

## Another tragedy on highway Put highway safety measures without much ado

FOLLOWING the tragedy at Mirsarai, where 44 students were killed in a truck accident, now we have another gruesome bus-truck collision on a highway at Bogra that killed 18 and injured 21. The image of the smashed bus carried by this paper tells you all about the horrifying impact the commuters must have experienced.

After every mishap, we mourn the tragic deaths of hapless passengers and keep urging the authorities to come out with effective measures to put a halt to these preventable accidents but they just wait to happen, which the inaction points to.

This time too, it was purely the driver's fault, by all accounts. An injured passenger said the driver seemed drowsy and was driving recklessly. In spite of warnings to drive carefully, clearly he looked the other way.

It beats all imagination, as to how could the drivers, after hearing of all the accidents that have been taking place all over the country, afford to be so utterly negligent of the simple fact that safety of the passengers was in their hands?

Reckless driving by unskilled drivers, that too with fake licenses; over-speeding and indifference to road signs are the established reasons for accidents to happen.

Now a word about the highway patrol police. This seems to be on paper only because lack of their visibility on highways is conspicuous by itself. The authorities must get a move on this with highway patrol organized along the standard operational practices. Given the rate of accidents this aspect should receive top priority.

Is it that difficult to bring discipline on the highways? Can we not motivate the drivers to be careful, law abiding and sensitive to passengers' safety? This is where the private and public transporters will have to come in a big way to roll back indiscipline on the highway.

The communications ministry, the associations of transport owners and operators and members of the law enforcing agencies should immediately sit, devise effective measures and coordinate to save the lives of a growing number of commuters that hit the streets everyday. The impunity with which the killer drivers escape the hands of law must be put to an end.

## Billboards all over

### Contain the rash

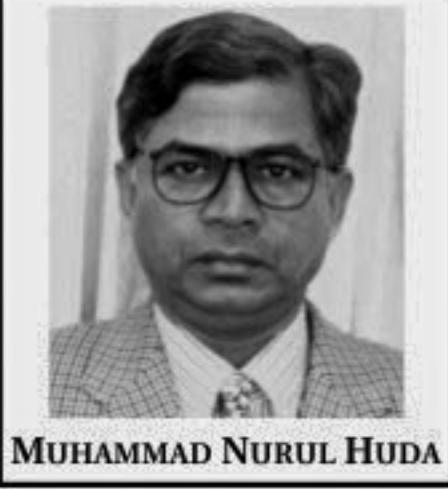
R AJDHANI Unnayan Kartipakhy (Rajuk) last week knocked down over 12 billboards of illegal private housing projects in the city. While the step is appreciated, Rajuk has a long way to go to sustain the campaign and make a marked difference in the billboard-scape.

Hoardings set up haphazardly all over the place are first and foremost an eyesore. Secondly, they are a veritable danger to the passers-by and also vehicles.

A country that prides itself on its greenery and beauty loses out in argument when the cities are rife with jarring billboards. We project our country to the rest of the world as beautiful and friendly and yet the very cities that the visitors land in have a skyline that is dotted with rectangular scraps. Crores have been spent on city roundabouts; there are many elaborate sculptures like that in Kawran Bazaar of Dhaka, yet our eyes are assailed by those contraptions that ask you to simply buy something. It is an insult to our aesthetic consciousness indeed.

There have been countless instances of billboards not standing up to the elements. Lives have been lost due to advertisements that come plummeting down. People walk under signs stuck to walls that usually have not been strength-tested. Some are placed precariously on the edges of old building and markets.

Illegal billboards also fuel illegal trade. They are encroaching on public space whether it is a footpath, the side of a building or even up in the air. We live in consumerist times, yet we miss out on the very fundamental consumer right, that of a skyline free of obstructions. While this may seem trivial at a time when medical malpractices, political strife and price escalation run rampant, it is one of those little things that can



MUHAMMAD NURUL HUDA

UNFOR  
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for the  
Bangladesh  
polity, the  
presidential  
prerogative of  
granting  
pardon to a  
convict has once again generated a lot  
of unseemly heat; and sadly the  
propriety and motive of such action from  
the most exalted public office has  
been questioned in unbecoming language.

Readers may recall that in late

July 2005 similar unease and discom-

fiture was experienced on account of

a presidential clemency shown to a

convict of a double murder case.

It would thus appear that the political  
parties accusing each other of  
grossly misusing the presidential  
prerogative for partisan political  
interests do not stand on a high moral  
ground. To retrace our steps, we

would find that in 2005 there was

justifiable indignation at the indecent

haste that characterised the process-

ing of the case for clemency.

Newspaper reports of the relevant  
time indicate the bionic speed that  
the clemency proposal gathered in its

journey from initiation to ultimate

disposal.

The grant of presidential pardon to  
a convict is undoubtedly an issue of  
significant public concern and the  
said concern finds editorial expres-

sion twice in The Daily Star (July 22nd

and July 25th). The premonition is

that in the fitness of things the clem-

ency in question and that of 2005 do

not appear to be the "Rarest of the

Rare" variety where the use of presi-

dential prerogative was necessitated

by public interest, notwithstanding

the accusations and counteraccu-  
sations of lawyer-politicians across  
the political divide.

Repealing of the presidential par-  
don has been suggested as a remedy  
and the attention of the jurists and  
constitutional experts has been  
sought for a healthy resolution.  
Legally speaking, the government  
retains the authority to exempt  
accused persons from criminal prose-  
cution at different stages of trial and  
also show mercy to the convicted  
and adjudication temperament and  
culture. Between 1976-1979 many  
heinous criminal cases involving

It is, however, desirable that in case

***The moot question is, should standards of justice  
vary with variance in political establishment?***

***The crux of the subject is primarily rooted in our  
political culture. The politicians have to decide  
whether they need rogue and criminal elements  
in furthering their so-called political objective  
even at the expense of their public image and  
social acceptability.***

of pardon the executive must be pre-  
pared to substantiate and justify its  
action on grounds of justice, equity  
and of public policy. There is a need to  
remember that in case of pardon it  
affects both the punishment pre-  
scribed for the offence and the guilt of  
the offender. In other words, a full  
pardon may blot out the guilt itself.

It needs to be impressed upon that  
while the act of granting pardon is an  
executive function the prosecution of  
an offender for a serious criminal  
offence is primarily the responsibility  
of the same executive. In criminal  
prosecution, the state, in effect, is the

complainant, according to a consid-  
ered view.

It would be worth remembering  
that our socio-political situation  
turned for the worse with tragic mur-  
der of the Father of the Nation and  
four national leaders. For many years  
these offences were not legally and  
appropriately treated by the establish-  
ment till a favourable political scene  
unfolded. Such realities do have sub-  
stantial impact on the enforcement and  
adjudication temperament and  
culture. Between 1976-1979 many  
heinous criminal cases involving

murder, abduction, grievous hurt,  
amongst others, were allegedly with-  
drawn as part of a deal struck with  
some political parties by the then  
establishment.

One can thus see from the above  
process that many criminals acquired  
respectability as political elements that  
the hapless police were unsuccessfully  
chasing for a long time. Matters like  
this send very confusing signals to the  
enforcement units primarily and also  
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called dynamics of electoral adjust-  
ment and understanding.

As of now, doubts have been  
expressed as to whether a precedent is  
being created to believe that the exec-  
utive branch can do what the judi-  
ciary should be doing and conse-  
quently there is not much wrong if  
desired distinction between the two  
vital organs of the state is blurred; and  
exoneration from criminal charges  
should be easy when political control  
is assured.

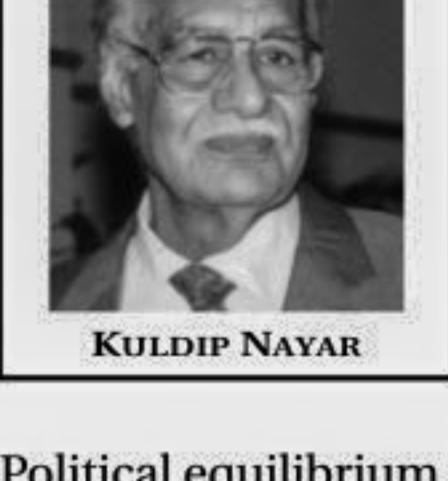
The ground reality is that in the  
past thousands of criminals were let  
off by the government as a matter of  
political expediency and opposition  
party workers were falsely implicated  
in criminal cases to settle political  
vengeance. The matter becomes deli-  
cate when one realises that in our less  
than healthy political environment it  
is extremely difficult to differentiate a  
political act from a criminal act.

The moot question is, should stand-  
ards of justice vary with variance in  
political establishment? The crux of  
the subject is primarily rooted in our  
political culture. The politicians have to  
decide whether they need rogue and  
criminal elements in furthering their  
so-called political objective even at  
the expense of their public image and  
social acceptability.

The citizens should know whether  
political opponents should continue  
to be harassed by institution of palpably  
false cases and whether purely  
criminal elements should be allowed  
to masquerade as party operatives.  
The politicians should take the lead in  
the gradual decriminalisation of the  
political process and ensure its  
sanitisation.

The writer is a columnist for The Daily Star.

# Corruption still haunts India



**P**AKISTA  
N lost  
democ-  
racy by under-  
mining it  
through demo-  
cratic methods.

Political equilibrium has got a jolt and  
all traditions and conventions have  
been thrown to the wind. The two  
main political parties, the Congress and  
the Bhartiya Janata Party (BJP), which  
are at daggers drawn, are so  
engrossed in running down each other  
that they are not even conscious of the  
harm they are doing to the polity. They  
have come to even politicise corruption.  
It looks as if they are determined  
to make India a banana republic, if not  
economically but politically and  
socially.

Lack of consensus among political  
elements led to a military coup in  
Pakistan. The National Assembly and  
the Senate had lost relevance.  
Similarly, perpetual fighting between  
legislators of different persuasion in  
India both in Parliament and in the  
state legislatures has put a question  
mark against the system itself. We have  
established in the country a system  
where the will of the people prevails  
through the elected representatives.  
There is little room either for dictation  
or for demonisation of policy.

Yet the increasing doubts about the  
viability of the system, although born  
out of disappointment, are not good  
for the country's health. Dissent and  
criticism are an essential part of par-  
liamentary democracy. But at some stage,  
there has to be a consensus to let the  
chariot of governance wheel further.  
Elections are nearly three years away.  
The situation cannot remain as it exists  
today because both the Manmohan  
Singh government and the system  
have been battered beyond repair.

It is no use reminding the two par-  
ties about the basics. They know what  
they are. Still they indulge in we-the-  
holly attitude and transcend the  
Laksman rekha all the time. It is for the  
different political parties to see the rot setting in and wake

setting in and wake up to corruption,  
which has gone so deep in the admin-  
istration that honest bureaucrats or, for  
that matter, politicians can be counted  
on one's fingers.

It is their tribe that helped Karnataka  
chief minister B.S. Yediyurappa to sub-  
vert rules and procedures to begin  
illegal mining. His corruption was  
palpable long time ago. But the BJP, his  
party, kept quiet because he was shar-  
ing the booty with some in the high  
command. Even after his exposure, his  
reluctance to go is an affront to  
democracy. The support of the major-  
ity in the house is necessary. But of  
what use is it when the chief minister's  
image is that of a corrupt person?

In his report, Justice Santosh Hegde,  
Karnataka's Lokayukta (ombudsman),

ruled saw the remunerative side of  
illegal mining because of China's inter-  
est. It offered many a time more price  
than what prevailed in the Indian mar-  
ket.

The practice of illegal mining was  
perfected by the two Reddy Brothers --  
one of them is a minister in  
Yediyurappa's cabinet -- who accumu-  
lated thousands of crores of rupees  
through illicit methods. Their interest  
in politics began when they found that  
most members of the state legislature  
were purchasable, nothing alarming in  
modern India. They have the credit of  
converting the minority BJP into a  
majority party. It won 109 seats in the  
election but now has 120 members.

The BJP is bound to act against  
Yediyurappa. The party has no face to

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has left no room for Yediyurappa to  
escape the responsibility of illegal  
mining of iron ore in the Bellary dis-  
trict of the state. Still the chief minister  
says that he is not guilty. No one can  
catch him with his hands in the till. Yet  
Hegde has laid bare the modus oper-  
andi of illegal mining going back to  
the time when the Congress govern-  
ment was in power.

Hegde told me at Bangalore this  
week that he concentrated on  
Yediyurappa regime because he is more  
concerned with the present, not the  
past. However, he pointed out that the  
illegal mining went on increasing with  
every new chief minister, Yediyurappa  
reaching the maximum limit. Sadly,  
Hegde's tenure is over. Otherwise, he  
may have gone up back to 2000 when

talk against corruption. The Congress  
defended its scams on the ground that  
the BJP had its skeleton like  
Yediyurappa's blatant corruption in its  
closet. The party was always caught on  
the wrong foot.

However, the 2G spectrum scam has  
hogged the spotlight now. The scam  
has come in handy to the BJP to ask for  
the resignation of the prime minister  
and former finance minister P.  
Chidambaram. Former communications  
minister A. Raja, the accused who  
played havoc with the licence pro-  
cedures and pricing, has named the  
prime minister in the court of the  
Central Bureau of Investigation of  
having known everything.

True, an accused says everything to  
save himself but Raja's allegations

against the prime minister and the  
former finance minister cannot be  
brushed aside easily. Raja has talked  
about the noting he forwarded in let-  
ters and files to the prime minister.  
Since the Supreme Court is monitoring  
the whole case, it is but fair that the  
outcome should be awaited before  
forming any judgment.

What is intriguing in this developing  
case against Raja is the open support  
by the DMK, a Congress partner in the  
ruling coalition. One senior member of  
the DMK, T.R. Balu, was present this  
week at the hearing. The Congress  
cannot take any action against the  
DMK lest it should rock the govern-  
ment which has the support of party's  
16 members in the Lok Sabha.

The comical aspect is that  
Yediyurappa has said that since the PM  
does not resign, why should he? What  
he forgets is that he has been found  
corrupt by the state ombudsman while  
the PM has been only named by the  
accused, who has been sent to jail  
because of proven charge of corrup-  
tion.

In parliamentary democracy, there  
are certain procedures which have to  
be followed. What Yediyurappa or his  
party, the BJP, has been doing amounts  
to sabotaging the system. Arun Jaitley,  
the opposition leader, has rightly said  
that certain issues should be kept  
above politics and should be viewed  
from the national point of view.

But then he is the same person who  
picks up trivial matters to attack the  
integrity of activists and human rights  
workers who have kept away from  
politics. But Jaitley sincerely believes  
that people listen to his glib talk atten-  
tively. The sooner he comes out of his  
make-believe world, the better it  
would be for him and his party. He  
should seriously ponder over the alle-  
gations by Home Minister  
Chidambaram that the BJP has  
increased its attack against the  
Congress because cases against Hindu  
terrorists are reaching the final stage.  
The boot is on the other foot.

The writer is an eminent Indian Journalist.

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## THIS DAY IN HISTORY

July 30

762

Baghdad is founded by caliph Al-Mansur.

1945

World War II: