

Right to Information and the story of a Bokul tree

"Payer tolaye norom thek loki? Aste ektu cholna thakurjhee. Oma eje jhora bokul, noe? Joistho aste kodin baki bhai?"



THIS beautiful rhyme by poet Jotindra Mohan Bagchi famously captures the Bengali sentiment for bokul phul, a very small sweet-smelling white flower. The words vividly describe the poignant feelings of a visually impaired

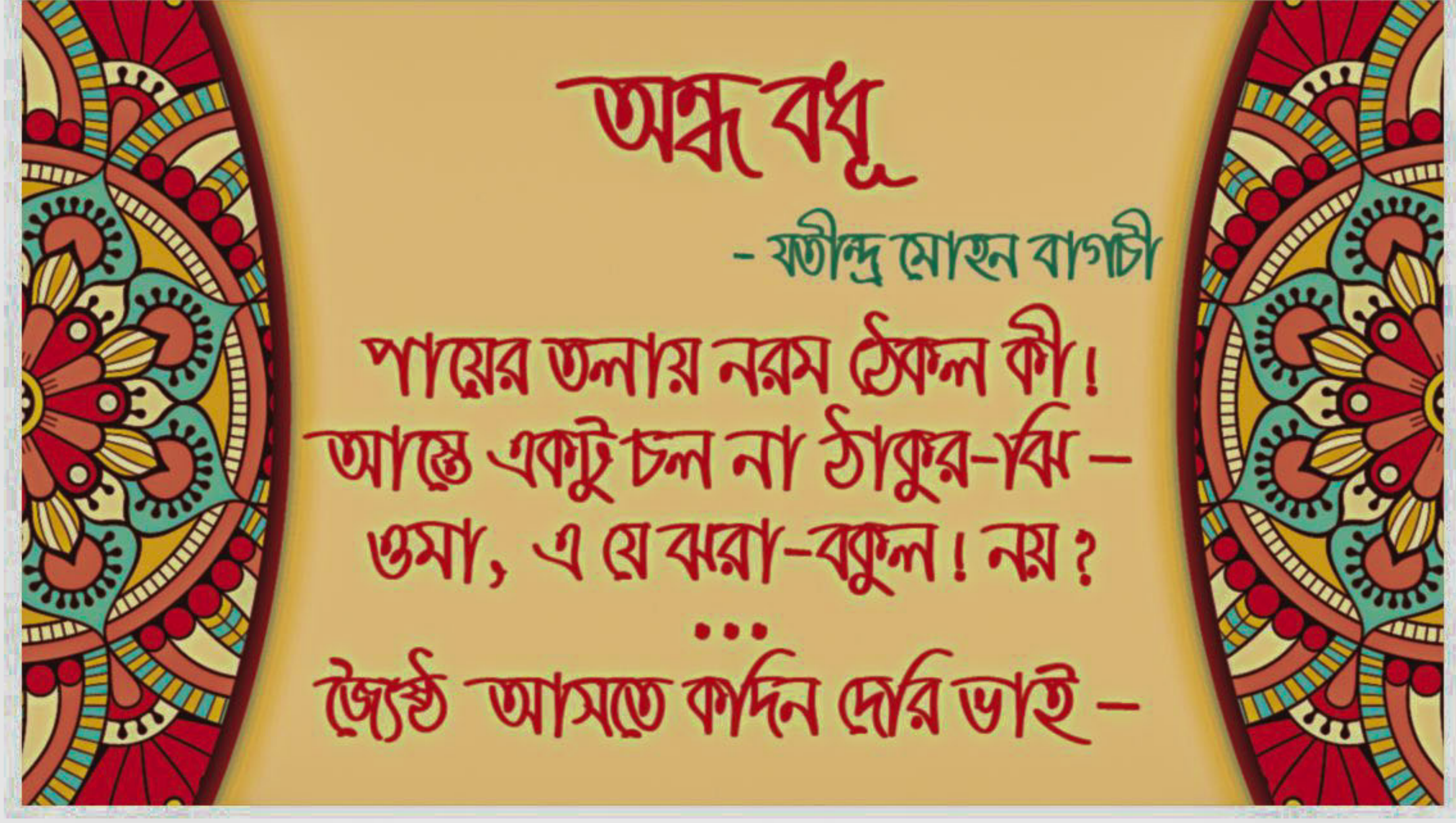
woman who is being escorted by her sister-in-law for a walk in the garden. She implores her companion to let her tread softly over the fallen flowers under her feet and asks if they are indeed bokul phul, heralding the imminent arrival of spring. In fact, the bokul tree (*Mimusops Elengi*) has a hallowed place in the Bengali mind.

Readers may legitimately ask why I am evoking poetry in an RTI column. I would only request their indulgence to allow me to draw upon a personal experience in this regard.

A bokul tree stood in front of our house for over 40 years and covered the ground below with sweet-smelling flowers every spring. It was planted by my wife when we built our first house together in the Banani area of Dhaka city. Her love for bokul flowers was so deep that she insisted on buying a small bokul plant before the ground-breaking ceremony. My father helped her plant it in front of our boundary wall.

From that day in 1974 till early June 2016, our bokul tree grew steadily and spread its wide canopy over the sidewalk in front of our house. It provided shade to weary passersby during the day and silently showered the path with flowers during the night. Small girls picked them up every morning and turned them into garlands to give to their loved ones. Since the death of my wife in October 2013, I often watched this beautiful ritual every day and remembered the time when she would play with a handful of bokul brought to her in the morning during her illness.

But then came the spate of road building and other improvement activities in our neighbourhood, undertaken by the newly installed Dhaka North City Corporation (DNCC) authorities. Streets everywhere were dug up, but people took their suffering in



good spirit, hoping for improved traffic soon. I too rejoiced at the prospect of better roads. However, I was soon filled with trepidation when I saw many trees being felled in the process. I shuddered at the thought of losing my bokul tree.

I knew that development may require some destruction first, but was hoping that things will happen systematically, based on clear policy, rules and regulations. I hoped that this would be particularly true for trees, many of which had grown big and beautiful over the years, including my wife's bokul tree. If the rules were applied evenly, I thought, I should be prepared to accept whatever happened.

But while the trees on some streets were being chopped down ruthlessly, those on other streets were spared. The reason for this distinction was not communicated. In some places, the trees were cut before drains and sidewalks were built on both sides of the street. In other places, the sidewalks were built without felling the trees as the drain pipes were dug into the middle of the road. I was hoping that this would happen on my street too.

To know more, I decided to use the Right to Information Act 2009. I sent an RTI application on May 3, 2016, by registered

mail to the Designated Officer (DO) of DNCC asking for a copy of any guidelines being followed for the tree-felling activities in the Banani area and a copy of any specific decision taken in this regard and provided to the contractors, and finally, a copy of rules and regulations for felling of trees anywhere in Dhaka city.

Unfortunately, there was no response within 20 working days, as stipulated in the RTI Act. So, as per law, I appealed to the appellate authority, who happened to be the Mayor of DNCC. He too did not respond within the stipulated 15 working days. I then complained, as per law, to the Information Commission. Two months had passed since my first letter.

Meanwhile, one morning in early June 2016, work men arrived on my street and began sawing down my bokul tree. I was told that this was necessary as the side-walk would be built on the drain which could only be dug after removing the trees. I called the mayor right away, who told me that there was nothing he could do as everything was being done on basis of decisions carefully taken.

There was no point in asking whether there were any written records of the decisions, as it was already too late. My bokul tree and its companion mahogany tree were

gone. However, about seven other trees on my street were spared. These surviving trees stand to this day to my great joy, with the sidewalks hugging them all around. Again, no reason was provided for the distinction.

I immediately sent a second RTI application, asking for the basis of such action. Unfortunately, no reply came within the stipulated period of 20 working days. This time, without making another futile attempt to appeal to the mayor, I sent a second complaint straight to the Information Commission, which promptly applied the rule and rejected the complaint, stating that I should have made an appeal first to the DNCC.

About my first complaint to the Commission, I was called to a hearing on October 24, 2016: more than five months since my initial letter. The DO of the DNCC was present together with his lawyer. Both denied having received my first application or the appeal, though they were sent by registered mail. However, they acknowledged that they had received the second application, for which a response was sent on September 8, 2016. The response contained a copy of an office order from 2008 relating to removal of trees which are affected by storm or are old or dead. The order required the formation of a

committee composed of five persons from relevant government offices who would take the necessary decisions. It was accompanied by a circular dated March 7, 2016 relating to removal of trees felled or destroyed by a recent storm "in accordance with traditional practice".

When the commissioners asked the DO if such a committee was formed, the DO simply said that he did not get any feedback from the concerned department. The Commission then decided to hold another hearing a month later, on November 20, 2016, in which the official from the concerned department would be summoned. However, the latter failed to appear at the hearing and sent only his lawyers. As the matter could not be taken any further, the Commission simply took the decision that the DNCC must respond to my RTI application in writing, even if to say that they had no information to provide.

I got a letter from the DNCC within a few days, basically saying that they had no guidelines for felling of trees and no specific decisions were taken to cut the trees on my street and no written instructions were given to the contractors for this purpose. The matter ended there in effect.

So, what was the result of my RTI intervention? Nil, I am afraid. My beloved bokul tree was gone. The Information Commission was simply focused on process: ensuring that the DNCC responded to my RTI application, even if to say that they had no information to provide. It took no action on the fact that the DNCC failed to respond to my RTI application or the appeal in the first place, even though the law clearly provides for punitive and other measures. The DNCC got away unscathed by denying that it ever received my application or the appeal, even though I produced evidence that they were sent by registered mail.

That the RTI law was enacted primarily to promote transparency and accountability of public offices was lost in the Information Commission decision. As for the DNCC, one wonders if anybody, other than the few officials directly involved in the process, was made aware about the existence of the law and their responsibility under it for transparency and accountability to the public. If it continues like this, can the objectives of RTI ever be achieved?

And finally, will the mystery of why my wife's bokul tree got the axe while most of the other trees on my street thankfully remained standing ever be solved?

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PROJECT SYNDICATE

Trump's chaos theory of government



IN the weeks since Donald Trump's inauguration as President of the United States, it has become clear that he intends

to roll back the progressive-egalitarian agenda that is commonly associated with "political correctness" to the starting block – not just in the United States, but globally. Stephen Bannon, Trump's White House Svengali and former CEO of the extreme right *Breitbart News*, has long pursued this ideological project, and we now know that what he or Trump says must be taken both seriously and literally.

Trump's transition was initially reassuring, because he nominated many undeniably serious (if also seriously well-heeled) people to his cabinet. But, after the inauguration, all hell broke loose as Trump and Bannon began to implement their

project in earnest. First, Trump appointed Bannon to the National Security Council's highest body, the principals committee. Then he nominated Ted Malloch, an obscure business studies professor at the University of Reading, in England, as US Ambassador to the European Union. Malloch recently expressed a desire to "short the euro," and predicted that the currency will not survive another 18 months. Trump has also increased the likelihood of a trade war with Mexico, and he has been willing to confront major US corporations over his executive order banning travellers from seven Muslim-majority countries.

The ideological project that Trump and Bannon will seek to carry out could have far-reaching geopolitical and economic implications that should worry not only progressives, but also dyed-in-the-wool conservatives like me. To understand how far they are willing to go, one must understand their ultimate aims. Most disturbingly, Trump and Bannon's agenda seems likely to

entail policies to weaken, destabilise, or even ultimately dismantle the EU. No motive other than ideology can explain Trump's open hostility to the bloc, his bizarre ambassadorial appointment, or his notorious question to EU President Donald Tusk: "What country is next to leave?"

In conventional geostrategic terms, the EU is almost a costless extension of US political and military power. Owing to NATO's significant military superiority, and the EU's role as a barrier to Russian expansion, the US can avoid becoming entangled in a "hot war" with Russia. Meanwhile, the EU – together with Japan – is a dependable economic and military ally, whose friendship allows the US to speak for the "international community."

There are no circumstances in which dismantling the Western international order is in America's national interest – even when perceived through a nationalist lens. A truly "America first" administration would rightly expect its allies to pull their weight within NATO, and to defer to US foreign policies on non-

European issues. But it would never gratuitously dismantle an essentially free multiplier of US power, as Trump's foreign policy threatens to do.

If I am right about Trump and Bannon's ideological agenda, we can expect them to find a way to support far-right National Front leader Marine Le Pen in the French presidential election this year, and to encourage a "hard Brexit" for the United Kingdom (only to leave it in the lurch afterwards). Trump will also likely lift the sanctions that the US imposed on Russia after its 2014 annexation of Crimea. After all, Russian President Vladimir Putin and Bannon are ideological twins.

Moreover, we should not put much stock in any security assurances that Secretary of Defence James Mattis may have offered to South Korea and Japan during his East Asia trip. Such promises are worth as little as Trump's pledge to Polish President Andrzej Duda that "Poland can count on America."

Domestically, Americans should be prepared to watch the

administration dismiss officials who do not defend its agenda, and disregard court orders that inhibit its actions. In fact, we have already seen early signs of this when complaints emerged that immigration agents in New York were ignoring a federal judge's emergency stay on Trump's travel ban.

The prospects for business are just as sobering. Sooner or later, Trump's destabilising foreign policy will lead to global economic turbulence, uncertainty, and reduced investment – even barring full-scale trade wars. And domestically, his weakening of the rule of law will negate any potential economic benefits from tax cuts and deregulation.

Implementing this project is undoubtedly a dangerous strategy for Trump. By polarising the American public to such an extent, he and the Republicans could suffer defeat in the 2018 midterm elections or in the 2020 presidential election; and he could even expose himself to the risk of impeachment. There are two possible

explanations for why Trump would take these risks. The first is that divisiveness has worked for him so far, by winning him the Republican nomination and the presidency. Politicians tend to stick with what works – until it fails. The second explanation is that Bannon is calling the political shots, and is more interested in building a permanent populist "movement" than he is in getting Trump reelected. If Bannon wants to transform the American political landscape, an impeached or defeated Trump could become an ideal martyr for his movement. That may not bode well for Trump himself; but, in this scenario, Trump's fate will not weigh heavily on Bannon, who has set his sights on achieving goals that will leave America and the world very different from how he and his putative boss found them.

The writer was Poland's Minister of Finance and Deputy Prime Minister from 2007 to 2013. Copyright: Project Syndicate, 2017. www.project-syndicate.org (Exclusive to The Daily Star)

QUOTABLE Quote

OSCAR WILDE
IRISH PLAYWRIGHT, NOVELIST, ESSAYIST, AND POET

To live is the rarest thing in the world. Most people just exist.

CROSSWORD BY THOMAS JOSEPH

ACROSS

- Soda fountain orders
- Inlet
- Permit
- Without stop
- Blackboard material
- Peter of "Casablanca"
- Male turkey
- Sense of self
- Unruly crowd
- Commencing
- Sick
- Savvy about
- Impudent
- Soda bottle size
- Land unit
- Relatives
- Failing electrically
- Tree flow
- Summer in Paris
- Gorilla, for one
- Bush's successor
- Chess wins
- Sub system
- Deal maker
- Like lawns in the morning

DOWN

- Uncool group
- Ship poles
- Portion out
- Andean animal
- Young one
- In a mellifluous way
- Two-dot character
- Music's Yoko
- Montpelier's state
- In transit
- One in the red
- Baseball's Hodges
- Reader for eating
- On the way out
- Ropes
- Sleepy Hollow name
- Fuel gas
- Center, for one
- First aid case
- Visibly sad
- Western, in slang
- Tip over
- Exams
- Gullet
- Historic time

YESTERDAY'S ANSWER

S	A	P	S	B	E	E	R
L	A	D	L	E	F	I	R
A	G	E	L	E	S	S	G
T	E	N	L	A	T	E	R
E	S	T	E	E	M	R	E
A	R	U	B	A			
T	E	A	S	R	E	S	L
I	L	L	E	G	A	L	R
B	E	G	L	I	F	T	S
E	V	O	K	E	A	R	I
R	E	R	A	N	S	I	N
N	E	T	S	T	O	E	S

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