

## Land grabbing in former enclave

*Govt. must tackle with a strong hand*

AS inhabitants of the 166 enclaves celebrate the end of 68 years of statelessness with the historic swapping of enclaves between India and Bangladesh completed, some of them are left to confront some harsh realities on the ground, such as land grabbing by powerful stakeholders in the enclaves that have gone unchallenged for the most part over the past decades. In Banshpacha in Lalmonirhat, for example, residents claim that 160 out of total 217 acres of land in the former enclave was under the illegal possession of 15 identified land grabbers. Previously, the area and its inhabitants remained outside the jurisdiction of law enforcers of both Bangladesh and India, which all but gave the land grabbers a free run to do as they wished. The villagers were afraid to protest vocally as they feared retaliation from the land grabbers and their hired goons.

Now that the residents are citizens of Bangladesh, they hope that the local administration and Bangladeshi police would enable them to retrieve their land from the alleged grabbers, answering their prayers at long last. We, too, urge the state authorities, who have played an instrumental role in enabling the smooth transfer of enclaves, to address the concerns of the affected villagers on an urgent basis.

Land grabbing and land-related disputes are emerging as a pressing problem affecting a vast number of people in the former enclaves. The expectations are that now the administration will rise to the task and take appropriate measures to ensure just allocation of land for people who have, for too long, lived a life of deprivation.

## Sorry state of hygiene at public university

*Remedial action brooks no delay*

IT befits the highest seat of learning to have the basic amenities in shape. Sanitation-wise, that is hardly the case in some public universities in the country. A report published in our paper yesterday has brought this despicable problem to the fore. There is only one toilet for 250 male students at the Arts Faculty building of Dhaka University. The situation is even direr for the female students; there is only one toilet for 857 of them. Their plight does not end here, as the seven toilets allocated for them are located on the ground and third floors of the six-storey building. It is indeed an affront to any sense of propriety that such would be the state of basic amenities for 6,000 female students, who constitute 41 percent of Arts students at DU. Most of the lavatories are not well kept, their clogged receptacles often cause overflow of sewerage water, which compounds the problem.

Unfortunately the DU is not the only example we have at hand; students of many public universities live in such unhygienic conditions. It is high time that the authorities find a viable and lasting solution to the poor sanitary conditions. More allocation from the exchequer is urgently needed to modernise and enhance the facilities. The student bodies must play its role in assisting the university authorities in the proper maintenance of hygiene in the campus.

SHAKHAWAT LITON

THE government's latest legislative move has made bureaucrats happy. It was evident when Dhaka Divisional Commissioner Zillar Rahman at the District Commissioner (DC) conference on Tuesday thanked Prime Minister Sheikh Hasina for her cabinet's approval to proposals of enacting a civil service law and for bringing changes in the Mobile Court Act, 2009.

Why have the proposed legislations made bureaucrats happy? The reason is very simple. A provision of the proposed Civil Service Act will provide civil servants with a legal shield from criminal cases filed against them while discharging their official duty. This means a public servant committing criminal offence like graft, bribe and extortion cannot be detained without permission of the government before the chargesheet is accepted by a court. This provision, if enacted, will put public servants in a privileged class and such a privilege will be discriminatory, as no other citizen in the country will be entitled to such privilege.

Now let's come to the proposed changes in the Mobile Court Act, 2009. The proposed amendments to this law will give executive magistrates, who are admin cadres, more power to punish an alleged wrongdoer even after he denies the offence. This will add new muscle to their judicial clout. The existing provision of the 2009 Act empowers executive magistrates to punish an alleged offender only after he admits of any wrongdoing.

Running mobile courts through executive magistrates, in fact, has become an effective mechanism for the bureaucracy to regain their judicial clout they had lost after separation of the judiciary from the executive in November 2007. This had infuriated the admin cadres who had staged agitation against clipping of their judicial powers. To pacify them, the then caretaker government vested them with some judicial powers to run the mobile

courts. In exercise of that power, they were allowed to punish any wrongdoer with only monetary fines.

But Awami League, which assumed power in January 2009, offered them some more judicial power. It had enacted the Mobile Court Act in 2009, empowering the executive magistrates running mobile courts to sentence a guilty person to a maximum jail term of two years, along with a monetary fine. More than 100 laws have been included in the schedule of the mobile court law, allowing executive magistrates to hold trial of the guilty parties under those laws. In the just concluded DC conference, some DCs have demanded that the government give the mobile court more powers. The government might just respond to the demand as a means to keep them happy.

Earlier, the government had amended the Anti-Corruption Commission (ACC) Act 2004, making it mandatory for the ACC to take permission from the government to file any graft case against any civil servant. It had also enacted the Contempt of Court Act in 2013,

bureaucrats special protection from contempt of court. Unfortunately, both moves have proven to be in vain, as the High Court declared them unconstitutional and void.

All these moves have triggered criticism. But the government has paid no heed. It seems to prefer keeping bureaucrats happy, as a means of retaining power.

The position of civil bureaucracy after the country's independence was different. At the beginning, they had no legal protection. They were helpless and vulnerable. Bangabandhu Sheikh Mujibur Rahman occasionally censured bureaucracy in public meetings, cautioning bureaucrats about performing to their full potential. The government enacted a law in 1972 empowering itself to send any public servant on retirement. The draconian law had brought an end to the more than one hundred year long legal protection to bureaucrats. They had enjoyed a basic legal protection since the days of the British Raj which had protected them from arbitrary dismissal by the government. This protection was there in the government of India Act 1919 and later in 1935, which had continued till 1971.

The martial law regime after August 15, 1975 changeover probably appeared as a blessing for the bureaucracy as they used the military rulers to regain their position in the administration. During the 15 years of martial law and semi-martial law since 1975, the bureaucracy has appeared as a strong force. And the governments formed since the restoration of parliamentary democracy in 1991 could not overlook the power of bureaucracy. The government's strategy has changed to favour the bureaucracy. In the last two decades, successive governments have used the bureaucracy for partisan purposes. The bureaucracy has been highly politicised. In return, bureaucrats have been given many undue favours.

The way the government has made moves in the last two years to enact laws to give undue privileges to the bureaucrats has left an ominous sign for the future. The government may rely more on the bureaucracy to retain power. And it may be difficult for the government to establish its control over bureaucracy without giving it undue benefits from time to time.

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## IRAN-WEST NUCLEAR TREATY BETWEEN HOPE AND DISMAY

MUHAMMAD RUHUL AMIN

WHILE some have appreciated the Joint Comprehensive Plan of Action (JCPA), signed by Iran and the P5+1 countries, some others, including Israel consider it "historic blunder." However, the main question propping up in everybody's mind is whether the treaty will prevent the threats emanating from an emerging imperial and ideological state like Iran.

As claimed by President Obama, the treaty has been successful with the support from 99 percent of the world population providing optimism for global peace and security. However, there are pessimists who argue that the treaty will not minimise nuclear threats from Iran in the foreseeable future. Israel is the principal issue of concern, as it has opposed the treaty from the very beginning. Critics believe that permanent and lasting international security requires an understanding between Iran and Israel- two eternal enemies of the Middle East region. Israel has ceaselessly asked for a treaty that would stop Iran from ever possessing nuclear weapons.

Critics also think that an Iran-West nuclear détente is an unfeasible reality. That's why both sides had provided misleading information following the interim Structural Framework Agreement signed on April 2 in Switzerland. The US claimed that the interim agreement forced Iran to bow down and that sanctions imposed on Iran will never be

lifted, rather suspended for an indefinite period. Iran, on the other hand, claimed that Iranian interests were upheld in the Structural Framework Agreement. Richard N. Haas, President of the US Council of Foreign Relations, listed a number of reasons for the pessimist school of thought in this regard. These include the conflicts between hard-line critics of Iran and the fundamentalist Jewish Lobby, lack of public opinion about the treaty both in the West and Arab world, and above all, the prospective nuclearisation of Iran in future. The pessimists are also sceptical about the success of the treaty and are concerned about the bottom-line of both sides. For example, Iran will insist on lifting sanctions forever. The West will not tolerate any Iranian steps towards its nuclear ambition.

Despite these arguments, supporters are optimistic about the enormous success of the Iran-West nuclear détente. Global concerns caused by Iran's nuclear programme started to diminish as soon as the nuclear treaty was signed. Western concerns that Iran will turn out to be a nuclear power is now removed as the treaty limits Iran's nuclear programme to peaceful civilian uses. Iranian concerns for its decaying economy are also being abated, as the West agreed to lift sanctions imposed by the UN, US and EU. Those optimistic about the deal are confident that the strategic gains of both sides are addressed in the JCPA. Both sides have expressed satisfaction and optimism about their achievements following the

nuclear agreement. Iran agreed to limit the number and uses of developed centrifuges, enrichment of uranium and shipping or storage of nuclear materials. It has also agreed to replace its previous three-month breakout time with one-year breakout time for a period of ten years. This means that Iran will need twelve months in order to manufacture a nuclear bomb. The West can take necessary preventive steps in twelve months. Iran has also agreed to allow the UN observation team to visit its military sites.

From the Iranian perspective, optimists see Iran's gains in a number of ways. The ailing economy of Iran which was caused by western sanctions will now get a chance to improve. The lifting of sanctions will allow Iran's economy to jump-up in near future. Iran is also allowed to gear up its nuclear research activities for developed centrifuges. Iran's long isolation from the West barred Iranian citizens from even using their credit cards. Now their treaty with the West will facilitate them to get rid of international isolation. It's very interesting to note that Israel reiterated its demand for Iran's recognition of Israel's existence and statehood which have long been denied by Iran. Does this mean that Israel will not have any problem with the Iran-West nuclear détente as long as Iran recognises Israel?

All of this leads us to conclude that the construction of a nuclear agreement between Iran and the West emerged as the demand of the time, space and situation. The Western block must understand that it would not be wise

to install a new conflict with Iran at a time when the West is suffering from declining global image because of the hegemonic stability theory imposed by the US and the West on other countries to exercise their influence and hegemony. The Iran-US rapprochement is thus widely lauded as the new era of Iran's opening to the West.

The Iran-US nuclear treaty should bring everlasting results, keeping in view the realities of the political economy behind the Western proxy war in Yemen against the Houthi rebels, and

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their proxy war in Syria against the Bashar government and their conflicts in the Middle East region against Iran and its allies. Above all, the Iran-US nuclear treaty must lead to a sustainable solution in order to prevent the risk of transforming Middle Eastern regional conflicts on oil and water resources into dangerous global conflicts.

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## COMMENTS

**"Bangladesh win 12 gold medals in Special Olympics LA" (August 2, 2015)**

Swemong Marma  
Great news.

Bangla Tiger  
Well done. You guys make us proud.

Shamsuzzoha Akhand  
Congrats to all the participants.

**"Dhaka condemns 'cowardly' arson attack on Palestinians" (August 2, 2015)**

Arnob Saha  
Until two of these nations stop criticising one another this aggression will not stop.

Sujoy Barua  
Very sad.

Amar Ami  
Terrorism has no religion.

Michelle Petersen  
It is always the children that pay.

**"AL made a mistake by expelling me: Latif" (August 2, 2015)**

Mohammad Rakib Azim  
AL made a mistake when they took you.

## LETTERS TO THE EDITOR

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### We need charismatic leaders

Charismatic leaders are passionate visionaries who inspire others around them. They provide motivation and share their knowledge with others. When there are charismatic leaders in an organisation, the productivity of that organisation improves to a great extent. And the employees feel more committed to work. A charismatic leader listens to his/her employees and makes them feel that they have a voice in decision-making. Steve Jobs, the famous CEO of Apple Inc., is a good example of a charismatic leader. He said: "My job is not to be easy on people. My job is to take these great people we have and to push them and make them even better."

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### Curbing road accidents

Every day we hear news of road accidents across the country. During Eid-ul-Fitr many home-goers died or were injured in road accidents because our roads have become death traps. In 2012 we lost Tarek Masud, a veteran filmmaker, and Mishuk Munier, a famous journalist and cinematographer, in a tragic road accident. So many people have died. How many lives have to be lost before we act to stop such avoidable accidents?

I, on behalf of the countrymen, earnestly request the government as well as other stakeholders concerned to take necessary steps to stop road accidents.

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