

## ENCLAVE EXCHANGE They're back only to get compensation

OUR CORRESPONDENT, Kolkata

Many residents of Bangladesh enclaves inside India, who have been allegedly enjoying the Indian government's privileges after leaving their enclaves, are returning to their birthplaces.

On the first day of the 18-day official survey that began yesterday, many such people were seen enrolling their names in the lists of enclave residents to receive compensation from the government.

Bangladesh and India launched the survey of their 162 enclaves as per the Land Boundary Agreement between the two neighbouring countries.

However, sources in the administration confirmed that only the enclave people, who were listed during the July 14-July 17, 2014 census, would be brought under the compensation scheme.

According to the 2011 census, a total of 37,369 people live in the 111 Indian enclaves inside Bangladesh while 14,215 people live in the 51 Bangladeshi enclaves inside Indian territory.

Several hundred families have already returned to their old addresses in Bangladesh enclaves inside India since the signing of the Land Boundary Agreement on June 7.

These residents have Indian voter cards and Below Poverty Level ration cards, sources said.

Many residents of the enclaves alleged that these beneficiaries had never been among the people who carried out movement for citizenship to the inhabitants of the enclaves.

But they are now returning to the enclaves, building their houses and enlisting their names only to enjoy the government privileges.

A resident of Puatarkuti enclave, who is also a member of the India-Bangladesh Enclaves Exchange Coordination Committee, told this correspondent that about 50 families returned to Puatarkuti and had been building houses openly.

Another 70 to 80 families have also returned to three or four other enclaves, he claimed.

This correspondent learnt that Sajal Sarker, Zahurul Sarker, Abdul Rashid Manik and Abul Hossain returned to Puatarkuti enclave and had been building houses there.

Contacted, Sajal Sarker said they had been living outside the enclave, the land of their forefathers, in the hope of getting Indian citizenship.

Now, they have returned to their enclave as the Indian government is going to offer privileges and citizenship after the survey, he said.

Diptiman Sengupta, general secretary of the coordination committee, admitted that the outsiders were coming to the enclave and building houses there.

He also said the government would look into the matter.

Contacted, Cooch Behar District Magistrate P Ulaganathan said the name of any outsider would not be enlisted during the survey in enclaves.



A tractor carrying soil for an under-construction house in the Bangladesh enclave of Puatarkuti inside Indian territory while the house owner, right, looks on. Many dwellers of Bangladeshi enclaves in India had left their homesteads and gone to the Indian mainland for a better life. But they are now reportedly returning to the enclaves, and are repairing or building new houses to claim compensations from the Indian government.

PHOTO:  
SUBRATA ACHARYA

## Questions over Rampal

FROM PAGE 1

National Thermal Power Corporation (NTPC) has formed a joint venture, BIFPLC, with Bangladesh Power Development Board (BPDB) on 50:50 share basis to develop the plant.

A tender for the project's Engineering, Procurement and Construction (EPC) contract has been released and the bidding is due in the second half of the year.

Green activists are concerned the plant would lead to its environmental degradation from increased ship traffic, dredging, and air and water pollution.

Coal-fired thermal power plants belch toxic gases that could impact wildlife and human health, and forest quality in the neighbourhood, leading the country's many environmentalists to continue their call to scrap the plant.

**FLAWS TOO MANY**  
Bank Track has based its analysis on the Equator Principles (EP), an environmental and social risk management framework for financial institutions, and found that the project fails to comply with six of the 10 principles of the EP.

The plant, which will be comprised of two 660MW supercritical units, is estimated to burn 4.72 million tonnes of imported coal each year.

The coal will be transported by a fleet of vessels travelling along a route that cuts directly through the Sundarbans for a distance of approximately 67 kilometres. It is estimated that 59 ships will make the voyage each year to meet the plant's coal requirement.

All ships will anchor at Akram Point—located within the Sundarbans—where massive loads of coal will be offloaded to smaller vessels, running the risk of coal spillage and toxic coal dust being released into the environment, Bank Track warned.

It also questioned the Environmental Impact Assessment (EIA), conducted by the Centre for Environment and Geographic Information Services (CEGIS), a public trust under the water resources ministry.

First released in January 2013, the assessment drew severe criticisms from environmentalists and civil society

members for being blatantly biased in favour of the project and for failing to meet international standards.

The CEGIS subsequently modified the assessment and a revised EIA was published in July that year.

"However, there are many serious concerns that remain unaddressed in the revised EIA," said the Bank Track analysis.

It said serious deficiencies include failure to carry out a separate EIA on the impacts of transporting coal through the Sundarbans; insufficient assessment of factors and risks relating to water consumption, transport and disposal of coal ash, and waste management; and weak assessment of impacts on existing livelihoods, in particular impacts on people who depend on the Pashur river and the fisheries and other resources within the Sundarbans.

The assessment process and documentation for the plant falls far short of these minimum requirements, said the analysis.

In direct violation of the IFC requirement to comply with the relevant laws of host countries, the Rampal project breaches Bangladesh's Environmental Conservation Regulation 1997, the Environment Conservation Act 1995, and the Forest Act 1927, it said.

Besides, the outer perimeter of the ecologically critical area (ECA) around the Sundarbans is located just 4 kilometres from the plant, raising concerns about potential adverse impacts within the ECA itself, it went on.

Bank Track said there is no evidence that an Environmental and Social Management System (ESMS) or an Environmental and Social Management Plan (ESMP) has been prepared for the project.

The ESMS intends to identify and detail the country's commitments to address and mitigate risks and adverse impacts identified during the environmental impact assessment process, while the ESMP addresses issues raised in the assessment process and incorporate actions required to ensure that the project is in compliance with all applicable standards.

Despite the increase in the volume

of shipping traffic that the project will require, the EIA's Environmental Management Plan does not address or include emergency plans and measures in the event of a shipping accident during coal transport, nor does it describe any existing or planned resources for containing or preventing the spread of toxic materials in such cases, said the analysis.

The failure to address the potential health hazard posed by dissemination of mercury, chromium, arsenic and other toxic heavy metals too bodes ill for the people in the region, it said.

Furthermore, the EIA does not propose or provide detailed measures for the mitigation and management of adverse social impacts, it added.

The analysis stated the Rampal project has failed to demonstrate effective stakeholder engagement and to provide evidence of an accessible, legitimate, and functioning grievance mechanism to address and resolve the concerns of people who have been harmed by the forcible acquisition of land and other resources that formerly sustained them.

**ALL'S WELL IN THE GOVT'S EYES**  
Nasrul Hamid, state minister for power, energy and mineral resources, and Ujjwal Kanti Bhattacharya, managing director of the BIFPLC, said the criticisms of the plant are not based on ground realities.

"People who are opposed to the project don't seem to know the details of it," said the state minister.

Bhattacharya claimed the company is taking the most stringent environmental protection measures, which are in line with the IFC standards. The plant would not harm cultural heritage and biodiversity and living natural resources. The EIA has been done in line with the laws of the country.

Bhattacharya said the Indo-Bangla company's cost has gone up to make arrangements to prevent emission of toxic gas from the plant.

"We have kept the limits of sulphur oxide (SOX) emission and noise pollution lower than the IFC-set benchmarks. We are spending a lot for environmental protection. There are no areas where we are not following

the IFC standards," he claimed.

In the EIA study, the maximum resultant concentration of SOx and nitrogen oxide (NOx) has been indicated at 53.4µg/Nm<sup>3</sup> and 51.2µg/Nm<sup>3</sup> respectively, whereas the ambient air quality standard of Bangladesh as per the Department of Environment for the two oxides is 80µg/Nm<sup>3</sup>, according to the BIFPLC officials.

They say the above calculation was done without taking into account the flue gas desulphurisation (FGD) in the EIA study.

"Now with the installation of the FGD system and provision of low NOx burner, the concentration of SOx and NOx will get further reduced to comply with the stringent norms of the World Bank standards. Besides, all sorts of emissions would be monitored online," the BIFPLC managing director said.

As for the EIA, he said a separate assessment study has been conducted by the Mongla Port Authority for capital dredging of the Pashur river.

"After capital dredging, coal will be transported through a national navigational route which is already being used by the Mongla Port Authority for decades," he said, adding that a proper ash management system has been planned.

Bhattacharya said the BIFPLC would plant five lakh trees around the project area, starting with 30,000 trees this year and two lakh more in the next three to four years. Coals would be transported in covered barges and stored in covered areas. A 275-metre tall chimney would be set up to keep the smoke emission away from the Sundarbans.

"We are setting up a power plant which is environment-friendly. As far as environment is concerned, we are not making any compromises," he asserted.

Environmentalists, however, are not convinced by the government's claims.

Ainun Nishat, an internationally reputed environmentalist, said he does not think that a proper EIA has been carried out for the project.

"If the Environment Conservation Act 1995 had been followed, the picture would have been different," he told The Daily Star.

## Muhith praises Yunus for setting up Grameen Bank

STAR BUSINESS REPORT

Finance Minister AMA Muhith yesterday praised Nobel laureate Prof Muhammad Yunus for giving microcredit an institutional shape in the country by setting up Grameen Bank.

He said in the past microcredit activities were led by individuals and everything collapsed when they had gone.

"Yunus first set up a system which is not dependent on an individual. The system is now Grameen Bank," he said speaking at the launch of a report on financial institutions at the secretariat in the capital.

Muhith, however, said despite developing a system Prof Yunus himself has "become Grameen Bank".

"This has created all the wrangling between him and us. We have no other problems. His system is very good," he said.

The minister said Grameen Bank needs further development but the government cannot progress on it because of Prof Yunus.

He said the cases filed by supporters of the microcredit pioneer are stalling the development of Grameen Bank.

"As a result, we have not been able to take any step in the last five years. It is very unfortunate," he regretted.

Muhith also said microcredit has become an important part of the country's financial sector and is a very significant element of the economy.

Institutional microcredit was four percent of the total domestic credit in 1980s, according to the banking survey of 1986. It accounted for about Tk 60,000 crore in 2013 out of the country's total credit flow of Tk 500,000 crore.

## The perils of prosecution

FROM PAGE 1

professionalism are of little value here.

Due to their inefficiency, they cannot properly represent the government when any case is filed by or against the government. Their failure to perform makes the government the biggest loser.

Similarly, they cannot perform their due role when they need to stand against their party men in criminal cases. This destroys the prospect of justice.

Lack of effective procedure to screen and appoint prosecutors sometimes generates embarrassing situations. For example, in June 2007, a lawyer accused of a murder was appointed public prosecutor in Naogaon district. He was appointed by the district magistrate with the law ministry's approval.

Thus, the government forms its prosecution wing in every district with partisan men who are given the important responsibility to look after the criminal and civil cases for and against it.

There are as many as 4000 odd public, additional and assistant prosecutors and government pleaders across the country, said law ministry sources.

To discuss the significance of their role in criminal justice, take the example of the function of a public prosecutor.

When someone commits a crime of murder, he has committed the crime against the State. It is the responsibility of the State to punish the offender. Whether the State can

successfully perform its responsibility depends largely on the performance of a public prosecutor who represents the State in the criminal case.

But there is no permanent prosecution system in Bangladesh. Whenever a party forms the government, all prosecutors are removed and replaced by a new group. Thus the country has been living with a disposable prosecution system.

There has always been demand for reforming the prosecution system with professional lawyers who are supposed to dispense justice.

But the successive governments have not paid any heed to the demand.

In December 2003, the then law minister Moudud Ahmed at a workshop on strengthening the criminal justice system had proposed the formation of an independent public prosecution service. But there was no progress in this regard. The party that was in power back then had not lost the opportunity to appoint its leaders public prosecutors.

The past caretaker government led by Fakhruddin Ahmed in 2008 had done the groundbreaking work of enacting a law through the promulgation of an ordinance to set up a government attorney department.

The law made through the ordinance had mandated that an individual must have certain qualifications to get appointed as a public prosecutor.

The law ministry had also sent a proposal to the establishment ministry for creating more than 3,000 posts for the attorney department.

Lawyers had welcomed the caretaker government move to stop politicisation of the public prosecution services.

But as soon as the tenure of the caretaker government ended in early January 2009, the move was reversed.

The Awami League that came to power in January 2009 had opted for retaining the system of appointing party men to the prosecution wing, allowed the law made by the caretaker government to cease to have any effect. The AL-led government has never made any move to reform the public prosecution system.

Those who are serving as public prosecutors are not paid poor remunerations. Except the public prosecutors, many additional and assistant public prosecutors do their private practices side by side. Thus, they use their positions to advance their private practices. Whenever they appear before the courts for their personal clients, it creates an unhealthy atmosphere in the courts.

Poor performance of public prosecutors and weakness in police investigation were identified long ago as the major reasons for the low rate of conviction in criminal cases.

Yet, the present system continues to worsen the situation, jeopardising the prospect of providing victims with justice.

Establishment of an independent and permanent prosecution service and recruiting competent prosecutors through a transparent process are now the only ways to get rid of the present crisis.

## Cheers fading as Greeks face reality

FROM PAGE 1

Vritios said he had been to several ATMs but found them empty. "It's really crushing me."

**CASH RUNNING SHORT**

The banks are now reportedly almost depleted of cash after panicked customers rushed to hoard money in the lead-up to the referendum, which was called by Prime Minister Alexis Tsipras in a bid to break an impasse with the austerity-hungry creditors.

The Greek Banking Association said last week its members had just enough liquidity until Tuesday, when the government had promised the banks would reopen.

But Giorgos Stathakis, Greece's economy minister, told the BBC the capital controls could stay in place until Friday.

Greek banks were on the verge of collapse, he said, with its future in the euro being determined in the next 48 hours.

Greeks were divided over whether the European Central Bank would inject emergency euros into the country's banks -- or whether the country's perceived nemesis, Germany, would make them suffer.

"The situation is very confusing. I really don't know what is going to happen," said Nikos, 47, who works in a luxury watch shop and fears the referendum result may be "misunderstood" by Europe as a vote to leave the eurozone.

**'HE TOLD THE TRUTH'**

The news that Finance Minister Yanis Varoufakis's head had rolled to appease the country's international creditors was welcomed by some, who said his flamboyant and unorthodox ways had not helped bailout negotiations.

"Varoufakis is a revolutionary, someone very dynamic with a very important university background. But he is not a politician. He doesn't know how to negotiate," said Irene Roka.

"He had good ideas but he wasn't very diplomatic... he was very cavalier in negotiations," she said.

Sofia, 37, said she thought his exit "is going to help" reboot negotiations, despite a 'Nein' from Germany which saw the bailout referendum as a nail in the coffin of debt talks.

But Charalampos Aroutzidis, 30, said he was sorry because he liked Varoufakis. "He is not like the ones before him. He is different and he wanted the best for Greece."

Today's extraordinary summit in Brussels is expected to draw up the roadmap for Greece -- but might see it driving the country off the eurozone cliff in a Greek exit, or 'Grexit'.

**NEW BAILOUT BID DISMISSED**  
Germany yesterday dismissed Greece's bid to clinch a quick new debt deal after the country delivered a resounding 'No' to more austerity, appearing little moved by the surprise resignation of the Greek finance minister.

Berlin said the departure of Varoufakis did not change anything.

"It is not about people but rather positions," Chancellor Angela Merkel's spokesman Steffen Seibert said, adding that there is currently "no basis to enter into negotiations on a new aid programme".

A Greek government source said Tsipras and Merkel had spoken by telephone and agreed that Athens'

proposals would be presented at today's summit.

**'READY TO ASSIST'**  
Berlin's reluctance to reopen negotiations underlined a sharp divide within Europe over the Greek crisis, with France, Italy and Spain adopting a more conciliatory tone.

Italian Prime Minister Matteo Renzi said on his Facebook page that Europe needs to "talk not only about austerity and balance sheets but about growth, infrastructure", while Spain said it was open to new negotiations for a new Greek bailout.

And although last week Greece defaulted on a 1.5 billion euro repayment to the IMF, effectively cutting them off from further financial assistance, the fund's chief Christine Lagarde said the global crisis lender was "monitoring the situation" and stood "ready to assist Greece if requested to do so".

As eurozone leaders weighed the cost of the vote, Tsipras also spoke to Russian President Vladimir Putin by telephone as Athens scrambled to restore liquidity to its battered banking system.

Despite its headline approach to debt talks, Germany said eurozone leaders should discuss humanitarian aid for the austerity-fatigued country with widespread poverty and high unemployment.

"We must now cover their needs very quickly. The people there need help and we should not refuse it just because we're unhappy with the result of the referendum," German Economy Minister Sigmar Gabriel said.