

Largest wildlife sanctuary under threat

Building a road through it is a rank bad idea

Is there no alternative to constructing a road through a government-declared wildlife sanctuary? The very idea of the R&H Department building a road through one of the largest secondary forests in the country—a sanctuary for a variety of flora and fauna—is extremely illogical and incongruous considering the relevant government policy. A good part of more than 900 acres of Hazarikhil Wildlife Sanctuary in Chattogram, which hosts 200 species of birds and animals and shelters 250 different varieties of trees, stands to be completely destroyed if the plan comes to fruition.

We understand that the project to link Fatikchhari Upazila with the main Chattogram Highway has been passed by the ECNEC. But how that could be so when there are clear instructions for obtaining the clearance of the Department of Environment (DoE) and the Forest Department (before such a project can be implemented) is beyond comprehension. As it stands, the project does not have the clearance of the DoE or the forest department, and no environmental impact study has been done either.

We wonder why one of the oldest sanctuaries in the country has to be defiled to build a link road when there is already an existing one. And why can't the existing one be developed further to take on increased volume of traffic? Shorter routes may have long-term consequences, as this project certainly will, if given the green signal; a complete destruction of the forest will be a matter of time only. As it is, forested land in our country is dismally below the ideal ratio, and depleting rapidly. The only rational thing for the government to do is to put down the errant plan firmly.

Permit only paper material for publicity

Use of PVC harmful to environment

THE EC has formally asked all the political parties and candidate hopefuls to remove their posters, banners and other campaign materials within the next seven days since it is against the law to campaign and bring out processions and stage showdowns until candidates have been allotted electoral symbols. We hope the EC will be able to ensure that its orders are implemented. However, what we want to underline here is the use of publicity materials that are harmful to the environment. We have been watching with concern the mushroom growth of electoral publicity material all over the country made mostly of non-biodegradable materials.

A huge quantity of plastic materials is being used to make these. The plastic material of choice is PVC (a synthetic plastic polymer) employed in the making of digital banners, festoons, posters, etc. primarily because it is weatherproof. The problem is that PVC is non-biodegradable and we are very concerned about what will happen once election is over. Our experience tells us that once electioneering concludes, they are left as they are and no one bothers to collect them for safe disposal.

Much of this material will end up clogging our already-clogged drains, adding yet another layer of problem to an already dilapidated drainage system, and pollute the environment in the countryside too. We strongly urge authorities to take steps to ban the use of PVC to make publicity material because once the festivity is over; it is the people who will suffer most when the hundreds of thousands of PVC-printed material end up adding one more woe to their lives.

LETTERS TO THE EDITOR

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For a free and fair election

The Election Commission has announced the date of the 11th parliamentary election, which is December 23, 2018. As an ordinary citizen, I want the election to be held in a free and fair manner and I hope that there will be no violence during or after the election.

As a conscious citizen, I would like to utilise my voting power. The EC must ensure an environment where the general people will go spontaneously to the voting centres and cast their votes. No one should be barred from casting their votes. The EC has said that six lakh law enforcers as well as army will be deployed to ensure safety and security of voters. That is good news, because voters believe that deployment of army is very important to ensure a peaceful and congenial atmosphere during election time.

Noman Hossain
A student of SUST, Sylhet



SHAKAWAT LITON

THE root of the present crisis over the parliamentary polls lies in the Supreme Court's verdict on the 13th constitutional amendment case which declared the election-time non-partisan caretaker government system unconstitutional. And the solution to the crisis, to a large extent, also lies in the SC verdict.

Banking on the judgement, the Awami League-led government abolished the caretaker government system in 2011 by amending the constitution, generating a political crisis that resulted in the boycott of the 2014 parliamentary election by the BNP-led alliance and some other parties. The opposition alliance has since demanded restoration of the election-time non-partisan government.

The 2011 constitutional amendment also introduced the provision for holding parliamentary polls without dissolving the parliament.

The crisis has deepened in the last seven years, and sparked renewed concerns in the run-up to the upcoming parliamentary election. The Jatiya Oikyafront, the alliance of BNP and some other opposition parties, is demanding the formation of a neutral election-time government and dissolution of the current parliament before the polls now scheduled for

The EC and the government know well what they should do, and what they should not, for holding the upcoming polls in a free and fair manner.

PALLAB BHATTACHARYA

BY-ELECTIONS continue to be the proverbial Achilles' heel for India's ruling Bharatiya Janata Party. This has been the trend ever since it returned to power in May 2014. In fact, one estimate says that the party has won just six of the 30 by-elections held in the last four and half years. During the same year, the saffron party has, however, emerged victorious in so many state polls including the remarkable win in the key political battleground of Uttar Pradesh. But the BJP has somehow been buffeted by bypoll blues. The latest manifestation of that trend was in the bypolls to three parliamentary and two assembly seats in the southern state of Karnataka on November 6 when the BJP could win just one seat and lost the rest to Congress Party and its state ally Janata Dal (Secular).

While an understandably buoyant Congress projected the Karnataka bypolls mandate as a "teaser" for what awaits the BJP in 2019, the saffron outfit's official response was that not too much should be read into by-election results. However, the signal from the Karnataka bypolls for the 2019 parliamentary elections was a

The Karnataka bypolls have driven home the point that if opposition parties can get their act together and put up a united front, they stand to gain in 2019. The results show the Congress and the Janata Dal (S) benefitted from each other. The question now is: can this be replicated among other opposition parties in other states?

theme of Janata Dal (S) Chief and former Prime Minister HD Deve Gowda's campaign speeches.

True, bypoll verdicts are not always a reliable indicator of voters' mood in the run up to the national polls; the recent results in Karnataka are different from

December 23.

The SC verdict on the 13th constitutional amendment case was thrust back into the limelight after Prime Minister Sheikh Hasina, at a cabinet meeting on November 6, made a reference to it during an unscheduled discussion, while instructing four technocrat ministers of the cabinet to resign. "According to an apex court observation, there is no scope for inclusion of unelected individuals in the election-time cabinet," she was quoted by a senior minister as saying. (*The Daily Star*, November 7)

Clearly, the PM meant to honour the observation made by the SC in the 13th



amendment case verdict. However, her decision triggered speculations that she took the move to prevent Jatiya Oikyafront from raising a demand for inducting some of its leaders in her election-time cabinet as technocrat ministers.

Other observations of the SC verdict are, however, significant in the context of the present situation. One of the observations of the apex court deals with the dissolution of parliament before the general election. It says it is justified to dissolve the parliament within a reasonable time-frame before the general election, such as 42 days.

If the government honours this particular observation, the current parliament should be dissolved in a couple of days. The election will be held

after 43 days as the Election Commission announced the schedule for the polls on Thursday, fixing December 23 as the polling day.

If the current parliament is dissolved, one of the major contentious issues in the current political crisis will be resolved. One of the major demands of the Oikyafront and some other opposition parties is dissolution of the current parliament before the polls for the sake of creating a level playing field for all parties.

In its observations, the SC also speaks for downsizing the cabinet before the polls, which will only carry out normal activities during election time. The SC

also speaks about empowering the EC to have control over all government officials directly or indirectly involved with the process of holding the polls. This power will take effect after the announcement of the election schedule.

The SC also speaks for empowering the EC to take punitive actions against officials engaged in election duties for their failure to perform neutrally. Actually, the EC does not have such authority to take penal action. If any official engaged in election duties violates the EC's order or neglect his or her duty, only their appointing authority, meaning the government's concerned department, can take penal action against him/her. What the EC can do is make recommendations for action against the involved official to his/her

appointing authority.

In the verdict, the apex court strongly and repeatedly urged that the EC should be strengthened so that it can hold a free and fair election. However, the reality is quite different. Before the 2014 parliamentary election, the government rejected the EC's proposal for empowering it to punish individuals and government officials for negligence in duties assigned by the commission or for their refusal to assist it.

The government also rejected another proposal from the EC that sought the power to monitor election expenses of the candidates during the electioneering period. The EC had sought the authority to devise its method of monitoring.

It should be noted that the word "election" has been cited at least 14 times in our constitution. Words may fall short to describe the importance of a free and fair election in a democracy. The Indian Supreme Court in several verdicts strongly pronounced that "If there is no free and fair periodical election, it is the end of democracy."

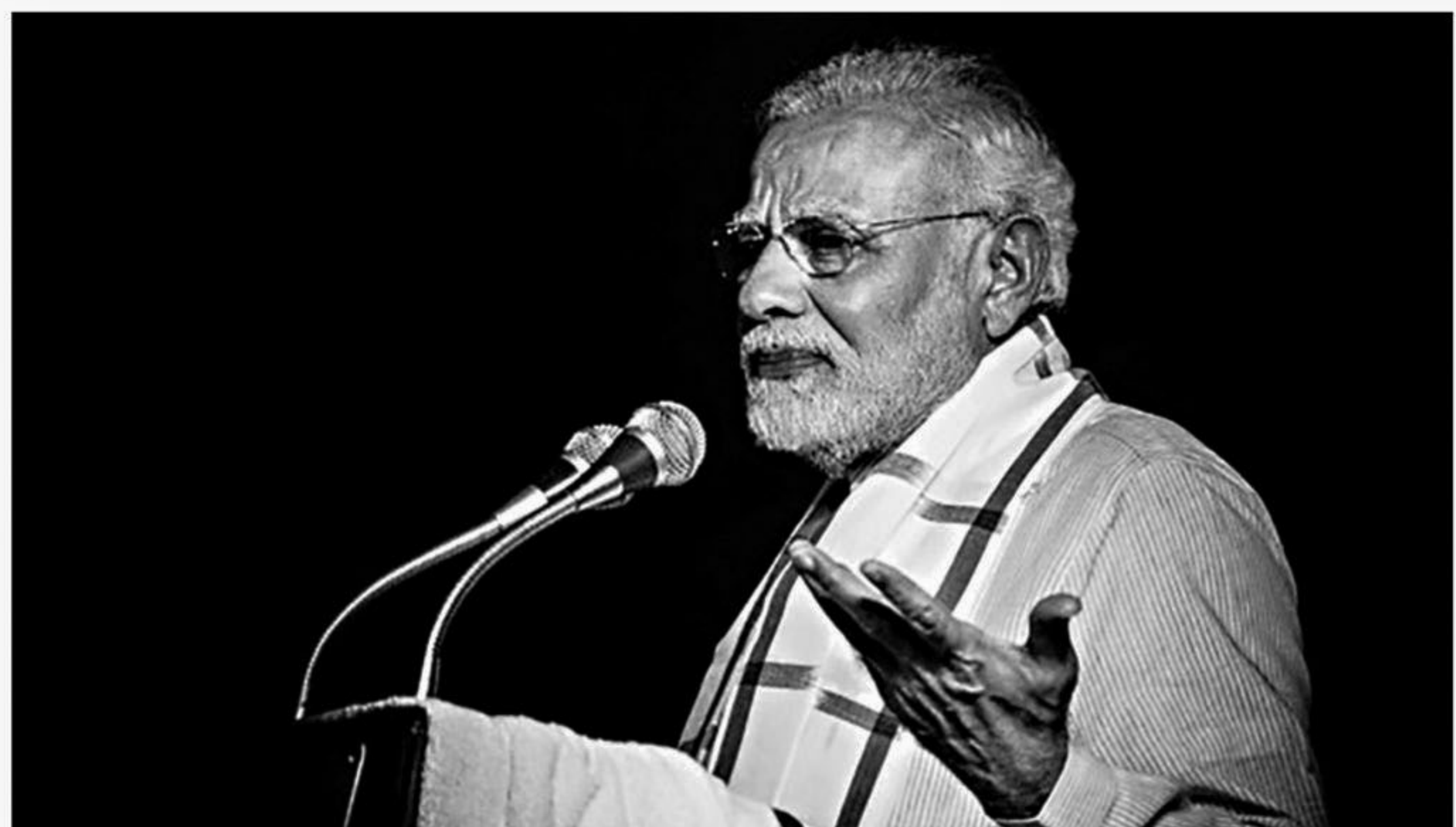
Our Supreme Court, in the caretaker government case verdict, also observed that like democracy, free and fair election is also a basic structure of our constitution. Democracy and free and fair election are so inextricably linked that one cannot be separated from the other. Without free and fair election, democracy cannot be conceived of and practised in the true sense of the word, it stated.

It further says: "If there is no free and fair election, then the people shall be defrauded of their sovereign powers as envisaged in article 7 of the constitution. Free and fair election can be compared with the heart of a human body; if the heart fails, a man dies. So without free and fair election, democracy would automatically die."

Now, it all depends on the government whether it will fully honour the observations made by the Supreme Court in the caretaker government case verdict, which unequivocally speaks for holding a free and fair election. The EC and the government know well what they should do, and what they should not, for holding the upcoming polls in a free and fair manner.

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BJP's bypoll blues continue



Indian Prime Minister Narendra Modi.

PHOTO: CHANDAN KHANNA/AFP

any other such exercise in the past for three main reasons: (1) the timing as it came so close to the coming assembly elections in the five states of Rajasthan, Madhya Pradesh, Chattisgarh, Mizoram and Telangana in November-December and; (2) the hefty margin of victory for Congress and Janata Dal (Secular) indicating the possibility of transfer of votes from one party to the other and; (3) it sends a strong positive political message about the unity among opposition parties in the run up to the parliamentary elections in the first half of 2019 and a worrying signal for the BJP which has so far been mocking at tentative and half-hearted moves for a pan-India united opposition front to take on the BJP.

That the Karnataka bypoll defeat for the BJP came even after its good show in Uttar Pradesh (where the party assumed power in 2017 on the back of a stunning show) and in Karnataka state polls (in Karnataka, the BJP emerged as the single largest party in assembly elections in May this year only to be outsmarted by the joining of hands by Congress and Janata Dal (S) and forming the state government) is all the more reason why the party cannot afford to dismiss the latest bypoll mandates out of hand. Rather, they should serve as a wake-up call to introspect. What should cause greater worry to the BJP is the big margin of the Congress-Janata Dal (S) wins.

The Karnataka bypolls have silenced the critics of the Congress-Janata Dal (S) tie-up, particularly its longevity given the smouldering differences between the two parties. If anything, the results would only serve to cement the alliance between the two parties and enthrone them to work with more vigour to take on the BJP in the elections to the 28 parliamentary seats which will be up for grab in the state. Such is the glue of power. So, the BJP has a challenge on its hand if it has to at least defend the tally of 17 of the 28 parliamentary seats it had won in Karnataka in 2014.

The Karnataka bypolls have driven home the point that if opposition parties can get their acts together and put up a united front, they stand to gain against the BJP in 2019. The Congress and the Janata Dal (Secular) worked out a seat-sharing arrangement for the five seats in the bypoll and put up jointly-agreed candidates against the BJP's challengers. The results show the Congress and the Janata Dal (S) benefitted from each other. The question now is: can this be replicated among other opposition parties in other states?

One saw in March this year how an alliance between Samajwadi Party and Bahujan Samaj Party helped defeat the BJP in three bypolls in Gorakhpur, Phulpur and Kairana in Uttar Pradesh and how the Congress came out triumphant in Ajmer and Alwar by-

elections in Rajasthan also earlier this year. The bypolls in the three constituencies in Uttar Pradesh as well as in the five saw transfer of votes in varying numbers among the parties opposed to the BJP. In Rajasthan bypolls, the fight was mainly between the Congress and the BJP. However, unity among the opposition is missing when it comes to facing the ruling BJP in the coming assembly polls in Rajasthan, Chhattisgarh and Madhya Pradesh as Mayawati-led BSP is fighting separately in these states following differences with Congress over seat-sharing.

Congress is already in talks with Telugu Desam Party (TDP) for an alliance that is ruling Andhra Pradesh, for assembly polls in adjacent Telangana where political observers believe the Karnataka bypoll could have some ripple effects because the two states share borders. The TDP chief N Chandrababu Naidu is currently on a pan-India tour trying to cobble together a broad alliance of non-BJP and non-NDA regional parties for the 2019 national elections.

Much will depend on what shape the opposition alliance takes. The opposition parties could help each other in their respective states of influence and its value lies when all the states are taken in totality and aggregated.

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