Henry identified three key issues confronting the production of health in developing countries.

These are obstacles in making investments in health interventions more effective and efficient, ensuring greater equity in access to the knowledge, skills and technologies that facilitate the production of health, and sustainable health outcomes.

The inaugural function was also addressed by ICDDR,B Executive Director David A Sack MD, Deputy Executive Director Alejandro Cravioto and Prof Dr Richard Cash of USA.



PHOTO: STAR

Alan Field, regional manager (South Asia) of Edexcel International, speaks at a seminar on 'Potential of BTEC Qualifications in Bangladesh' at Dhaka Sheraton Hotel yesterday.

Dry weather likely

UNB, Dhaka

Weather is likely to remain mainly dry with partly cloudy sky over the country in the next 12 hours until 6:00pm today.

Rain or thundershowers accompanied by temporary gusty or squally wind is also likely at one or two places.

Met Office said day temperature may rise by 1-3 degree Celsius over the country.

Highest temperature 31.6 degree Celsius was recorded yesterday at Cox's Bazar and lowest 14.0 degree Celsius at Sirimongal.

The sun sets in the capital at 6:02pm today and rises at 6:17am today.

Highest and lowest temperature and humidity recorded in some major cities and towns yesterday were:

| City/Town | Temperature In Celsius | | Humidity in percentage | |
|-------------|------------------------|------|------------------------|---------|
| | Max | Min | Morning | Evening |
| Dhaka | 28.0 | 17.6 | 52 | 40 |
| Chittagong | 30.6 | 18.0 | 79 | 71 |
| Rajshahi | 27.0 | 15.2 | 72 | 64 |
| Khulna | 28.0 | 17.6 | 80 | 62 |
| Barisal | 29.5 | 17.0 | 84 | 61 |
| Sylhet | 28.7 | 14.7 | 74 | 46 |
| Cox's Bazar | 31.6 | 19.4 | 68 | 62 |

Seminar on BTEC qualifications

A seminar on 'Potential of BTEC Qualifications in Bangladesh', organised by the Edexcel International, was held at Dhaka Sheraton Hotel yesterday, says a press release.

Speakers at the seminar said that the demand for internationally recognised qualifications are increasing very rapidly because of globalisation.

Alan Field, regional manager (South Asia) of Edexcel International, conducted the seminar while Saidur Rahman, country manager, deliver the welcome speech. Shahin Reza, regional operations manager, was also present.

Vice-chancellors/representatives from private universities and heads of different institutions attended the seminar.

Edexcel is the UK's largest educational awarding body and a part of Pearson Plc, the world's largest education services organisation.

In Bangladesh, Edexcel is offering GCE O & A levels qualifications over the last 35 years through British Council. It also offers BTEC qualifications -- more than 500,000 students study BTECs each year as a leading vocational route into employment, further or higher education.

Independence Day Debate Competition begins

STAFF CORRESPONDENT

The 'Independence Day Debate Competition', organised by ATN Bangla, a private satellite channel, began in the city yesterday with the slogan 'Let conscience be reflected in the mirror of logic.'

ATN Bangla Chairman Mahfuzur Rahman inaugurated the competition at its studio at Bashundhara City.

A total of 16 colleges in Dhaka city, including Vagurnnisa Noon College, Residential Model College, Holy Cross College, Shahid Anwar Girls' College, Rifles Public College, BAF Shahin College, St. Joseph High School and College and Dhaka Imperial College, are taking part in the competition.

Two sessions of the debate competition were held on the first day.

Chief Adviser to ATN Bangla Saiful Bari and Senior Vice-President (programme) Nawazish Ali Khan were present at the inaugural ceremony as special guests while Debate for Democracy Chairman Hasan Ahmed Chowdhury Kiran delivered the welcome address.

The programme will be aired on ATN Bangla two days a week.



PHOTO: STAR

Campaign for Good Governance organised a discussion on 'South Asian Mass Solidarity and Saarc' at Cirdap auditorium in the city yesterday. From right are former adviser to the caretaker government Sultana Kamal, Rezaul Karim, Mohsin Ali, former adviser to the caretaker government CM Shafi Sami and Mohammad Zamir.

AL, BNP demand timeframe for polls as early as possible

STAFF CORRESPONDENT

Leaders of both Awami League (AL) and BNP yesterday said the current state of emergency should not continue more than 120 days for the interest of democracy.

They urged the caretaker government to announce a specific timeframe for holding the stalled parliamentary elections as early as possible.

BNP central committee member and former commerce minister Amir Khosru Mahmud Chowdhury and AL Presidium Member Kazi Zafarullah were taking part at a discussion titled 'Bangladesh Sanglap' at the Bangladesh China Friendship Conference Centre in the city.

BBC Bangla Service and BBC World Service Trust organised the debate programme moderated by senior producer of BBC Bangla Service Kamal Ahmed.

"The state of emergency should

not continue more than 120 days according to the constitutional provision and there should be a specific timeframe for holding the next general election," said Zafarullah, adding that the interim government should take necessary steps to hold the election within the stipulated 90 days.

Khosru Chowdhury said, "No government can continue for an indefinite period and the election is a must for the continuation of democracy."

He said apprehension might be created if this government continues its tenure for long.

Echoing the remarks made by Khosru and Zafarullah, former adviser to caretaker government Sultana Kamal said the interim government has no policy-making authority.

She urged the government to make public what they want to do.

But another panellist Ilyas Kanchan, a popular actor and cam-

paigner for Road Safety, said before holding the election it is important to bring the corrupt politicians to book and for this reason the government may take time to hold the election.

In reply to a question, both the BNP and AL leaders appreciated the ongoing drive against corrupt people and said alongside the politicians, the corrupt bureaucrats, businessmen and other professionals need to be netted.

They said steps are also being taken to reform their parties.

About the proposed internationalisation of Chittagong sea port, the discussants said it should be modernised through increasing efficiency in the port management rather than handing over it to any private or international organisation.

Abbas gives park land to brothers, sisters

FROM PAGE 1

Sources said Mirza Abbas (father -- late Abdur Razzak) under the name of Mirza Abbas Uddin Ahmed was the beneficiary of the compensation scheme under LA Case no 63/59-60, who was allotted lands at CS points 1162, 1163, 1165 and 1404 of Khilgaon mouja, as he had been shown as an affected person.

A meeting of the Land Allocation Committee of Khilgaon Rehabilitation Area on 21 March 1996, suggested allotment of 3.3 khata of land at plot no 934/19 for Mirza Abbas.

Erstwhile local ward commissioner Zahiruddin Babul along with former deputy secretary of the housing ministry Sirajul Anwar, former executive engineer of public works department Mohsin Faruq, and former general secretary of the land distribution committee of Khilgaon, Mojammel Haq Bhuiyan were present at the meeting.

All recommendations and decisions of the committee were made under pressure from Abbas, said officials of the public works department, wishing anonymity.

Plots were also allotted to Abbas's sisters Kamala Khatun (plot no A-934/13), Renu Mirza (plot no A-934/14), Ishrat Mirza (plot no A-934/15), Sahida Mirza (plot no A-934/16), Rashida Mirza (plot no A-934/17), and to his brothers Mirza Irshadul Huq (plot no A-934/18), and Mirza Ekramul Hossein (plot no A-934/20) in the same area.

Some more plots were allotted to Asma Mirza, daughter of Abdul Mannan (plot no A-934/23), Monwara Mirza (plot no A-934/22), Mirza Khairul Hossein (plot no yanw-12/1), Saima

Mirza (plot no yanw-101), Mirza Abdus Salam Ronu (plot no jha-17), Muktarun Nesa (plot no yanw-102), Sara Mirza (plot no A-934/21), Mirza Mozammel Haq (plot no yanw-68), and Mirza Farah Momtaz (plot no jha-18).

There was a slum on the open field a few years ago, local residents told this correspondent adding that the immediate past BNP government demolished the slum to build a park there.

Brushing aside the demand of the local residents, former housing minister Abbas allotted the field to his relatives after demolishing the slum, alleged the residents.

The field is now surrounded by walls built under Abbas' instruction, alleged an official of Rajdhani Timber Traders situated close to the field.

"A section of the wall was damaged once when some logs fell on it," said the business official adding, "A sub-inspector of the local police station rushed to our saw mill and ordered us to rebuild the wall by the end of the day saying the order was from Mirza Abbas," he recalled.

A fire brigade station was also supposed to be built on the open field, said local residents adding that the plan could not be implemented as Abbas intervened.

"Abbas grabbed the open field," alleged Nisar Uddin Ahmed, local commissioner of ward no 24.

"A park was supposed to be built here," he said referring to the master plan of Rajuk. "Nothing was implemented as Abbas intervened," he added.

Honufa Begum, a local resident, filed a case with the ACC against Abbas in January, where she claimed

that Abbas had snatched her land showing fake documents.

MIRZA'S REAL ESTATE SCAM

Seventeen buildings, declared abandoned by the immediate past government, were sold by Rajuk through arranged tenders during Abbas' tenure as the public works minister.

BNP's high-ups using their real and false names bought those buildings in the capital's Gulshan, Banani and Dhanmondi areas. The buyers include political secretary to the former prime minister Harris Chowdhury, and former prime minister's nephew Shahrin Islam Tuhin, according to sources.

They bought those buildings in nominal prices, depriving the government of a large amount of revenue. Former housing minister Mirza Abbas was also benefited in various ways through the sales, the sources said.

High rise buildings are now being built on those lands among which were 134.79 khatas of separate pieces of land with eight buildings on them in Gulshan, 112.60 khatas of land with seven buildings on them in Dhanmondi, 7.45 khatas of land in New Eskaton, and 8.14 khatas of land with a building on it in Banani.

A total of 262.98 khatas of separate pieces of land with 16 buildings on them were sold for a total price of about Tk 65.14 crore.

The current average price of a khata of land in those areas is about 25 lakh, according to land speculators. But those lands with buildings on them were sold for half the real average price.

CMC fails to deliver, presses for \$30m

FROM PAGE 1

fulfil contractual obligations. The payments is due on March 18.

The legal adviser has also suggested that if CMC refused to accept the BCMCL's request to extend its Bank Guarantee (BG), which is due to expire on March 7, Bangladesh may encash the BG on the ground that the Chinese company failed to meet its contractual obligations.

While the BG is worth \$12 million, CMC has been pressuring the government to cut it down by about \$8 million after March 7.

Besides, the legal adviser has pointed out that contractually CMC cannot ask for release of a "retention fund" worth \$ 5.1 million in its favour. The government retained this fund to ensure quality work.

In such a situation, representatives of CMC and the Chinese embassy will meet the energy adviser today at the energy ministry.

Sources said the meeting will be also attended by representatives from Petrobangla and the BCMCL.

Meanwhile, coal production from the corruption-plagued Barapukuria mine remains suspended since October last year as CMC stopped work demanding various payments. Some of these payments were related to purchase of mining equipment without any contract. Suspension of coal production has also affected power production at the highly faulty and excessively costly coal-fired 250 MW Chinese-built power plant.

Though the government has already paid China Tk 662 crore in five instalments, CMC has not been able to complete the project even eight years

after the original schedule.

Against this backdrop, Petrobangla, which is the guardian of the BCMCL, changed the BCMCL's top management late last year with the aim to bring life to this Tk 1,600 crore project, now a massive liability to the country. The BCMCL then held negotiations with CMC to resume operation while paying it some of the outstanding dues.

The BCMCL now expects resumption of coal production next week.

While the BCMCL largely succeeded in softening CMC's stance, the Chinese company started insisting on getting various cash payments and benefits. Otherwise, it will not resume coal production, it says.

In this situation, the BCMCL sought legal opinions about these payments.

In a letter on March 1, the legal adviser said, "Since CMC has failed to perform their obligations under the contract repeatedly and also did not discharge their obligation as per their written undertaking, BCMCL can withhold payment of the 6th instalment. Moreover, since the engineer's certificate and the undertaking are not yet issued, there is no legal need to process the payment."

The letter noted that before the payment of fifth instalment in 2006, CMC was given a condition that it must conduct some major rectification work. "CMC undertook in writing that they are obliged not only to rectify the listed items within the Defects Liability Period but also that if any further rectification work... identified following re-inspection, CMC is obliged to rectify the same," it said.

The letter added, "CMC did not

complete the rectification work... although they have given written undertaking to do so before payment of the 5th instalment. This shows an apparent mala fide intention of CMC to make false promise.... This kind of activity is a criminal wrongdoing which amounts to fraud under the law of Bangladesh."

Clearing the BCMCL of any legal obligation to pay the 6th instalment, the legal adviser suggested, "If the government... desires to make the said payment considering the situation prevailing currently on policy ground, then under such explicit directive of the government, BCMCL may approve the payment."

In a separate letter on CMC's bank guarantee, the legal adviser mentioned that CMC has furnished the BG as security to the BCMCL but it could not even complete the mine's work within the Defects Liability Period which is due to expire on March 7. The BCMCL has asked CMC to extend the liability period and the BG to finish its incomplete work.

Since CMC has failed to complete its promised task, the BCMCL can place its demand to the bank on or before March 7.

On the question of "retention fund", CMC wants the BCMCL to pay it \$5.1 million that was retained by Bangladesh as a guarantee of quality works. This fund was created against expenditure under local funds as a measure similar to BG which is issued for expenditure under foreign funds.

But the Chinese company in July 2005 gave the undertaking that "CMC has agreed not to pursue the release of retained amounts for items requiring

... for not following doctor's undue advice

STAFF CORRESPONDENT

An elderly patient was about to be discharged by a doctor at Dhaka Medical College Hospital (DMCH) for not going for medical test at the doctor's prescribed diagnostic centre.

Mabia Begum, 50, of Rayerbagh, Shyampur, was admitted to ward no. 21 (female, medicine) with fever and chest pain on Thursday evening.

Dr Shahidur Rahman, assistant registrar of ward no 2 (male, medicine) and half of ward no 21, referred the patient to Renal Lab at Dhanmondi for four diagnostic tests the same day.

But, the relatives of the patient, due to financial problem, completed three tests at the DMCH free of cost.

Dr Shahidur got angry having seen the test reports of the DMCH instead of the Renal Lab's yesterday morning. He verbally gave the discharge orders of the patient.

The doctor also misbehaved with the patient's relatives when they refused to comply with the orders.

When this correspondent asked for the reason for discharging the patient, Dr Shahidur declined to comment.

Mabia was not released from the hospital finally, as other patients and their relatives at the ward strongly protested at the orders of the doctor.

Sources said Dr Shahidul allegedly used to force the patients under ward no 2 (male, medicine), and ward no 21 (female, medicine) to get the test done from three fixed labs in the city.

CA goes to Barisal today

UNB, Dhaka

Chief Adviser Dr Fakhruddin Ahmed goes to Barisal today to hold a meeting with senior government officials in the country's southern division.

He is also scheduled to hold an opinion-exchange meeting with professionals and elite of Barishal.

The Chief Adviser will return to the capital later in the day.

As part of his series of tours of divisional cities, Dr Ahmed first visited Chittagong on February 27.

Abortive bid to loot Armanitola JB branch

Robbers' attempt to loot the vault of Janata Bank at Armanitola Branch in old part of the city failed, as they could not break the heavy vault.

The police sources said locals found one of the guards, Shafullah, unconscious out of the bank gate and rushed him to the Sir Salimullah Medical College. Later police picked up the guard from the hospital for interrogation.

The police sources said they rushed to the spot at around 9:00am as the manager of the branch Serajul Islam informed them.

Abul Kalam Azad, another guard found the locks broken at the main gate of the bank and he immediately collected two locks and put it on the gate.

Azad soon informed the incident to the manager. Getting inside the bank, the manager and police found scratches and other signs that proved that someone tried to break the vault.

The manager has filed a case with the Kotwali Police Station and police is interrogating the guards they captured.