

India SC refuses to stay retail FDI policy

PTI, New Delhi

The Supreme Court yesterday refused to stay the Centre's decision to allow Foreign Direct Investment (FDI) in retail sector.

A bench of justices R M Lodha and A R Dave, however, said that the policy suffers from "curable" irregularity of want of legal sanction and asked the RBI to amend the Foreign Exchange Management Act (FEMA) regulations to allow implementation of the government's policy.

The bench said the RBI should have amended the FEMA regulations before the implementation of FDI policy and asked the banking regulator to take steps to remove the lacunae in the way of giving a final shape to the policy.

The court observed that the regulations should have been amended before the Centre issued the notification, but clarified that the irregularity can now be cured with RBI amending FEMA regulation.

"At least it can be said that it is an irregularity that is curable and as soon as amendment is brought, it would be cured," the bench said. During the argument, the court said the

policy cannot be stayed just because of this irregularity.

Attorney General G E Vahanvati submitted that he would talk to the RBI Governor to take immediate steps for bringing amendment in the FEMA regulations.

The bench after hearing his submission adjourned the matter for further hearing on November 5.

The court was hearing a PIL filed by lawyer M L Sharma, who has said that RBI's nod was missing from the Centre's policy allowing FDI in retail sector.

The apex court on October 5 had sought the assistance of top law officers in hearing the PIL filed by Mr Sharma against opening the multi-brand retail sector to the FDI saying there was a need for clarification since some link is missing pertaining to the RBI regulation on the issue.

Mr Sharma has said in his petition that that retail trading is strictly prohibited under the law of FEMA under which the power to come out with a circular is vested with the RBI which has not issued any regulation after 2008.

Egypt struggles to deliver new constitution

AFP, Cairo

Bogged down by disagreements between Islamists and secularists, the committee tasked with drafting Egypt's new constitution, supposed to reflect the values of the 2011 uprising, is struggling to deliver.

The 100-member Constituent Assembly, dominated by Islamists, responded to criticism of a lack of transparency this week by releasing a rough draft of the charter and urging Egyptians to help with the new one.

"We invite all Egyptians to participate (in the drafting) through suggestions, amendments, additions," Mohamed al-Beltagui, a member of the assembly and of the powerful Muslim Brotherhood, told reporters for the launch of a "Know your Constitution" campaign.

The new constitution is to replace the 1971 charter suspended by the military which took power when president Hosni Mubarak was ousted in February last year.

"Everything we are putting forward for this social dialogue is a preliminary draft. Nothing has been discussed by the assembly as a whole," but rather by the different committees, Beltagui said.

Some articles, including those defining the powers of the judiciary and the role of the army, have not been made available to the public. Others are the subject of heated debate.

Contentious topics include the role of religion, the status of women and the scope of freedom of expression and faith.

Article 2 of the draft constitution states that "Islam is the religion of the State, Arabic is its official language and the principles of Islamic Sharia form the main source of legislation."

The article "has been at the centre of many debates," Mohammed Saad Gaouish, a Salafist member of the assembly, told AFP.

Ultraconservative Islamists had asked to replace "the principles of Sharia" by "the rulings of Sharia" or even just "Sharia."

They then wanted to include the provision that Al-Azhar institution -- Sunni Islam's main seat of learning -- be considered "the State reference for the interpretation of Sharia."

Both suggestions were rejected by the assembly's liberal members, who fear that Al-Azhar -- which today represents a moderate Islam -- could one day be used to limit freedoms should it fall under the control of ultraconservatives.

Delhi trying

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committed to bring down the killing at the border to zero level," said Shambhu Singh, joint secretary of the ministry of home affairs of India.

Singh led a 10-member Indian delegation at the Joint Working Group (JWG) meeting at Ruposhi Bangla Hotel in Dhaka yesterday evening.

Additional Secretary of Home Ministry Kamal Uddin Ahmed, who led a 12-member Bangladesh delegation, said "We discussed all our concerns at the meeting, and border killing is definitely a matter of great concern to us."

The JWG discussed a wide range of issues and finalised the agenda for today's home secretary-level talks.

Home Secretary CQK Mustaq Ahmed will lead a 10-member Bangladesh delegation while his Indian counterpart RK Singh will lead a 12-member team at the 13th round of today's

talks. Meeting sources said the Bangladesh side will take up a host of issues in the meeting including extradition of two killers of Bangabandhu, killing of Bangladeshis at the border, early ratification of land boundary agreement, security, smuggling of drugs and narcotics.

India's main issues are the early signing of an extradition treaty and handing over of Ulfa leader Anup Chetia, seeking Bangladesh's cooperation in halting cross-border smuggling of cattle, busting fake Indian currency racket, stopping illegal migration including human trafficking and action against Indian insurgent groups allegedly based in Bangladesh.

Meanwhile, the home secretaries of India and Bangladesh yesterday visited Akhaura and Agartala international border outposts and reviewed the state of infrastructure along the border and land posts.

US duo wins Nobel

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allocations and the practice of market design.

Their work can be used to help match donors of human organs with patients in need of a transplant, or students with universities, or Internet search engines which auction space for advertisers.

Roth, 60, is a professor at Harvard Business School in Boston, Massachusetts, while Shapley, 89, is a profes-

sor emeritus at the University of California.

Roth told public broadcaster Swedish Television he was surprised to win the award.

"No it wasn't expected. But it is certainly expected that Lloyd Shapley won the prize... I'm glad to share it with him," he said.

Roth said he was pleased that the prize would "shine a very bright spotlight on the work" he and Shapley had

conducted in market design, "a newish area of economics, and when I go to class this morning my students will pay more attention."

In choosing market design theory for this year's prize, the Royal Swedish Academy of Sciences avoided wading into a heated macroeconomic debate over fiscal policy, austerity measures and stimulus packages.

"We neither try to pick

topics that are the subject of much debate, nor do we try to avoid them," Per Krusell, chairman of this year's Economic Sciences Prize Committee, told AFP.

Roth and Shapley worked independently of each other but "the success of their research is due to the combination of Shapley's theoretical results with Roth's insights into their practical value," the committee said.

Central to Shapley's and

Roth's work is the idea of stability: the allocation whereby no individuals perceive any gains from further swaps, or trade.

Roth and Shapley will receive the prize, consisting of a Nobel diploma, a gold medal and 8 million Swedish kronor (\$1.2 million) at a ceremony in Stockholm on December 10, the anniversary of Swedish industrialist and prize creator Alfred Nobel's death.

An eye-opener

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parliament and not to succumb to their personal interest while doing so.

As per the constitution, they are supposed to make laws and hold the government's executive branch accountable to parliament. They are also supposed to oversee the functioning of the government.

But, alas, ninety-seven percent of the 149 sitting MPs surveyed by the TIB were involved in "negative activities," including being involved in or supportive of criminal activities, misuse of government funds and influencing government decisions.

And 70 percent of them were engaged in "criminal activities" like killing, land and river grabbing, extortion, tender manipulation and cheating. Even many MPs used their position to boost their income.

The TIB findings also demonstrate how the ruling Awami League has failed to honour its own promises. Amending the party declaration, the AL at its 2009 national council announced

that MPs' role would be to focus on making laws and policies. But many of the AL MPs were rather more interested in controlling the decision making process of local administrations, and appointments and transfers in different national and local organisations.

No wonder that the ruling party and the government have rejected the TIB findings and launched a blistering attack on the anti-graft watchdog, terming the survey a "conspiracy against the government". Governments in the past have reacted in the same way.

On many an occasion in the past four years or so, ruling party MPs and ministers have come down heavily on the media and civil society personalities and accused them of undermining the dignity of the House. Whenever the media and civil society members spoke of the wrongdoings of lawmakers and ministers, they came under verbal attack, at times from the highest level of the government.

Indeed, a culture of non-

action against the wrongdoers has bred a culture of impunity.

Such a culture has yielded nothing positive for the government and the ruling Awami League. The unethical activities by the MPs have in no way brightened the image of the government.

With only about a year left before the nation goes to the polls, anyone can now sum up the performance of the current government by just looking at the wrongdoings of the MPs. And one need not go through any other documents or reports.

In a parliamentary democracy, the role of MPs largely determines the fate of good governance and rule of law. So, when the MPs themselves involve en masse in criminal and immoral activities, it goes without saying that they will be unable to perform the duties they are entrusted with. And the failure of the House to perform only heightens the risk of spreading unbridled corruption.

People are not ignorant, one might add, of what has happened in the last four years.

Militant kills 6 Pak cops

AFP, Peshawar

Militants armed with guns and rockets attacked a Pakistani police check post overnight, sparking gun battles that left six police officers dead, officials said yesterday.

The attack took place in the Mattani area on the outskirts of the northwestern city of Peshawar, a gateway to the semi-autonomous tribal belt on the Afghan border where the Taliban and al-Qaeda-linked militants have strongholds.

"Dozens of militants attacked the checkpost, killing four policemen including senior official Khushid Khan and two paramilitary FC (Frontier Constabulary) men," local police official Nasim Hayat told AFP.

The militants set fire to the checkpost and three police vehicles, before fleeing, Hayat said.

Japanese cos keen, wary

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office. "Political violence scares investors. Things will be more unpredictable for violence. They [investors] will look at political environment centring the next election."

Japan identified energy shortage as one of the other major impediments to investment in Bangladesh.

Despite all barriers, the number of Japanese companies with base of operation in Bangladesh has increased significantly over the past few years, said the envoy.

"The number of Japanese companies rose to 135 so far this year from 113 in September last year. It has doubled in the last five years."

Sadoshima said big company like Honda has decided to set up an assembling plant in Bangladesh and it has a plan to set up a manufacturing plant here.

The ambassador said Nipro, a renowned medical

equipment manufacturer, will invest \$26 million in Bangladesh.

"Two other big food companies and a construction material company are also thinking seriously about investing here."

Japan has been Bangladesh's trusted development partner for over four decades. It was among the few countries that recognised Bangladesh soon after the 1971 Liberation War. It has maintained excellent economic development cooperation with Bangladesh.

Sadoshima, who graduated in law from the University of Tokyo in 1977, took charge as Japanese ambassador in Dhaka in October last year.

The ambassador talked on a wide range of issues, including Bangladesh's plan to build a deep-sea port, metro rail, special economic zone and the Padma bridge project.

He made a mention of

Dholaikhal in Dhaka reflecting on Bangladesh's potential. "It is a very unique place. Ask them to copy a part [of a car] and they will do it in a few days."

Japan has made a huge investment in South East Asia, but rising labour costs there have given Bangladesh a golden opportunity despite its shortcomings in infrastructure, energy and transport sectors, said Sadoshima.

The ambassador said his country is coming up with investments in the sub-continent where Bangladesh lies at a very good geopolitical location that could link South Asia with South East Asia.

He sees a lot of potential in the region with Myanmar opening up to the international community after a long gap.

Sadoshima also talked of the necessity of a special economic zone for Japanese investors. He said discussions with the Bangladesh government are still at an initial stage and the Japanese government has been collecting information on the issue.

On the deep-sea port, the ambassador said Japan is interested in helping Bangladesh build the port but his country is concentrating

more on energy production. He observed that Bangladesh needs more energy to sustain an economic growth over 6 percent a year.

"Bangladesh needs a lot of investment to build the port. Also, the maintenance cost is very high." He emphasised the regional use of a deep-sea port to make it viable.

On funding of the metro rail project in Dhaka, the ambassador said it is yet to be finalised but Tokyo will give its response very soon.

Referring to the alleged corruption in the Padma bridge project and the probe into the allegations, he said Japan is closely observing the developments.

Sadoshima said the funding was revived after the project's lead financier, the World Bank, cancelled it on June 29 this year following efforts from the Bangladesh government.

The Japanese ambassador, who takes interest in Bangladesh culture, finds a lot of similarities with Japanese culture.

He also talked about the last year's earthquake and tsunami that hit hard the Japanese economy.

Mahfuz Anam, editor and publisher of the English daily, moderated the discussion.

Malala flown

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The spokesman said in a statement that 14-year-old Malala Yousufzai, whose shooting has drawn widespread condemnation, will require prolonged care to fully recover physically and psychologically.

An air ambulance transporting Yousufzai, provided by the United Arab Emirates, had departed from Islamabad and was heading for the UK, said the spokesman.

"The panel of doctors recommended that Malala be shifted abroad to a UK centre which has the capability to provide integrated care to children who have sustained severe injury," he said.

Yousufzai, a cheerful schoolgirl who had wanted to become a doctor before agreeing to her father's wishes that she strive to be a politician, has become a potent symbol of resistance against the Taliban's efforts to deprive girls of an education.

Pakistanis have held some protests and candlelight vigils but most government officials have refrained from publicly criticising the Taliban by name over the attack, in what critics say is a lack of resolve against

extremism.

The shooting of Yousufzai was the culmination of years of campaigning that had pitted the young girl against one of Pakistan's most ruthless Taliban commanders, Maulana Fazlullah.


Earlier this year, Fazlullah's men kidnapped and beheaded 17 Pakistani soldiers in one of several cross-border raids that have become a new security headache for Pakistan.

Yousufzai continued speaking out despite the danger. As her fame grew, Fazlullah tried everything he could to silence her. The Taliban published death threats in the newspapers and slipped them under her door. But she ignored them.

The Taliban say that's why they sent assassins, despite a tribal code forbidding the killing of women.

Taliban sources said Fazlullah ordered two men specialising in high-profile assassinations to kill Yousufzai.

Pakistan's Taliban, who are linked to al-Qaeda, has been fighting for years to topple the US-backed government and establish the kind of rule they imposed in Swat.



Eastern Refinery Limited
(A Subsidiary of Bangladesh Petroleum Corporation)
North Patenga, Post Box No.-35, Chittagong-4000, Bangladesh
Dated: 07 October, 2012

Invitation for International Tenders

Sealed tenders are hereby invited from the bonafide manufacturers/suppliers/agents for supply of the following material as per specification, terms and conditions mentioned in the relevant tender documents:-

01	Ministry/Division	Power, Energy & Mineral Resources.					
02	Agency	Bangladesh Petroleum Corporation (BPC).					
03	Procuring entity name	Eastern Refinery Limited (ERL).					
04	Procuring entity district	Chittagong.					
05	Invitation for	Goods.					
06	Invitation tender Ref No. & date	(a) ER/PUR/IT-30/2012 (Re-Tender) dt. 07-10-2012. (b) ER/PUR/IT-31/2012 dt. 07-10-2012. (c) ER/PUR/IT-32/2012 dt. 07-10-2012.					
07	Procurement method	Open Tendering with International Competition (OTM).					
08	Budget and source of funds	ERL's own source.					
09	Eligibility of tenderer	As stated in the tender document.					
10	Tender last selling date & time	(a) 11-11-2012 up to 16:00 hours BST. (b) & (c) 18-11-2012 up to 16:00 hours BST.					
11	Tender closing date & time	(a) 12-11-2012 up to 15:00 hours BST. (b) & (c) 19-11-2012 up to 15:00 hours BST.					
12	Tender opening date & time	(a) 14-11-2012 at 15:00 hours BST. (b) & (c) 21-11-2012 at 15:00 hours BST.					
13	Tender document selling address	(i) Accounts Department, Eastern Refinery Limited, North Patenga, Chittagong and (ii) DGM (DLO), ERL, YMCA Bhaban (2 nd Floor, West Side), 1/1, Pioneer Road, Kakrail, Dhaka.					
14	Tender dropping/submission place	(i) Purchase Department, Eastern Refinery Limited, North Patenga, Chittagong and (ii) DGM (DLO), ERL, YMCA Bhaban (2 nd Floor, West Side), 1/1, Pioneer Road, Kakrail, Dhaka.					
15	Opening address of tender	Purchase Department, Eastern Refinery Limited, North Patenga, Chittagong.					
16	Brief description of goods:						
	Name of materials	Price of tender document	Tender security (Tk)	Shipment validity			
(a)	Steel Wire Reinforced Steam Rubber Hose	Tk. 500.00/Set (non-refundable)	Tk. 40,000.00 (forty thousand)	90 days			
(b)	Welding Set-Rectifier Type (for Manual Electric Arc Welding)	Tk. 400.00/Set (non-refundable)	Tk. 20,000.00 (twenty thousand)	90 days			
(c)	Scale Inhibitor	Tk. 400.00/Set (non-refundable)	Tk. 30,000.00 (thirty thousand)	60 days			
17	Name of official inviting tender	Abul Fazal Khan.					
18	Designation of official inviting tender	Asstt. General Manager (Purchase).					
19	Address of official inviting tender	Eastern Refinery Limited, North Patenga, Chittagong.					
20	Contact details	PABX (Ctg): 88-031-2501261-67 Ext. 380 Dhaka (DLO): 88-02-8313074, 8313118 Fax: 88-031-2501269 E-mail: purchase@erl.com.bd, md-office@erl.com.bd Website: www.erl.gov.bd, www.erl.com.bd					
21	The procuring entity reserves the right to accept or reject any or all tenders without showing any reason.						
Abul Fazal Khan Asstt. General Manager (Purchase)							

GD-3986

Government of the People's Republic of Bangladesh
Office of the Executive Engineer
PWD E/M Division-4
2nd 12-storied Govt Office Bldg, Segunbagicha, Dhaka
Phone: 9333865 (Office)

Invitation for Tender
Tender No: 10(2012-2013)

Tender Memo No: 895

Date: 09.10.2012

01.	Invitation for	: Gr No-01	Supply, Installation of Cable Dish Line for TV (CATV) and internal line LAN (Local Area Network) under the Project of Expansion and Modernization of Dhaka Medical College Hospital at Dhaka.
		: Gr No-02	Supply, Installation of Public Address System (PA) and Sound System under the Project of Expansion and Modernization of Dhaka Medical College Hospital at Dhaka.
		: Gr No-03	Supply, Installation, Testing & Commissioning of Telephone, PABX & Intercom System of Expansion and Modernization of Dhaka Medical College Hospital at Dhaka.
02.	Location of site	: Dhaka Medical College Hospital at Dhaka.	
03.	Tender security	: Gr No-01 Tk: 16,000/-, Gr No-02 Tk: 37,000/- & Gr No-03 Tk: 50,000/- only.	
04.	Completion time	: Gr No-01, Gr No-02 & Gr No-03 60 (sixty) days.	
05.	Price of the tender document	: Gr No-01 : Tk 500/- (five hundred) & Gr No-02 & Gr No-03 Tk: 1,000.00 (one thousand) only (non-refundable).	
06.	Procurement method	: Open Tendering Method (OTM).	
07.	Tender last selling date	: 07.11.2012 up to office hour.	
08.	Tender closing date and time	: 08.11.2012 up to 12-00 noon.	
09.	Tender opening date and time	: 08.11.2012 at 12-30pm.	
10.	Name and address of the offices	: Executive Engineer, PWD E/M Division-4, 2 nd 12-storied Govt Office Bldg, Segunbagicha, Dhaka.	
11.a	Selling tender documents (principal)	: Executive Engineer, PWD E/M Division-4, 2 nd 12-storied Govt Office Bldg, Segunbagicha, Dhaka.	
11.b	Selling tender document (others)	: (i) Divisional Commissioner, Dhaka Division, Dhaka. (ii) PWD E/M Division-1/2/3/5/6/7/8, Dhaka. (iii) PWD E/M Mechanical Workshop Division, Dhaka. (iv) PWD Wood Workshop Division, Dhaka. (v) PWD Division-1, Dhaka. (vi) PWD Sub-division-5 (under PWD Division-4), Dhaka.	
12.	Name and address of the offices	: Executive Engineer, PWD E/M Division-4, 2 nd 12-storied Govt Office Bldg, Segunbagicha, Dhaka.	
12.a	Receiving tender document	: Executive Engineer, PWD E/M Division-4, Dhaka.	
13.	Opening tender document	: Executive Engineer, PWD E/M Division-4, Dhaka.	
14.	Eligibility of tenderer	: This invitation for tender is open to all eligible tenderers reputed bonafide firm/organization having the following qualification:- (a) Up-to-date trade license (b) Up-to-date TIN & VAT registration certificate (c) Up-to-date bank solvency certificate (d) Valid BC category electrical contractors license & supervisory license from Electrical Licensing Board. (e) All other qualification, terms & conditions as specified in Tender Data Sheet (TDS). (f) Turnover: Minimum average annual turn-over at last 5 (five) years preceding the date of submission of the tender to be greater than :- Gr No-01 Tk 15.00 lac, Gr No-02 Tk : 34.00 lac & Gr No-03 Tk : 46.00 lac only. (g) Liquid assets:- Minimum required cash flow amount for the works: Gr No-01 Tk 8.00 lac, Gr No-02 Tk : 19.00 lac & Gr No-03 Tk : 25.00 lac only.	
15.	The procuring entity reserves the right to accept or reject all tenders.		
16.	Special instructions:	(a) This tender notice is brief and the details of the tender may be seen from the office of the undersigned during the office hours.	
		S.M. Khurshid Alam Sub-Assst. Engineer PWD E/M Division-4 Dhaka	Mohammad Yousuf Assistant Engineer (Staff Officer) PWD E/M Division-4 Dhaka
		Gazi Nasimur Reza Executive Engineer PWD E/M Division-4 Dhaka	

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